



Dover Township Comprehensive Zoning Update Key:

****NOTE – All sections/definitions have been renumbered & alphabetized****

Black Text – Existing language

Red Underlined Text – Added Language

Purple Text – Added language

~~Black Text Strikethrough~~ - Existing language stricken from the ordinance

~~Purple Text Strikethrough~~ – Added language stricken through discussion

Highlighted Sections ex. 27-123(X)(i) – Referenced section numbers to be updated upon reorganization

Part 1

Short Title, Purpose, Community Development
Objectives and Authority

§ 27-101. Short Title.

These regulations shall be known and may be cited as the “Dover Township Zoning Ordinance:” and the Zoning Map referred to herein and adopted as part of this Chapter shall be known as the “Dover Township Zoning Map”.

~~(Ord. 2015-06, 9/28/2015)~~

§ 27-102. Purpose of Chapter.

1. The regulations in this Chapter have been promulgated with the purpose of promoting, protecting, and facilitating:

- A. Coordinated and practical community development.
- B. Proper density of population.
- C. Adequate water and sewerage.
- D. Adequate police protection, schools, parks and other public requirements.
- E. Adequate light and air.
- F. Adequate transportation, parking and loading space.
- G. The public health, safety, ~~morals~~ and general welfare.

2. The regulations are also designed to prevent:

- A. Overcrowding of land.
- B. Blight.
- C. Danger and congestion in travel and transportation.
- D. Injury or loss of health, life, or property from fire, flood, panic or other dangers.

~~(Ord. 2015-06, 9/28/2015)~~

§ 27-103. Community Development Objectives.

This Chapter is enacted as part of the overall plan for the orderly growth and development of Dover Township. As such, this Chapter is based upon the expressed or

implied plan objectives contained in the Dover Borough/Dover Township Joint Comprehensive Plan. This Chapter provides a legal basis and framework for future community development. The following Comprehensive Plan Objectives provide the basis for development of growth management and community revitalization strategies, policies, projects and programs:

~~1.~~

- ~~1.~~ Provide a growth management strategy that addresses the quality, quantity, location and phasing of residential growth to meet needs of all income levels and to meet access and circulation needs.

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~~1.~~

- ~~1.~~ ~~2.~~ Provide for the health, safety and welfare of our citizens by developing a plan for adequate public utilities including water, sewer and stormwater management to meet both current and future needs.

~~2.~~

- ~~2.~~ ~~3.~~ Provide for the safe and efficient movement of people, goods and services with access to multi-modes of transportation in and through the Township and Borough.

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~~3.~~

- ~~3.~~ ~~4.~~ Identify economic development opportunities and strategies with an emphasis on commercial and industrial development that are compatible with the community and supported by adequate facilities including utilities, water, sewer and transportation facilities.

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~~4.~~

- ~~4.~~ ~~5.~~ Provide strategies for preservation and conservation of agricultural lands, natural resources (including but not limited to water resources) and environmentally sensitive lands through regulation and partnership with landowners.

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~~5.~~

- ~~5.~~ ~~6.~~ Preserve and enhance the rural village character within the Village Center covering Dover Borough and areas immediately adjacent within the Township.

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~~6.~~

- ~~6.~~ ~~7.~~ Provide for adequate public facilities and services including parks and recreation facilities, community centers, and desired programs for all ages at locations accessible to current and anticipated neighborhoods.

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~~7.~~

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~~7. — 8.~~ Provide necessary services including police, fire emergency services, schools, disposal of solid waste and other similar services to meet the needs of all citizens and businesses.

~~8.~~

~~9. — 9.~~ Establish land use policy that adheres to the principles of smart growth to build a sustainable community including provisions for preservation and conservation of natural resources and agricultural lands, reduction of development impacts on the environment, restriction of growth outside of the growth boundary, adequate public facilities and services, and improved accessibility to goods and services.

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~~— To provide citizens and prospective developers with a clear understanding of the Township's land use decision making process and to encourage citizen participation in the land use decision making process.~~

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~~— (Ord. 2015-06, 9/28/2015)~~

~~10.~~

§ 27-104. Authority.

Section 601 of the Pennsylvania Municipalities Planning Code (Act 247), 53 P.S. §10601, provides that the Dover Township Board of Supervisors may accomplish any purposes of Act 247 by enacting a zoning ordinance within the Township.

§27-105: Conflicting Provisions.

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1. Where a provision of this Chapter is found to be in conflict with a provision of any land use ordinance or code, applicable health, building, housing, or safety regulation, or any other ordinance, resolution, or regulation, on or after the effective date of this Chapter, the provision which establishes the more restrictive standard for protection of the health, safety, and welfare of the people shall prevail.

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~~(Ord. 2015-06, 9/28/2015)~~

Part 2

Definitions of Terms

§ 27-201. Rules of Interpretation.

1. For the purpose of this Part, the terms and words listed in this Section shall have the meaning herein defined. Words not herein defined shall have the meanings given in Webster's Unabridged Dictionary and shall be interpreted so as to give this Chapter its most reasonable application.

2. For the purpose of this Chapter, the following rules of interpretation shall apply:

A. Words in the present tense include the future tense.

B. Words in the singular include the plural and words in the plural include the singular.

C. The words "used" and "occupied" shall be construed to include the words "or intended, arranged, designed to be used or to be occupied, or offered for occupancy."

D. The term "such as" shall be considered as introducing a typical or illustrative designation of items, and shall not be interpreted as constituting a complete list.

E. The words "person" and shall be deemed to include a corporation, unincorporated association and a partnership or other legal entity, as well as an individual.

F. The words "building" and "structure" shall be construed as if followed by the phrase "or part thereof."

G. The word "lot" includes the words "plot" and "parcel."

H. The word "watercourse" includes channel, creek, ditch, dry run, spring, stream and river.

I. The word "shall" is to be interpreted as mandatory.

J. The male gender includes the female gender.

§ 27-202. Terms Defined.

Other terms or words used herein shall be interpreted or defined as follows:

Access drive - a private drive, other than a driveway, which provides for vehicular access between a public street and a tract of land containing any use other than one single-family or a two-family dwelling unit.

Accessory apartment - an independent dwelling unit that has either been added onto, or created within a single-family dwelling unit, containing a separate kitchen, bathroom, and sleeping area.

Accessory family dwelling unit - an additional dwelling unit, either attached or detached from the principal dwelling, placed on a property for occupancy by either an elderly, handicapped or disabled person related to the owners of the principal dwelling by blood, marriage or adoption as defined in § 27-603 of this Chapter.

Accessory use - a use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building/structure and located on the same lot with the principal use.

Adaptive reuse – Applies to structures not initially designed for permanent residential use and former public, semipublic and other large buildings (including schools, churches, armories, and other civic structures) which lie within a permitted Zoning District within the Township with the express purpose of encouraging the adaptive and flexible reuse of such buildings.

Adult-oriented facility - an establishment open to the general public or a private club open to members, except persons under the age of 18 years, which is used and occupied for one or more of following activities:

Adult-book store - an establishment in which 5% of more of occupied sales or display area offers for sale, for rent or lease, for loan, or for view upon the premises; pictures, photographs, drawings, prints, images, sculpture, still film, motion picture film, video tape, or similar visual representations distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity, or books, pamphlets, magazines, printed matter or sound recordings containing explicit and detailed descriptions or narrative accounts distinguished or characterized by an emphasis on sexual conduct, or offers sexual devices for sale.

Adult cabaret - an establishment, club, tavern, restaurant, theater or hall which features live entertainment distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

Adult massage parlor - an establishment whose business is the administration of massage to the anatomy of patrons, unless operated by a medical practitioner, chiropractor or professional physical therapist licensed by the Commonwealth. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

Adult theater - a building, or a room within a building, used for presenting motion picture film, video tape or similar visual representation of materials distinguished or characterized by an emphasis on sexual conduct or sexually explicit nudity.

Sexual conduct - ultimate sexual acts, normal or perverted, actual or simulated, involving a person or persons, or a person or persons and an animal, including acts of

masturbation, sexual intercourse, fellatio, cunnilingus, anilingus or physical contact with a person's nude or partially denuded genitals, pubic area, perineum, anal region, or, if such person be female, a breast.

Sexually explicit nudity - a sexually oriented and explicit showing or exhibition, by any means or manner, which presents or exposes to the viewer the following anatomical areas: the human genitals, pubic area, perineum, buttocks or anal region, with less than a fully opaque covering; the covered human male genitals in a discernible turgid state; the postpubertal, full or partially developed human female breast with less than opaque covering of a portion thereof below the top of the areola or nipple.

Agricultural Use Definitions

Agribusiness - economic activities of farms including those undertaking commercial agricultural production, and those related businesses that produce, harvest, refine, and market raw agricultural commodities into food, fiber, and energy into final products for sale and distribution to local, regional, state and global markets. It encompasses all of the economic activities that are related to commercial agricultural production, the process and refinement of raw farm products into consumable goods; and the agriculture-related service industry which supports the production and distribution of agricultural products. It includes but is not limited to the following; animal husbandry, crop production, machinery sales and repair, fertilizer production and distribution, specialized farming, food, fiber, and energy processing and manufacturing, packaging, transportation, wholesale and retail trade, and the distribution of food, fiber, and energy products.

Agricultural operation - an enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry. Such operations shall also include vineyards, orchards, fruit farms, tree farms, etc.

Animal equivalent unit (AEU) - defined under the Pennsylvania Nutrient Management Act as 1,000 pounds of live weight of any animal.

Animal feeding operation (AFO) - an operation that confines animals for at least 45 days in a 12-month period with no grass or other vegetation in the confinement area during the normal growing season.

Concentrated animal feeding operation (CAFO) - these operations are defined as point sources under the Clean Water Act (CWA). The CWA prohibits discharges of pollutants from point sources, including CAFOs to surface water, unless in compliance with a National Pollutant Discharge Elimination System (NPDES) permit.

Concentrated animal operation (CAO) - defined under the Pennsylvania Nutrient Management Act as any animal operation with more than 2,000 pounds of live weight per acre (2 AEU per ac) of land available to spread manure.

Intensive agricultural operations - those intensive agricultural operations commonly known as confinement operations, where large numbers of animals or fowl are confined to a relatively small space and therefore tend to produce odors, flies, rats, and noise and may contaminate ground and surface waters and which include such operations as hog, veal, and poultry pens and houses, feedlots for beef, sheep, and other animals and dairy farming operations. For the purpose of this section, any enclosure, pen or building for the concentrated confinement of livestock or poultry wherein more than 300 veal animals, slaughter or feeder cattle, 200 mature dairy cattle, 750 swine, 150 horses, 3,000 sheep, lambs, goats or similar animals; 16,500 turkeys or 30,000 laying hens or broilers are confined or housed shall constitute intensive agriculture. Enclosed pasture or range where grass is maintained for nine months of the year or where animals are confined at no more than 15 adult animals per acre shall not constitute intensive agriculture.

Alterations - as applied to a building or structure, any change or rearrangement in the total floor area, or an enlargement, or the moving from one location or position to another.

Alterations, structural - any change in the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

Americans with disabilities act (ADA) - a 1990 federal law designed to bring disabled Americans into the economic mainstream by providing them equal access to jobs, transportation, public facilities, and services.

Animal breeder - a person or persons involved in the breeding of household pets. Such animals may include dogs, cats, rabbits, etc.

Animal, domesticated - Any animal, excluding livestock, that has been bred and/or raised to live in or about the habitation of humans and is dependent on people for food and shelter.

Animal day care - A facility that cares for domestic ~~animals~~ ~~pets~~ for less than twelve (12) consecutive hours in the absence of the pet's owner or a facility that provides training for domestic animals with or without the facility owner receiving compensation for such services. Animal day cares do not include medical or surgical treatment or overnight boarding facilities.

Animal grooming facility - A retail establishment that provides bathing, trimming, and grooming services for small domestic animals on a commercial basis. An animal grooming facility does not include medical or surgical treatment or overnight boarding facilities.

Animal hospital/crematorium - a building used for the treatment of small household pets (domestic animals) such as dogs, cats, rabbits, and birds or fowl by a veterinarian.

Animal husbandry - a farming operation which includes the breeding or use of animals for farming purposes, excluding the breeding of household pets.

Antenna – Any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An antenna may include an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc), or any other wireless antenna. An antenna shall not include “Tower-Based Wireless Communications Facilities” as defined in this Section.

Apartment house - see “dwelling, multi-family.”

Art gallery – A structure, or part thereof, devoted to the exhibition of visual works of fine art. Art galleries generally include accessory services, such as the sale or purchase of displayed works, custom framing, or encasement of art works and services related to art appraisal, display, preservation, or restoration.

Asphalt/concrete plant – A plant where asphalt or concrete is mixed for distribution, typically for use off-site.

Automotive repair services - establishments primarily engaged in furnishing automotive repair, rental and or leasing services to the general public.

Bank/finance, business, insurance, and real estate - establishments such as banks and financial institutions, credit agencies, investment companies, brokers of and dealers in securities and commodities, security and commodity exchanges, insurance agents, lessors, lessees, buyers, sellers, agents, and developers of real estate.

Base density - the density achieved when a property is developed in accordance with the Dover Township Subdivision and Land Development Ordinance [Chapter 22] and this Chapter.

Basement - that portion of a building which is partly or completely below grade. See “story, above grade.”

Bed and breakfast inn - an owner-occupied single-family detached dwelling, where between one and five rooms are rented to overnight guests on a daily basis for periods of less than two weeks. Breakfast may be offered only to registered overnight guests.

Bedroom - A private room planned and intended for sleeping, separated from other rooms by a door, and accessible to a bathroom without crossing another bedroom. A bedroom will have at least one egress window and closet(s) and is physically separate from other rooms.

~~Beverage distributor & Brewery- A manufacturing operation which engages in the sale of beverages in beverage containers which are not for consumption on the premises. This land use typically includes the sale of alcoholic beverages in quantities as prescribed by the Pennsylvania Liquor Control Board (LCB). This definition includes any manufacturer who engages in these sales operation involved in the making, bottling, and distribution of beer.~~

Boarding house - see “rooming house.”

Building - any structure, either temporary or permanent, having walls and a roof or other covering, and designed or used for the shelter or enclosure of any person, animal, or

property (whether private or public) of any kind including tents, awnings, or vehicles situated on private property and used for purposes stated above.

Building, accessory - a building subordinate to and detached from the main building on the same lot and used for purposes customarily incidental to the principal building.

Building, attached - a building which has two or more party walls in common.

Building, detached - a building which has no party wall.

Building, principal - a building in which is conducted the principal use of the lot on which it is located.

Building, semi-detached - a building which has only one party wall in common.

Building area - the total area of a principal building and all accessory buildings. The area measured shall be the outside dimensions on a horizontal plane at ground level or any vertical extension thereof, excluding eaves and other roof overhangs.

Building coverage (maximum) - a percentage which when multiplied by the lot area will determine the maximum permitted area that can be developed or covered by buildings.

Building height - the total overall height in feet of a building measured from the average grade level to the highest point of the roof.

Building line, front - a line parallel to the street line touching that part of a building closest to the street.

Building line, rear - a line parallel to the rear property line touching that part of the principal building closest to the rear property line.

Building line, side - a line parallel to the side property line touching that part of the principal building closest to the side property line.

Building side - the exterior side of a building that is perpendicular to the front and or rear of a building.

Building permit - a permit, issued by the Township Zoning Officer or other authorized agent, to allow the construction of a building or structure according to Uniform Construction Code or other applicable building codes.

Building setback line - see "setback line."

~~Bus or truck maintenance facility - A building or set of buildings that are designed for the maintenance of buses and trucks. Buses and/or trucks within this category include vehicles that have a GVWR greater than 8,500 pounds and less than 33,000 pounds. Related land use classifications include: "Automobile Repair and Service, Commercial Motor Vehicle Repair, and Heavy Equipment Repair." See also "Supply Yards" with regards to equipment sales.~~

Business-office park - see "office/business park."

Business services - establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing; building maintenance; data collection and processing, employment services; management and consulting services; protective services; equipment rental leasing; commercial research, development, architectural, engineering, testing; photo finishing; and personal supply services.

Campground or recreational vehicle park - a lot, tract or parcel of land upon which two or more campsites are located or established, intended and maintained for occupancy by transients in recreational vehicles or tents.

Campsite - a plot of ground within a campground intended for occupancy by a recreational vehicle or tent.

Campus-style development - a development style and spacial orientation of buildings, roads, and landscaping using specific tract design criteria appropriate for the development of business parks, industrial parks, science and research campus, institutional and educational parks, and or retirement communities intended to be sensitive to the natural environment.

Care Facilities Definitions

Adult day care center - A building, or portion of a building, other than a residence in which services are provided or arranged to assist in meeting the needs, including personal care, social, nutritional, health and educational needs for part of a 24-hour day. Care is provided for more than four persons unrelated to the operator. The facility must be licensed by the appropriate state agency and conducted in accordance with federal and state regulations.

Child day care center(large) - A facility, other than a residence, in which 16 or more children who are not related to the operator receive child care for a period not to exceed 24 hours at one time.

Child day care center (small) - A facility, other than a residence, in which seven to 15 children who are not related to the operator receive child care for a period not to exceed 24 consecutive hours at one time.

Domiciliary child day care - A child care business located in the caregiver's home in which four, five or six children who are not related to the caregiver receive child care for a period not to exceed 24 consecutive hours at any one time.

Domiciliary adult care home - A single-family dwelling licensed by the York County Area Agency on Aging and conducted in accordance with Commonwealth regulations in which a supervised living arrangement in a homelike setting for a period exceeding 24 consecutive hours is provided to no more than three clients who are not relatives of the operator and who need supervised, protective living arrangements but not skilled nursing care or hospital care.

Nursing care facility - An institution or facility other than a residence that provides either skilled or intermediate long term nursing care to residents, who are unrelated to the nursing home administrator for a period exceeding 24 consecutive hours. The facility must be licensed by the appropriate state agency and conducted in accordance with federal and state regulations.

Personal care facility - A single family dwelling licensed by the appropriate state agency and conducted in accordance with federal and state regulations providing health related care and service on a regular basis to four or more persons who are resident individuals and who do not require hospital or skilled nursing care, but who, because of mental, physical conditions, or age require the services under a plan of care supervised by licensed and qualified personnel.

Carport - an accessory structure not totally enclosed which is primarily designed or used for parking automobiles.

Car wash – The carwash land use classification includes the related facilities and operations listed below.

Car wash types:

Car wash, automatic – A structure where chains, conveyors, blowers, steam cleaners, or other mechanical devices are used for the purpose of washing motor vehicles ~~and where the operation is generally performed by an attendant.~~

Car wash, self-service – A structure where washing, drying, and polishing of vehicles is generally on a self-service basis without the use of chain conveyors, blowers, steam cleaning, or other mechanical devices.

Catering facility – A location that prepares food for delivery and consumption at a remote site. Catering operations, when authorized, may sometimes be located in conjunction with an events venue. As a land use classification, catering only includes food preparation.

~~Catering/event venue – A facility that provides a location for a planned occasion or activity such as a wedding, reunion, graduation, or other social gathering. Event halls, when authorized, may sometimes include a catering use.~~

Cellar - a space having more than one-half of its clear height below the average level of the adjoining ground. A cellar shall not be considered in determining the number of stories or building height.

Cemetery - property used for the burial of the dead including mausoleums, burial grounds, vaults and gardens.

Certificate of use and/or occupancy - a certificate, issued by the Zoning Officer, which permits the use of a building in accordance with the approved plans and specifications and certifies compliance with the provisions of law for the use and occupancy of the land and structure in its several parts, together with any special stipulations or conditions of the building permit.

Church - see "house of worship."

Clearing for lot development - the large-scale, indiscriminate removal of trees, shrubs, and undergrowth with the intention of preparing real property for nonagricultural development purposes.

Club, nonprofit - a group of people bound by a constitution or bylaws who are organized for a common nonprofit purpose, i.e., religious, social, cultural, entertainment or educational purposes. Qualified members attend regular meetings, pursue common goals, and similar interests or activities. Clubs may or may not require a fee or dues to acquire membership status. The Masons, the Knights of Columbus, sportsman clubs, Boy/Girl Scouts, etc., are examples of such clubs.

Club, profit - a group of people with similar interests who pay for the opportunity to use an owner's land, facilities, or services. Recreational activities such as golf, tennis, racquetball, are examples of such profit clubs.

Codes Enforcement Officer - Codes Enforcement Officer is the administrative officer authorized to enforce the Uniform Construction Code and other codes, as appointed by the Dover Township Board of Supervisors.

~~College/university - An institute of higher learning that may offer two (2) or four (4) year programs and/or post-graduate programs.~~

Commercial recreation facility - a commercial establishment where participatory athletic, recreational or physical activities are provided for gain or profit, and includes health and fitness centers and exercise spa or club, a commercial ice or roller skating rink, go-cart facilities, miniature golf, squash, soccer, baseball, tennis or golfing facility and a commercial outdoor recreation area designated for all or part of the activities to take place, but does not include a riding stable, amusement center or amusement park.

~~Commercial school - An educational establishment that provides specialized instruction and on-site training of business, commercial, clerical, industrial, managerial, trade, and/or artistic skills and which does not satisfy the definition of "School" or "College/University" in this Section.~~

~~Common open space - a parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.~~

Comprehensive Plan - the plan, or parts thereof, which have been adopted by the Township Board of Supervisors, showing its recommendations for such systems as land uses, parks and recreation facilities, water supply, sewerage and sewage disposal, garbage disposal, transportation, community facilities and other public improvements which affect the development of the Township.

Conference center - a facility used for conferences and seminars, with accommodations for sleeping, food preparation and eating, recreation, entertainment, resource facilities,

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Change to Open Space, Common.

meeting rooms, fitness and health center, and retail stores and services primarily for conference center guests.

Conservation-based design - a subdivision design process that delineates significant natural environmental features including, but not limited to, steep slopes; flood plains; wetlands; historic and cultural buildings and structures; well head protection areas; and water bodies specific to a tract of land proposed for future development.

Contractor's office/shop/or storage yard - a lot or portion of a lot or parcel used to store and maintain construction equipment and other materials, facilities, and administration offices customarily required in the building trade by a construction contractor.

Convenience store - a retail store which primarily offers food and related items, but which may also dispense fuel, unless specifically prohibited in the district regulations.

County - York County, Pennsylvania.

County planning commission - York County Planning Commission.

Crematory - a mortuary establishment containing a furnace where a corpse can be burned and reduced /cremated to ashes governed by Department of Environmental Protection, Bureau of Air Quality and must obtain proper permitting (General Permit BAQ-GPA/GP-14: Human or Animal Crematories).

Cryptocurrency mining **factory** – The operation of specialized computer equipment for the purpose of mining one (1) or more blockchain-based cryptocurrencies, such as Bitcoin. This activity typically involves the solving of algorithms as part of the development and maintenance of a blockchain which is a type of distributed ledger maintained on a peer-to-peer network. Typical physical characteristics of cryptocurrency mining include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining does not include the exchange of cryptocurrency or any other type of virtual currency nor does it encompass the use, creation, or maintenance of all types of peer-to-peer distributed ledgers.

Dedication - the transfer of property by the owner to another party.

Deed - a legal document conveying ownership of real property.

Density - density is calculated as the number of dwelling units per acre.

Designated growth area - an area in the Township described in the Dover Borough/Dover Township Joint Comprehensive Plan that includes and surrounds Dover Borough, and within which residential and mixed use development is permitted or planned for at densities of one unit to the acre or more, commercial, industrial and institutional uses are permitted or planned for and public infrastructure services are provided or planned.

Determination - final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the Board of

Supervisors and the Zoning Hearing Board. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

Developer - any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

Development - any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, the placement of mobile homes, streets and other paving, utilities, dredging, filling, grading, excavation, or drilling operations and the subdivision of land.

Development of regional significance and impact - any land development that, because of its character, magnitude, or location will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.

Development plan - the provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use of density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic materials referred to in this definition.

Development tract - an area, parcel, site, piece of land, or property that is the subject of a development application.

~~Distillery – A manufacturing establishment for distilling, especially for whose principal use is for distilling, bottling, and distributing alcoholic liquors. No products produced by the distillery shall be sold and/or consumed on the premise. See also "Micro-distillery."~~

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Brewery/Distillery/Manufacturing

Distribution center – A center for a set of products in a warehouse or other specialized building, often with refrigeration or air conditioning, which is stocked with products or goods to be redistributed to retailers, to wholesalers, or directly to consumers. A distribution center is a principal part, the order processing element, of the entire order fulfillment process.

Driveway - a private vehicular access between a public street and a garage, carport or other parking space for one single-family or a two-family dwelling.

~~Drive-through service facility – an accessory use to a commercial place or facility where one can be served without leaving their vehicle, usually by window service or ordering lane.~~

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Dwelling - a building or structure designed for living quarters for one or more families, including modular or mobile homes; but not including rooming houses, convalescent homes, motels, hotels, dormitories, or other accommodations used for transient occupancy.

Dwelling, multi-family - a building containing three or more dwelling units including apartment houses or garden apartments. All dwelling units are located on a single lot and share with other units a common yard area.

Dwelling, single-family attached - a portion of a building containing one dwelling unit and having two party walls in common with other dwelling units, such as a row home or townhouse. Each dwelling is located on a single lot.

Dwelling, single-family detached - a building containing only one dwelling unit and having two side yards.

Dwelling single-family semi-detached - a portion of a building containing one dwelling unit, having one side yard and having one party wall in common with another dwelling unit. Each dwelling unit is located on its own lot.

Dwelling, two-family (duplex) - a building containing two dwelling units, having two side yards and having one partition in common between the two units, arranged in either a side-by-side (duplex) or over-and-under configuration. Both dwelling units are located on a single lot.

Dwelling unit - one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

Easement - a grant of one or more property rights by the property owner to and/or for use by the public, a corporation, or another person or entity. Such use shall not include the placement of structures, unless such structures are an integral part of a utility.

Ethanol - ethanol is produced chemically from ethylene or biologically from grains, agricultural wastes, or any material containing starch or sugar. Ethanol is produced at an ethanol production facility. Like gasoline, ethanol contains hydrogen and carbon, however; ethanol also contains oxygen in its chemical structure.

Ethanol fuel - an alcohol based liquid fuel, known as ethyl alcohol or grain alcohol, used for vehicle and machinery consumption. Ethanol, E85 the most commonly produced ethanol fuel, has fewer highly volatile components than gasoline and so has fewer emissions resulting from evaporation.

Family - a family shall include one or more of the following:

- (1) A single individual occupying a dwelling unit.
- (2) Two or more persons related by blood, marriage or adoption occupying a dwelling unit.
- (3) Not more than six unrelated persons who may or not be the functional equivalent of a family in that they live together, participate in such activities as meal planning, shopping, meal preparation and the cleaning of their dwelling unit together and who are part of a community based residential home which qualifies as a community living arrangement licensed by the Pennsylvania Department of Public Welfare or other

appropriated Federal or State agency having jurisdiction, where the persons occupying the home are handicapped persons under the terms of the Fair Housing Amendments Act of 1994 and where the operator of the home provides room and board, personal care, rehabilitative services and supervision in a family environment. The presence of services staff persons in a home meeting this definition shall not disqualify the group of persons occupying the dwelling unit a "family."

(4) A family as herein defined specifically excludes a boarding house, club, fraternity, hotel or any similar group living arrangement.

Farm/farmer's market - the selling or offering for sale as retail of vegetables or produce, flowers, orchard products, bakery goods, crafts, jewelry, meat and deli goods, and similar non-animal agricultural products, excluding the sale of ethanol fuel and bio fuel, occurring at a set location where one or more vendors have either raised or produced the goods or have bought for retail sale.

Farm buildings - buildings erected on any parcel of land which is used for gain in the raising of agricultural products, livestock, poultry, or dairy products, including those structures used for storage of equipment and animals and incidental uses.

Farm machinery - all types of machinery and equipment which were originally manufactured for farm use, which are retained on farm properties, either as operable equipment or for the purpose of salvaging repair parts.

Farm product warehouses - a warehouse used for the long term or short term storage of farm products produced locally. Does not include a retail area.

~~Financial institution - a bank, savings and loan association, credit union, finance or loan company, etc.~~

Commented [ST4]: Same as bank above

Flea market - an occasional or sporadic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

~~Flex space - An establishment which can include office, light manufacturing, pilot manufacturing, and research and development, in addition to warehousing and associated administrative space.~~

Flood, flooded, or flooding - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland and/or tidal waters, and/or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood, 100-year - the flood having one chance in 100 of being equaled or exceeded in any one-year period.

Flood elevation, 100-year - the water surface elevations of the 100-year flood.

Flood elevation, regulatory - the 100-year flood elevation plus a freeboard safety factor of one and one-half feet.

Flood fringe - that portion of the flood plain outside the regulatory floodway (often referred to as the "floodway fringe").

Flood of record - the flood which has reached the highest flood elevation above mean sea level at a particular location.

Floodplain - the lowland and relatively flat areas adjoining inland waters, including at a minimum, that area subject to inundation by the 100-year flood. The base floodplain shall be used to designate the 100-year floodplain (1% chance floodplain). The critical action floodplain is defined as the 500-year floodplain (.2% chance floodplain).

Flood-prone area - see "floodplain."

Floodproof, floodproofed, floodproofing - the modification of individual structures and facilities, their sites, and their contents to protect against structural failure by as a result of flooding, to keep water out or to reduce effects of water entry.

Floodway, regulatory - the area regulated by Federal, State or local requirements; the channel of a river or other watercourse and the adjacent land areas that must be reserved in an open manner, i.e., unconfined or unobstructed either horizontally or vertically, to provide for the discharge of the 100-year flood so the cumulative increase in water surface elevation is no more than designated amount (not to exceed one foot as set by the National Flood Insurance Program).

Floor area, gross - the sum of the gross horizontal areas of the several floors of a building and its accessory buildings on the same lot, excluding cellar, basement and attic floor areas not devoted to habitable use, but including the area of roofed porches and roofed terraces. The area shall be measured between the exterior faces of the walls.

Floor area, gross leasable - the sum of the floor areas designed for the tenants' occupancy and use, including area on which tenants pay rent, sales area and integral stock areas.

Floor area, habitable - the sum of the floor areas of all heated finished rooms within a dwelling unit, used on a daily basis for habitation. Such areas may include living rooms; recreation rooms; kitchens; dining rooms; bedrooms; bathrooms; hallways; closets; heated and finished basements, cellars and attics; and attached garages which have been converted into an integral part of the living quarters. It does not include garages; porches, whether roofed, unroofed, or enclosed; roofed terraces; unfinished and unheated basements, attics, cellars or garages, etc.

Floor area, net - the total of all floor areas of a nonresidential building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor.

Footcandle - the unit of illumination where the foot is the unit of length.

Forestry - the management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting,

transporting and selling trees for commercial purposes, which does not involve any land development.

Fraternal organization - a group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings, rituals, and formal written membership requirements.

Funeral home - a building used for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith before burial or cremation.

Future growth area - an area in the Township described in the Dover Borough/Dover Township Joint Comprehensive Plan outside of and adjacent to the designated growth area where residential, commercial, industrial and institutional uses and development are permitted or planned at varying densities and public infrastructure services may or may not be provided, but future development at greater densities is planned to accompany the orderly extension and provision of public infrastructure services.

Garden center - a greenhouse/nursery that also offers for sale any lawn, garden, or outdoor items whether it be for decorative or other useful purposes.

Golf course - a tract of land laid out for at least nine holes for playing the game of golf that may include a clubhouse, dining and snack bars, pro shop, and practice facilities.

Greenhouse/nursery - any lot or parcel of land used to cultivate, propagate and grow trees, shrubs, vines, flowers, vegetables or other plants, including the buildings, structures and equipment customarily incidental and accessory to the primary use. Items directly related to the growth and propagation of plants may be sold, such as fertilizer, plant food, etc.

Group home - a dwelling designed and used as a residence for individuals with disabilities, as defined and protected by the Federal Fair Housing Act, as amended, who live together primarily for purposes relating to their disabilities as the functional equivalent of a family in a shared living arrangement licensed or certified by the appropriate county, commonwealth or federal agency.

Half-way house - a licensed home for adjudicated persons on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling are provided to mainstream residents back into society, enabling them to live independently.

Heavy storage, sales/service - the keeping, in an unenclosed and uncovered area, of any goods for storage and or sales, materials, merchandise, or vehicles in the same place for more than 24 hours.

Home occupation - any use of a dwelling conducted solely by a member or members of the family residing therein, which is incidental or subordinate to the main use of the building(s) for residential purposes.

Homeowners association - an incorporated nonprofit organization operating under recorded land agreements through which each lot and/or homeowner in an open space or

mixed used residential development or other described land area is automatically a member. Each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property.

Hospital - a place for the diagnosis, treatment, or other care of humans and having facilities for in-patient care.

Hotel or motel - a group of attached or detached buildings containing sleeping rooms or living units with accessory facilities designed for temporary use by transient guests, chiefly motorists; including auto courts, motor lodges and similar establishments.

House of worship - a building, structure, or group of buildings or structures, including accessory uses, designed or intended for worship. Accessory uses may include administrative offices, rectories, convents, church-related schools and associated facilities, church day-care facilities, cemeteries or any combination thereof.

Household pet breeding, commercial - an establishment where animals are impregnated either naturally or by artificial insemination and whose principal purpose is to propagate the species.

Housing for the elderly:

Age-qualified resident - an occupant of a dwelling unit in an age-restricted housing community who is 55 years of age or older who occupies the dwelling unit as his or her primary residence.

Age-restricted community, or retirement community - a residential subdivision, containing residential units intended and operated for occupancy where 100% of the units are occupied by persons 62 years of age or older; or where at least 80% of the units must be occupied (not owned) by at least one person 55 years of age or older in accordance with the Federal Fair Housing Act of 1968, as amended. Housing for Older Persons Act redefined this portion of the exemption to describe housing:

- (1) Intended and operated for occupancy by persons 55 years of age or older, and
- (2) At least 80% of the units are occupied by at least one person who is 55 years of age or older; and
- (3) It provides for age verification by reliable surveys and affidavits; and
- (4) It has published and adheres to policies and procedures that demonstrate its intent to qualify for the exemption.

Age-restricted community association - any non-stock corporation or unincorporated residential association, established in accordance with the Uniform Condominium Act (UCA) of Pennsylvania or the Pennsylvania Uniformed Planned Community Act to administer the covenants in an Age-Restricted Housing Community.

Age-restricted community covenants - those portions of the governing documents of an Association that impose age restrictive requirements.

Assisted living or residential health care facilities - residences for the elderly that provide rooms, meals, personal care, and supervision and self-administered medication. They may provide other services, such as recreational activities, financial services, and transportation.

Continuing care retirement community - an age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care, and enters into contracts to provide lifelong care in exchange for the payment of monthly fees and an entrance fee in excess of one year of monthly fees.

Impervious area - any portion of a lot covered by material that cannot be penetrated by precipitation and/or surface water, including buildings, structures, parking lots, parking areas and paved areas. For the purposes of this definition, all portions of parking lots and parking areas shall be considered as impervious areas regardless of the degree of precipitation penetration.

Impervious surface - any material which prevents the absorption of water into the ground.

Industrial park - an industrial park is a tract of land that is planned, developed, and operated as an integrated facility for a number of individual industrial uses, with consideration to transportation facilities (rail and/or transportation), circulation, parking, utility needs, aesthetics, and compatibility.

Industry definitions

Industry, light - uses intended for industrial businesses that need industrial resources, but that do not have the potential impacts on surrounding areas that heavy industry does. Light industrial areas have a special emphasis and attention given to aesthetics, landscaping and community compatibility. Zones permitting light industrial uses are comprised of predominantly industrial uses but may incorporate office and neighborhood-sized commercial uses that support and compliment the industrial area.

Industry, medium - uses intended for industrial businesses that need industrial resources, but that do not have the potential impacts on surrounding areas that heavy industry does but impact surrounding areas more than light industrial. Medium industrial areas have a special emphasis and attention given to aesthetics, landscaping and community compatibility. Zones permitting medium industrial uses are comprised of predominantly industrial uses but may incorporate office and neighborhood-sized commercial uses that support and compliment the industrial area.

Industry, heavy - uses that have intense industrial activities such as manufacturing, refining, warehousing and distribution operations that may have impacts on surrounding areas, including, but not limited to, noise, odor or aesthetic impacts. Heavy industrial areas must have a special emphasis and attention given to development aesthetics, landscaping and the employment needs of the surrounding community.

Junk - any discarded, salvageable article or material including, but not limited to, scrap metal, paper, rags, glass, containers, scrap wood, motor vehicles, trailers, machinery and

equipment, with the exceptions of farm machinery and mobile homes or house trailers which are occupied or are properly placed and planned for occupancy.

Junk dealer - any person who buys, sells, salvages, stores, or in any way deals in junk; or owns, leases, operates or maintains a junkyard within Dover Township.

Junkyard - any place where junk as herein defined is stored or accumulated. Any premises as herein defined having two or more unlicensed motor vehicles and/or trailers thereon shall be deemed to be a junkyard, except that the foregoing shall not apply to duly licensed automobile dealers having operable vehicles on their premises for resale. Such exception shall not apply to inoperable vehicles being stored primarily for salvage purposes.

Kennel - any building or buildings and/or land used for the keeping, boarding, breeding or training of four or more dogs, cats, fowl or other small domestic animals (excluding pets that are primarily kept indoors and in cages or tanks), at least four months of age and kept for purposes of either profit, show, hunting or as pets, but not to include riding stables or cases involving animals raised for agricultural purposes.

Land development - any of the following activities:

A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

(1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

(2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

B. A subdivision of land.

Development in accordance with the MPC, Section 503 (1.1).

The following shall not be considered a "land development":

(1) The conversion of an existing single-family detached dwelling or single-family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.

(2) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building.

(3) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subsection, an "amusement park" is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly

acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

(4) Expansion of an existing ~~principle~~principal structure; up to 35% of the existing gross floor area of the building as it existed on the date of this amendment or any subsequently approved land development plan(s); or to a cumulative total gross floor area of 20,000 square feet, whichever is the lesser.

Commented [JM5]: Added per 11/15 PC meeting

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

~~Landscape service center, retail - A business primarily engaged in selling indoor or outdoor grown plants and landscaping materials to the general public.~~

~~Landscape service center, wholesale - A business primarily engaged in processing, selling, and distributing indoor or outdoor grown plants and landscaping materials to industrial, commercial, institutional, or professional users or to other wholesalers.~~

Commented [JM6]: Removed per Garden Center/Nursery/Retail

Laundry/laundromat/dry cleaning - an establishment providing washing, drying, or dry cleaning machines on the premises for rental use to the general public or laundry or dry cleaning service available for a fee to the general public.

Light glare, direct - illumination beyond property lines caused by direct or specularly reflected rays from incandescent, fluorescent, or arc lighting, or from such high temperature process as welding or petroleum or metallurgical refining.

Light glare, indirect - illumination beyond property lines caused by diffuse reflection from a surface such as a wall or roof of a structure.

Livestock - farm animals such as cattle, donkeys, horses, mules, burrows, sheep, swine, llamas, alpacas, ostriches, emus or goats kept for agricultural use, commercial purposes or pleasure. Also includes small animals such as poultry, ducks, geese, etc.

Loading space - an off-street space suitable for the loading or unloading of goods and having direct usable access to a street.

Lot - a designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

Lot, double frontage - a lot other than a corner lot fronting on two streets. The front of the lot shall be defined as the area bounded by the street line which determines the property address.

Lot, flag - a lot whose frontage does not satisfy the minimum width requirements for the respective zone but that does have sufficient lot width away from the lot's frontage.

Lot, reverse frontage - a lot extending between and having frontage on a major street and minor street with vehicular access solely from the latter. The front of the lot shall be defined as the area bounded by the street line which determines the property address.

Lot area - the area contained within the property lines of the individual parcels of land as shown on a land development plan, excluding any area within a street right-of-way, but including the area of any easement.

Lot, corner - a lot or parcel of land abutting on two or more streets at their intersection or on two parts of the same street forming an interior angle of less than 135 degrees. The front of the lot shall be defined as the area bounded by the street line which determines the property address.

Lot coverage - that portion of the lot which is not covered by grass or vegetative material.

Lot coverage percentage - a percentage which when multiplied by the lot area will determine the permitted area that may be covered with an impervious surface (e.g., buildings, driveways, parking areas and sidewalks).

Lot depth - the average distance measured from the front lot line to the rear lot line.

Lot frontage - the lot dimension measured along the street line of any street abutting a lot.

Lot line - a line of record bounding a lot that divides one lot from another lot or from a public or private street line (see "street line") or any other public space.

Lot, residential - a lot containing a residential dwelling unit(s) where an individual is actually living and any other use customary or incidental to a residential dwelling unit.

Lot width - the horizontal distance measured at the minimum required front setback line between the side lot lines (see § 27-503.G.).

Lot width, average - lot width calculated by using a minimum of three evenly distributed points along the lot line. One required point of measurement shall be at the required building setback line between the side lot lines.

Manufacturing - uses that involve the primary production or refining of commodities from raw materials. [Such uses shall include a Distillery & Brewery as defined by this Part.](#)

Manufactured home - a factory-built, single-family structure that meets the National Manufactured Home construction and Safety Standards Act (42 U.S.C. §5401), commonly known as the HUD (U.S. Department of Housing and Urban Development) code. A "mobile home" is one form of a manufactured home.

Mediation - a voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

Medical center - a facility providing medical services or care to the general public on an outpatient basis. It includes the offices or group of offices of physicians, surgeons, dentists, optometrists, ophthalmologists, physical therapists, chiropractors, psychologists, psychiatrists or other facilities offering similar kinds of medical care and treatment to the general public.

Medical facilities - a building or structure that contains establishments providing support to medical professionals and their patients; dispenses health services; and or sells/provides miscellaneous types of medical supplies, services and research.

Medical laboratory - a facility where human tissue and blood samples are tested for medical purposes. Such a facility may be open to the public for the purpose of obtaining such samples.

Medical marijuana – Marijuana for certified medical use as set forth in the Medical Marijuana Act (Act 16, Pennsylvania Law 84, No. 16).

Medical marijuana dispensary – The use of the premises by a natural person, corporation, partnership, association, trust, or other entity, or any combination thereof, holding a permit issued by the Commonwealth of Pennsylvania Department of Health, to dispense medical marijuana per the Medical Marijuana Act (Act 16, Pennsylvania Law 84, No. 16).

Medical marijuana grower/processor – The use of the premises by a natural person, corporation, partnership, association, trust, or other entity, or any combination thereof, holding a permit issued by the Commonwealth of Pennsylvania Department of Health, to grow and/or process medical marijuana into a further refined agricultural product.

Micro-brewery/brew pub – A small, usually independent brewery /tavern that produces limited quantities of specialized beers. A micro-brewery provides for the retail sales of the beer at the location where it is produced. A micro-brewery may also include a tasting room and restaurant in conjunction with the use.

Commented [JM7]: JTM added for consistency

Micro-distillery – A small, often boutique-style distillery /tavern established to produce beverage grade spirit alcohol in relatively small quantities, usually done in single or small batches. A micro-distillery provides for the retail sales of the distilled beverage at the location where beverages are distilled. A micro-distillery may also include a tasting room and restaurant in conjunction with the use.

Commented [JM8]: JTM added for consistency

Minerals - any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

Mineral development – Mineral development is a broad land use classification that includes the operations and procurement of minerals. Mineral development does not include oil and gas facilities or related operations.

Mini-storage facility - a facility providing for the enclosed storage of household items, recreational equipment and/or classic or antique automobiles and/or for the outdoor storage of recreational vehicles, where said items are retained for direct use by their owner who shall have direct access thereto without intermediate handling by the proprietor of the facility.

Mobile home - a transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobile home lot - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

Mobile home park - a parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

Mobile home stand - that part of an individual lot which has been reserved for the placement of the mobile home, appurtenant structures or additions.

Motor vehicle - all types of automobiles, motor cycles, trucks, and tractors, including self-propelled machinery of all kinds with the exception of farm machinery.

Municipal buildings, facilities or uses - any building, structure or other facility belonging to Dover Township, or any of its associated municipal authorities, utilized for the purpose of conducting the duties and business of Dover Township.

Natural gas compressor station – A facility designed and constructed to compress natural gas that originates from a natural gas well or collection of such well operating as a midstream facility for delivery of natural gas to a transmission pipeline, distribution pipeline, natural gas processing plant or underground storage field, including one (1) or more natural gas compressors, associated buildings, pipes, valves, tanks, and other equipment.

Natural gas processing plant – A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets, but not including facilities or equipment that are designed and constructed primarily to remove water, water vapor, oil, or naturally occurring liquids from natural gas.

Natural preserve - a tract(s) of open space that preserves or protects endangered species, critical environmental features, viewsheds, or other natural elements.

Neighborhood convenience center - an area designated in a ~~mixed-use~~mixed-use residential development for the provision of limited commercial and service uses to meet the needs of the residents.

~~Night club - An establishment primarily for evening, late night, to early morning entertainment, that typically serves food and/or alcoholic beverages, and may provide either live or prerecorded music or video, comedy acts, floor shows, with or without the opportunity for dancing. A nightclub may not include any aspects of adult entertainment.~~

No-impact home-based business - a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use.

Nonconformity - a use, structure, lot or dimension which is existing on the effective date of this Chapter, or created by any subsequent amendment of this Chapter, or created by variance, and in conflict with the regulations of this Chapter. Specifically, the following types of nonconformities are distinguished:

Nonconforming lot - a lot, the area, location or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Nonconforming structure - a structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in the zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

Nonconforming use - a use, whether of land or of structure, which does not comply with the applicable use provisions in this Chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance amendment to its location by reason of annexation.

Nonprofit - an educational, religious or charitable use which qualifies as "nonprofit" under §501-c of the Internal Revenue Service Code or other applicable Pennsylvania codes.

Nonresidential uses - all uses in the Township that are not residential or agricultural uses shall be considered nonresidential uses.

Office - business or professional offices which generally operate on an appointment basis.

Office building - a building used primarily for conducting the affairs of a business, profession, service, industry, corporation, or government, or like activity; it may include

ancillary services for office workers such as a restaurant, coffee/beverage shop, newspaper or candy sales, and child care facilities.

Office, business - shall include advertising agencies, opticians' offices, personnel agencies, and travel and ticket agencies and similar offices.

Office, professional - shall include offices of accountants, actuaries, architects, attorneys, clergy, dentists, designers, engineers, insurance and bonding agents, manufacturing representatives, physicians, real estate agents, teachers, and miscellaneous consulting services.

Office/business park - a development on a tract of land that contains a number of separate office buildings, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

Open space, common - any parcel or area of land or water essentially unimproved and set aside, dedicated, or designated for public or private use of enjoyment of owners, occupants and their guests of land adjoining or neighboring such open space.

Commented [JM9]: Added per 11/15 PC meeting

Open space ratio - total area of open space divided by the total tract area in which the open space is located.

Outdoor recreation facility - a use of open land for leisure time activities such as a beach, swimming pool, tennis courts, golf course, miniature golf, golf driving range, ski slopes or a drive-in theater, either privately or publicly owned.

Outdoor storage - the keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours.

Outdoor trap, skeet, rifle, pistol or archery range - an outdoor facility, which may include buildings or structures used for target practice with bows and arrows, guns, and rifles.

Overlay – additional zoning that is laid on top of two or more zoning districts to introduce new standards or regulations.

Commented [JM10]: Added per 7/12 PC Meeting

Over-the-air-reception devices ("OTARD") - antennas used to receive video programming, and data services, including television and internet, which are regulated by the Federal Communications Commission (FCC, 47 C.F.R. Section 1.4000). An OTARD is considered an accessory structure.

Parcel - see "lot."

Park - a public green space designed for both passive recreation and active recreation. May include improvements and structures designed for communal gatherings or entertainment.

Parking area - any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets.

Parking garage - a building where passenger vehicles may be stored for short-term, daily, or overnight off-street parking.

Parking lot - an open lot where passenger vehicles may be stored for short-term, daily, overnight off-street parking.

Parking space - a space for the parking of a motor vehicle within a public or private parking area.

Performance standards - a set of criteria or limits relating to certain characteristics that a particular use or process may not exceed.

Personal communication transmitting and receiving facility - any antenna, radio receiving structure, microwave antenna for satellite communication (commonly referred to as a satellite dish), or other similar facilities used to transmit and receive electromagnetic waves for personal non-business use which does not fall under the Federal Communications Commission definition of an over-the-air-reception device ("OTARD"). Such a structure is considered an accessory structure.

Personal service shop - shall include barber and beauty shops, radio and television repair, repair shops for home appliances and tools, bicycles, guns, locks, shoes and watches, tailor and dress making shops, laundry and ~~dry-cleaning~~~~dry-cleaning~~ establishments, photographer's studio, or any other similar establishment providing personalized service to customers.

Pet - An animal that is kept by humans for companionship and enjoyment, rather than for economic reasons. Pets as defined under this ordinance include dogs, cats, fish, birds, ferrets, domesticated mice, rats, guinea pigs, hamsters, gerbils, snakes and similar animals.

Plan - the map or plan of a subdivision or a land development, whether sketch, preliminary or final.

Planning Code - the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.L. 805, Act 247, as reenacted and amended, 53 P.S. §10101 et seq.

Planning commission - Dover Township Planning Commission.

Plat - the map or plan of a subdivision or land development, whether preliminary or final.

Premises - any parcel of land situated in Dover Township having a separate tax map parcel number for County assessment purposes.

Preservation or protection - when used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

Prime agricultural land - land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture natural resource and conservation services county soil survey.

Principal Solar Energy System ("PSES") - An area of land or other area, the primary use of which is for a solar collection system used to capture solar energy, convert it to electrical energy or power and supply electrical power primarily for off-site use. A principal solar energy system consists of one (1) or more free-standing ground, or roof-mounted solar collector devices, solar-related equipment and other accessory' structures and buildings including light reflectors, concentrators, and heat exchangers, substations, battery storage facilities, electrical infrastructure, transmission lines and other appurtenant structures.

Professional consultants - persons who provide expert or professional advice, including, but not limited to, architects, attorneys, certified public accountants, engineers, geologists, land surveyors, landscape architects or planners.

Public - owned, operated or controlled by a government agency (Federal, State or local - including a corporation created by law for the performance of certain specialized governmental functions and the Board of Public Education).

Public/semi public facilities and uses - any organization or entity whose purpose is to provide a service to the general public, other than Dover Township municipal facilities including, but not limited to, Police Department, Fire Department, post office, library, any government facility, etc.

Public grounds - includes:

(1) Parks, playgrounds, trails, paths and other recreational areas and other public areas.

(2) Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.

(3) Publicly owned or operated scenic and historic sites.

Public hearing - a formal meeting held pursuant to public notice by the Governing Body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with the Municipalities Planning Code.

Public meeting - a forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

Public notice - notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

Public sewer - a municipal sanitary sewer system or a comparable common or package sanitary facility (i.e., community sewer system) approved and permitted by the Pennsylvania Department of Environmental Protection.

Public water - any system, other than an individual well, that is operated by a municipality, governmental agency, or a public utility for the furnishing of potable water.

Quarry - the searching for or removal of rock, soil, or mineral from the earth by excavating, stripping, mining, leveling or any other process but exclusive of excavations or grading involved in the construction of a building. Also includes any processing operations in connection with the activities above. Permitted quarrying operations must comply with all current applicable Federal, State and local regulations.

Recycling business - A business that is: (1) primarily engaged in converting ferrous or nonferrous metals or other materials into raw material products having prepared grades and having an existing or potential economic value; or (2) using raw material products of that kind in the production of new products; or (3) obtaining or storing ferrous or nonferrous metals.

Commented [JM11]: Revise per LAO comment

Recreation, active - leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites and fields.

Recreation, passive - activities that involve relatively inactive activities, such as walking, sitting, picnicking, card games, and table games.

Recreational vehicle - a vehicle with or without motive power which may travel or which may be towed on the public highways by a passenger automobile without a special hauling permit, and which is designed for recreation and/or human occupancy, under transient circumstances. A recreational vehicle shall include travel trailer, camper, snowmobile, golf cart, three or four wheel all terrain vehicle, trail/dirt bike, boat, boat trailer, airplane or other similar vehicle.

Refining operations - a production facility composed of a group of engineering unit processes and unit operations refining certain materials or converting raw material into products of value.

Research laboratory/product development facility - a building used for research, data processing, testing, analytical research, product development, housing for profit or not for profit professional and non-professional staff not involving manufacturing, sale, processing, warehousing, distribution or fabrication of materials, products or goods.

Residential conversion - a multi-family or two-family dwelling constructed by converting an existing building into apartments for more than one family, without substantially altering the exterior of the building.

Restaurant - a public eating place which may consist of either of the following four types:

Restaurant, carry-out/delivery - an establishment that by design of the physical facilities, service, or packaging sells prepared ready-to-eat foods intended primarily to be consumed off the premises.

Restaurant, drive-through - a public eating place which offers prepared or standardized food for through window service only.

Commented [JM12]: Keep definition, but also create new definition for drive-through per 12/6 PC meeting

Restaurant, fast food - a public eating place offering stand-up, sit-down counter, vending machines, window, or in-car service that offers prepared or standardized food for either on or off premises consumption on premises.

Restaurant, sit-down - a public eating place primarily offering sit-down counter or table service and customer prepared food for consumption on premises.

Retail sales - establishments engaged in selling consumer goods or merchandise to the general public for personal or household use and rendering services incidental to the sale of such goods.

Retail sales, outdoor - the display and sale of products and service, primarily outside of a building or structure, including vehicles; garden supplies, flowers, shrubs, and other plant materials; gas, tires, and motor oil; food and beverages; boats and aircraft; farm equipment; motor homes; burial monuments; building and landscape materials; and lumberyards.

Retail services - establishments providing services or entertainment, as opposed to products, to the general public for personal or household use, including eating and drinking places, finance, real estate and insurance, [theaters for motion pictures](#) or [theatrical productions such as plays or musicals](#), amusement and recreation services, health, educational, and social services, museums, and galleries but not including commercial recreational facilities.

Commented [JM13]: Updated per 12/6 PC meeting

Riding academy or boarding stable - an establishment where horses are kept for riding or driving, or are stabled for compensation.

Right-of-way - land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, railroad, utility or other public or private use.

Right-of-way, future - right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads. Also a right-of-way established to provide future access to or through undeveloped land.

Right-of-way, street - the total dedicated width of a public thoroughfare for vehicular traffic and/or pedestrian traffic, whether designated as an arterial, collector or local roadway.

Roadside stand - a temporary or permanent structure from which goods grown or produced from the region are sold, excluding the sale of ethanol fuel and bio-fuel.

Rooming house - a dwelling unit or part thereof where lodging is provided with or without meals for compensation. There shall not be more than four individuals in the dwelling unit that do not constitute a family.

School Types:

_____ School, commercial - a school conducted for profit for such special instruction as business, art, music, trades, handicraft, dancing or riding.

_____ School, private - an educational institution owned and operated by a private entity offering a curriculum approved by the State. This includes colleges & universities.

_____ School, public - a place of instruction operated by Dover Area School District.

Screening - the use of plant materials, fencing, walls and/or earthen berms, or combinations thereof, to aid in the concealment of such features as parking areas and vehicles, and to provide for privacy between two or more different land uses or activities; a visual and/or sound buffer or other barrier.

~~Self storage facility — See “Mini Warehouse” as defined in this Section.~~

Service station - any area of land, including structures thereon, that is used for the sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any sale of motor vehicle accessories at retail only, but not including mechanical repairs, body and fender work, painting, vehicular sales or rental or automatic car washes.

Setback - the distance between a setback line and a property or street line.

Setback, front - the minimum required distance between the street line and the front setback line projected the full width of the lot, except in the case of an alley where a side or rear setback shall be provided.

Setback, rear - the minimum required distance between the rear lot line and the rear setback line projected the full width of the lot.

Setback, side - the minimum required distance between the side lot line and side setback line projected from the front yard to the rear yard.

Setback line - a line within a property and parallel to a property or street line which delineates the required minimum distance that must be provided between a structure or building and an adjacent street line and/or property line.

Shallow resource recovery (non-coal surface mining) - the phrase “shallow resource recovery” shall include but is not limited to the extraction of minerals from the earth, from waste, stockpiles or from pits or from banks by removing the strata or material that overlies or is above or between them (“overburden”) or otherwise exposing and retrieving them from the surface. The term includes but is not limited to quarrying and surface activity connected with surface mining, including but not limited to exploration, site preparation, entry, slope, berm location, construction and maintenance, fencing construction and maintenance, road construction and maintenance and reclamation, borehole drilling and construction and activities related thereto. The term does not include mining operations carried out beneath the surface by means of shafts, tunnels or other underground mine operations.

Shared residence - a dwelling unit where up to four unrelated persons reside who may or may not be the functional equivalent of a family.

Shopping center - a group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic consideration and protection from the elements, and landscaping and signage in accordance with an approved plan.

~~Short term rental - Any dwelling containing five bedrooms or less that is not owner-occupied and is utilized as a dwelling rented for the purpose of overnight lodging for a period of thirty (30) days or less, and which meets the definition of "Hotel" for the purpose of imposing an excise tax by the County of York as defined in the County of York Ordinance No. 2019-02, as amended.~~

Sign - any object, device, display or structure or part thereof which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

Sign, advertising - a sign whose major purpose is for directing attention to a business commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot, such as billboards.

Sign, attached - a sign attached, painted or otherwise mounted parallel to the surface of that portion of the building or structure to which it is affixed.

Sign, business - a sign directing attention to a business or profession conducted on the same lot or, as incidental to a business, to products sold upon the same lot.

Sign, directional - an off-site sign which directs people to a community, an event of public interest, public uses and buildings, uses and buildings of service and charitable organizations, and uses and buildings of a commercial nature provided that no advertising matter other than identifying name or symbol shall be contained on signs of this type.

Sign, freestanding - a sign supported by uprights or braces placed upon or in the ground and not attached to a building. Also includes signs mounted or transported on a vehicle, trailer or similar structure, with or without wheels, and not permanently attached to the ground, often referred to as a portable or mobile sign. Freestanding signs may include but are not limited to: variable message/electronic message signs, advertising signs, billboards, business signs and/or directional and/or street signs.

Sign, temporary - a sign that is intended to be used temporarily, as may be evidenced by the materials from which it is constructed, such as cloth, canvas, light fabric, cardboard, wallboard, plastic, or other material. Portable signs or any sign that is not permanently embedded in the ground, including variable message signs, are considered temporary signs.

Sign, variable message - a sign that can change the message that it displays, whether manually or electronically.

Solar energy - Radiant energy (direct, diffuse and/or reflective) received from the sun.

Solar energy system - A collection of solar components, including solar panels, solar collector devices and solar-related equipment acting as a system used to capture solar energy, convert solar energy into electrical energy power and to supply the resultant electrical energy or power to an on-site or off-site use.

Solar panel - That part or portion of a solar energy system containing one or more receptive cells or modules, the purpose of which is to convert solar energy for use in space heating or cooling, for water heating and/or for the generation of electricity.

Solar-related equipment - Items including a solar photovoltaic cell, module, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations or other structures used for or intended to be used for the collection of solar energy.

Solid waste - any waste including, but not limited to, municipal, residual, or hazardous wastes including solid, liquid, semisolid, or contained gaseous material.

Special event venue - the use of or the conversion of an existing, historically significant or architecturally interesting structure or the green space surrounding said structure for the purposes of gathering or congregating attendees to celebrate a milestone event such as a wedding, graduation, reunion, anniversary or similar occasion. This use anticipates the installation of tents, restroom facilities and canopies on a temporary basis.

Special exception use -

- (1) CV- Conservation District, § 27-401.3, "Special Exceptions."
- (2) A - Agricultural District, § 27-402.3, "Special Exceptions."
- (3) V-Village District § 27-403.3, "Special Exceptions."
- (4) R-1 - Residential District, § 27-404.3, "Special Exceptions."
- (5) R-3 - Residential District, § 27-405.3, "Special Exceptions."
- (6) R-4- Residential District, § 27-406.3, " Special Exceptions."
- (7) C-Commercial District, § 27-407.3, "Special Exceptions."
- (8) BP-Business Office Park District, § 27-408.3, "Special Exceptions."
- (9) I-Industrial District, § 27-409.3, " Special Exceptions."

Stockpile - reserve supply of goods, raw material, etc., or accumulation thereof.

Story - that portion of a building included between the upper surface of a floor and the upper surface of the floor next above. For the purpose of this Chapter, cellars are excluded.

Story, above grade - any story having its finished floor surface entirely above grade except that a basement shall be considered as a story above grade where the surface of the

floor above the basement is more than six feet above the finished ground level for more than 50% of the total building perimeter; or more than 12 feet above the finished ground level at any point.

Story, half - a story under a sloping roof that has the line of intersection of the roof and wall face not more than three feet above the floor level and in which space the possible floor area with head room of five feet or less occupies at least 40% of the total floor area of the story directly beneath.

Street - street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private, rural or local, including all area within the dedicated right of way.

Street, private - a street not offered for dedication or whose dedication was not accepted by the municipality or other government entity.

Street, public - a strip of land, including the entire right-of-way, dedicated to Dover Township for use as a means of vehicular and pedestrian circulation by the public-at-large.

Street, side - street, other than street of address, on a corner lot.

Street line - a line defining the edge of a street right-of-way and separating the street from abutting property or lots. Commonly known as the "street right-of-way line."

Structure - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Principal structure - a structure associated with a primary use.

Structure, accessory - a subordinate structure or a portion of the principal structure on a lot, the use of which is customarily incidental to that of the principal structure including, but not limited to, fences, swimming pools, patios, antennas, tennis courts, garages, utility shed, etc.

Subdivision - the division or re-division of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Swimming pool - a body of water in an artificial or semi-artificial receptacle or other container including, but not by way of limitation, an earthen container of at least 18 inches in depth, used or intended to be used for public, semi-public or private swimming by adults and children, whether or not any charge or fee is imposed upon such adults or children, operated and maintained by any person whether he be an owner, lessee, operator, licensee, or concessionaire, exclusive or a fishpond or farm pond and shall include all swimming pools operated and maintained in conjunction with or by clubs, motels, hotels, and community associations.

Tavern (bar, pub, sports bar, saloon, night-club, cocktail lounge, ~~micro-brewery, micro-distillery~~) - An establishment which serves primarily alcoholic beverages for mostly on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board. Taverns may also serve food.

This chapter - the Dover Township Zoning Ordinance [Chapter 27], and any supplements or amendments.

Township - the Township of Dover, York County, Pennsylvania, its Board of Township Supervisors, its agents or authorized representatives.

Tract - all contiguous land owned by the same land owner and all land owned by the same land owner which is contiguous except for the presence of public or private roads.

Transportation terminal/Trucking facilities - an area and building(s) where trucks and other modes of freight transportation can load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.

Undeveloped land - land in parcels sufficiently large for future land development which is presently agricultural, woodland or lying fallow.

Use - the specific purpose for which land or a building or structure is designed, arranged, intended, occupied or maintained.

Use, permitted - a use permitted in a particular zoning district. A permitted use shall be deemed not to include any nonconformity.

Use, principal - the main or primary use of property, buildings, or structures.

Use, special exception - a use permitted in a particular zoning district pursuant to the provisions in Part 6.

Use certificate - see "certificate of use and/or occupancy."

Variance - a modification of any provision of this Chapter granted by the Zoning Hearing Board. See § 27-1003.

Vehicle sales lot - an open lot for the outdoor display, sale and/or rental of new or used automobiles, recreational vehicles and/or similar vehicles.

Vehicle service, repair and/or body shop - a building on a lot designed and/or used primarily for mechanical and/or body repairs, storage, or serving of automobiles, recreational vehicles or similar vehicles, including the supplying of gasoline or oil to such vehicles when accessory to vehicle service/repair.

~~Vineyard - A farm where grape vines are planted, grown, raised, or cultivated for the purpose of producing grape wine.~~

Warehouse - a structure to be used for storage only of equipment and merchandise.

Water facility - any water works, water supply works, water distribution system, or part thereof designed, intended or constructed to provide or distribute potable water.

Water supply system, community - a water supply system, other than a public water supply system, providing water for two or more units of occupancy which shall comply with all applicable regulations of the Department of Environmental Protection or other regulatory agency.

Water supply system, on-lot - a system for supplying and distributing potable water to a single dwelling or other building from a source located on the same lot.

Watershed - the entire region or area drained by a river, creek, stream or other body of water whether natural or artificial.

Wellhead protection area - the surface and subsurface area surrounding a water well or well field supplying a public water system, through which contaminants are reasonably likely to move toward and reach the water well or well field.

Wetlands - those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Wholesale establishment - establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

~~Winery—An area devoted to the growing of grapes or other fruit and the process of fermenting the product into wine. Wineries shall also include the structures or areas provided for the tasting or sale of the wine so long as such areas are on the same site as the products grown.~~

Wind and energy-related uses - shall mean a use within a building, or a structure that is directly involved in the administration, research and development, testing, processing, production or manufacturing of alternative energy sources. Alternative energy uses are further described in terms of their siting constraints in the following three ways:

- Industrially-oriented stand-alone facilities including, but not limited to, biodiesel plant, ethanol, biodiesel, soybean, and similar bio-energy facilities.
- Stand-alone nontraditional alternative energy facilities including, but not limited to, wind, ~~solar farm~~, hydo and geothermal. Energy generation facilities such as wind energy facilities ~~or solar energy facilities~~ have specific site location requirements.
- Accessory alternative energy uses including, but not limited to, net metering stations for small scale ~~solar or~~ wind facilities; facilities associated with local generation of power co-sited with an existing use.

Wireless Communications Facilities Definitions and Phrases.

Commented [JM14]: Removed per 12/6 PC meeting & PSES definition/use

Commented [JM15]: Removed per 12/6 PC meeting & PSES definition/use

Commented [JM16]: Removed per 12/6 PC meeting & PSES definition/use

Accessory equipment - any equipment serving or being used in conjunction with a wireless communications facility or wireless support structure. The term "Accessory Equipment" includes but is not limited to utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar structures.

Antenna - an apparatus designed for the purpose of emitting radiofrequency (RF) radiation, to be operated or operating from a fixed location pursuant to Federal Communications Commission authorization, for the provision of wireless service and any commingled information services.

Collocation - consistent with the nationwide programmatic agreement (NPA) for the collocation of wireless antennas, means: (1) mounting or installing an antenna facility on a pre-existing structure, and/or (2) modifying a structure for the purpose of mounting or installing an antenna facility on that structure.

Distributed antenna system (DAS) - network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure.

Emergency - a condition that: (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided.

Equipment compound - an area surrounding or adjacent to a wireless support structure within which base stations, power supplies, or accessory equipment are located.

FCC - Federal Communications Commission.

Height of a Tower-Based WCF - the vertical distance measured from the ground level, including any base pad, to the highest point on a tower-based WCF, including antennae mounted on the tower and any other appurtenances.

Modification or modify - the improvement, upgrade or expansion of existing wireless communications facilities or base stations on an existing wireless support structure or the improvement, upgrade, or expansion of the wireless communications facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure.

Non-tower wireless communications facility (non-tower WCF) - wireless communications facilities located or collocated on existing structures, such as, but not limited to buildings, water towers, electrical transmission towers, utility poles, light poles, traffic signal poles, flag poles and other similar structures that do not require the installation of a new tower. This term includes the replacement of an existing structure with a similar structure that is required to support the weight of the proposed WCF.

Person - individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations and other entities established

pursuant to statutes of the Commonwealth of Pennsylvania, provided that "Person" does not include or apply to the Township, or to any department or agency of the Township.

Pole facility - A wireless communications facility located in the public rights-of-way and consisting of a single utility pole installed for the primary purpose of supporting one or more non-tower WCF.

Replacement - the replacement of existing wireless communications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment composed of the same wind loading and structural loading that is substantially similar in size, weight and height as the wireless communications facilities initially installed and that does not substantially change the physical dimensions of the existing wireless support structure.

Small wireless communications facility - A wireless communications facility that meets the following criteria:

(a) The structure on which antenna facilities are mounted:

(i) Is 50 feet or less in height, or

(ii) Is no more than 10% taller than other adjacent structures, or

(iii) Is not extended to a height of more than 50 feet or by more than 10% above its preexisting height as a result of the collocation of new antenna facilities; and

(b) Each antenna associated with the deployment (excluding the associated equipment) is no more than three cubic feet in volume; and

(c) All antenna equipment associated with the facility (excluding antennas) are cumulatively no more than 28 cubic feet in volume.

(d) The facilities do not require antenna structure registration under 47 CFR Part 17;

(e) The facilities are not located on Tribal lands, as defined under 36 CFR 800.16(x); and

(f) The facilities do not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR 1.1307(b).

Stealth technology - camouflaging methods applied to wireless communications facilities and accessory equipment which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, and light poles.

Substantially change or substantial change - A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

(a) For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than 10 feet, whichever is greater;

i. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act.

(b) For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than 6 feet;

(c) For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed 4 cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

(d) It entails any excavation or deployment outside the current site;

(e) It would defeat the concealment elements of the eligible support structure; or

(f) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in 1.40001 (b)(7)(i) through (iv).

Tower-based wireless communications facility (tower-based WCF) - a WCF and any newly installed structure that is used for the primary purpose of supporting one or more WCF, including, but not limited to, self-supporting lattice towers, guy towers and monopoles.

WBCA - Pennsylvania Wireless Broadband Collocation Act (53 P.S. S 1 1702.1 et. seq.)

Wireless - transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.

Wireless communications facility (WCF) - an antenna facility and/or a wireless support structure that is used for the provision of wireless service, whether such service is

provided on a stand-alone basis or commingled with other wireless communications services.

Wireless communications facility applicant (WCF applicant) - any person that applies for a wireless communications facility building permit, zoning approval and/or permission to use the public right-of-way (ROW) or other Township owned land or property.

Wireless support structure - a pole, tower, base station, or other building, whether or not it has an existing antenna facility, that is used or to be used for the provision of wireless service (whether on its own or commingled with other types of services).

Winery, retail - a manufacturing facility or establishment engaged in the processing of fruit to produce wine or wine-like beverages. A retail winery provides for the retail sales of the wine at the location where it is produced. A winery may also include a tasting room and restaurant in conjunction with the use.

Winery, vineyard - An area devoted to the growing of grapes or other fruit and the process of fermenting the product into wine. Wineries shall also include the structures or areas provided for the tasting or sale of the wine so long as such areas are on the same site as the products grown.
~~Winery - a manufacturing facility or establishment engaged in the processing of fruit to produce wine or wine-like beverages.~~

Yard - an unoccupied space open to the sky on the same lot with a building or structure.

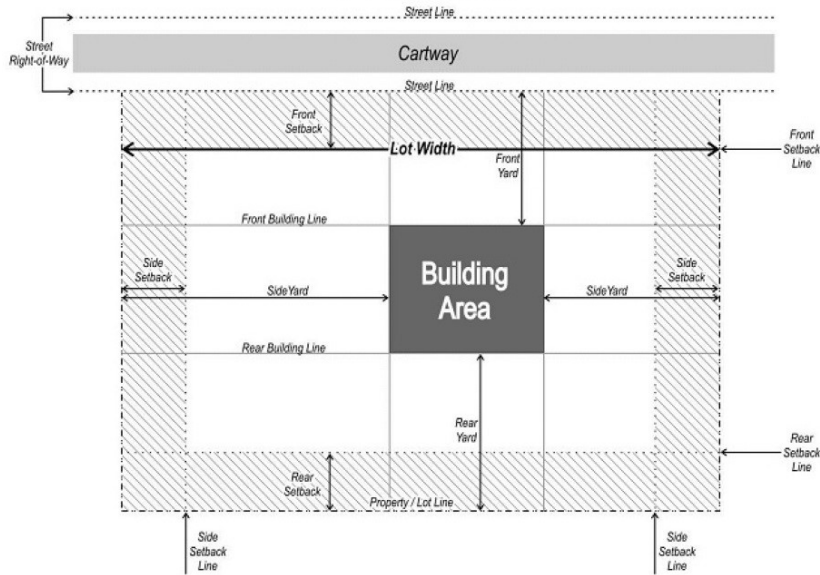
Yard, front - the open unoccupied space between the front building line and the street, except alleys or service drives, for the full width of the lot. The depth of the front yard shall be measured between the front line of the principle building and the street line.

Yard, rear - the open unoccupied space between the rear building line of a principle building and the street, alleys or service drives, for the full width of the lot. The depth of the rear yard shall be measured between the rear building line and the street line or rear lot/property line.

Yard, side - the open unoccupied space between the side building line of a principal building and the property/lot line. The depth of the side yard shall be measured between the side building line and the property/lot line.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2019-03, 10/28/2019, § 2; and Ord. 2021-03, 3/22/2021, § 1)

Lot Diagram



Note 1: This diagram does not pertain to a particular zoning district.

Note 2: A building may be placed inside of the setback dimensions.

Part 3
Zoning Districts, Map, Boundaries

§ 27-301. Establishment of Districts.

The Township of Dover is divided into districts enumerated below and shown on the map entitled “Zoning Map of Dover Township” which map is part of this Chapter:

CV Conservation District

A Agriculture District

V Village District

R-1 Low Density Single Family Residential District

R-3 Medium Density Residential District

R-4 High Density Residential District

C Commercial District

BP Business-Office Park District

I Industrial District

FP Floodplain Overlay (Section 410 and Chapter 4 of the Dover Township Codified Ordinance)

AH Airport Hazard Overlay

WP Wellhead Protection Overlay (Section 621 and Chapter 26 of the Dover Township Codified Ordinance)

~~—SRR Shallow Resource Recovery Overlay~~

ESA Environmentally Sensitive Area Overlay District

~~—CVOCRV~~ Crossroad Village Overlay District

(Ord. 2015-06, 9/28/2015)

§ 27-302. Boundaries of Districts.

Where uncertainty exists as to the boundaries of districts as shown on the zoning map, the following rules shall apply:

A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

C. Boundaries indicated as approximately following municipality limits shall be construed as following municipality limits.

D. Boundaries indicated as approximately following the centerline of streams, rivers or other bodies of water shall be construed to follow such centerlines.

E. Boundaries indicated as parallel to or extensions of features indicated in subsections A. through D. shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

F. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map or in circumstances not covered by subsections A. through F., the Zoning Officer shall determine the district boundaries. However, said determination may be appealed to the Zoning Hearing Board.

(Ord. 2015-06, 9/28/2015)

§ 27-303. Permitted Uses.

1. The uses permitted in the districts established by this Chapter and the permitted extent of these uses are as shown in the zoning districts. The uses shown as permitted in each district are the only uses permitted in that district and all other uses are subject to § 27-304.

2. Unless otherwise noted, the extent-of-use or dimensional standards are the requirements for each use. However, additional or special extent-of-use requirements for certain uses and situations are set forth in Part 5, "Supplementary Regulations," and Part 6, "Specific Standards for Uses."

3. In all zones, each principal use must have the minimum required lot area and lot width as regulated within the specific zoning district.

(Ord. 2015-06, 9/28/2015)

§ 27-304. All Other Uses.

Any use not specifically allowed elsewhere in this Chapter shall be allowed by special exception in the district or districts where, and to the extent, that similar uses are permitted or allowed by special exception; provided, that said use meets the specific standards, according to Part 6, if any, of the use to which it is similar, and meets the general requirements for a special exception according to § 27-1104 and does not constitute a public or private nuisance.

(Ord. 2015-06, 9/28/2015)

§ 27-305. Accessory Uses and Structures.

Accessory uses and structures may be permitted in conjunction with the principal uses permitted by this Part and shall be further subject to the requirements for accessory uses and structures as set forth in Part 5, § 27-502, "Accessory Uses Structures and Buildings."

(Ord. 2015-06, 9/28/2015)

§ 27-306. Uses with Nuisance Effect.

1. In no case is a use permitted which by reason of noise, dust, odor, appearance, or other objectionable factor creates a nuisance, hazard, or other substantial adverse affect upon the property value or reasonable enjoyment of the surrounding property.

2. Every reasonable effort must be made to prevent this nuisance effect through:

- A. Control of lighting.
- B. Use of planting screens or attractive fences.
- C. Prompt removal of trash and/or junk.

(Ord. 2015-06, 9/28/2015)

USE	R-1	R-3	R-4	CV	CRV	A	V	C	BP	I	Definition Page	Criteria Page	Notes:
P=Use Permitted By Right SE=Use by Special Exception Blank Cell=Not Permitted													
Adaptive Reuse					SE		SE	SE	SE				
Adult Oriented Business										SE			
Age-Restricted Community	SE	SE	SE										
Agribusiness				SE		SE							
Agriculture Operation				P		P							
Animal Day Care/Animal Grooming Facility				SE	SE	SE	SE	P	P	P			
Animal Hospital/Crematorium						SE		P	P	P			
Art Gallery					P		P	P	P				
Asphalt/Concrete Plant										SE			
Automotive Repair Business								P	P	P			
Banks/Finance, Business, Insurance, and Real Estate								P	P				
Bed and Breakfast Inn				P	SE	SE	SE						
Beverage Distributor & Brewery								P	SE	P			
Billboards						SE							
Bus or Truck Maintenance Facility										P			
Campground or Recreational Vehicle Park				SE		SE							
Care Facilities:													
Day Care, Adult								P	P	P			
Day Care, Child Large	SE	SE	SE	SE	SE	SE	SE	P	P				
Day Care, Child Small	SE	SE	SE	SE	SE	SE	SE	P	P				
Day Care, Child Domiciliary	SE	SE	SE	SE	SE	SE	SE	P	P				
Day Care, Adult Domiciliary	SE	SE	SE	SE	SE	SE	SE	P	P				
Nursing Care Facility								P	P				
Personal Care Facility								P	P				
Car Wash, automatic & self-service								P	P	SE			
Catering facility					P		P	P	P				
Catering/event venue				P	P	P	P	P	P				
Cemetery				SE	SE	SE	SE						
Club, non-profit/profit				SE		SE		P	P				
College/University									SE				
Commercial Recreation Facilities								SE	SE	SE			
Commercial School					SE		SE	P	P	SE			
Conference Center, Corporate Headquarters								SE	SE				
Contractor's Office/Shop								P	SE	SE			
Contractor's Yard/Heavy Storage										P			
Convenient Store					SE		SE	P	SE	P			
Correctional Facility													
Crematory								P	P	P			
Cryptocurrency Mining Factory								SE	SE	SE			
Distillery/Brewery										P			
Distribution Center										P			
Dwelling Types:													

USE	R-1	R-3	R-4	CV	CRV	A	V	C	BP	I	Definition Page	Criteria Page	Notes:
P=Use Permitted By Right SE=Use by Special Exception Blank Cell=Not Permitted													
Accessory Dwelling Units	P	P	P	P	P	P	P						DWELLING TYPES WILL BE KEPT PER EXISTING ORDINANCE/ZONING DISTRICT
Apartment, Garden		SE	P										
Apartment, High-Rise			P										
Conversion Dwellings		SE			SE		SE						
Duplex		P	P										
Multifamily Dwellings		P	P		P		P						
Quadruplex		P	P										
Single Family Dwellings (Detached)	P	P	P	P	P	P	P						
Tiny House			SE										
Townhomes		P	P		P		P						
Farm/Farmer's Market				SE		SE		P	P				
Flea Market								SE	SE	SE			
Flex Space								SE	P	P			
Funeral home								P	P	P			
Garden Center				SE	P		P	P	P	P			
Greenhouse/Nursery				P	P	P	P	P	P				
Group Home	P	P	P	P	P	P	P						
Halfway House		SE	SE					SE	SE				
Home Occupation	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE			
Hospital								SE	SE				
Hotel and Motel								P	P				
House of Worship	P	P	P	SE	P	SE	P	P	P				
Household Pet Breeding, commercial				P		P							
Industrial Park										SE			
Intensive Agricultural Operations						SE							
Junkyard										SE			
Kennel				SE		SE		SE	SE				
Landscape Service Center, retail				P		P		P	P				
Landscape Service Center, wholesale				P		P		P	P				
Laundry/Laundromat and Dry Cleaning					SE		SE	P	P				
Manufacturing										P			
Medical Center					P		P	P	P				
Medical Facilities					P		P	P	P				
Medical Laboratory					P		P	P	P				
Medical Marijuana Dispensary					SE		SE	SE	SE	SE			
Medical Marijuana Dispensary/Grower/Processor				SE		P				SE			
Micro brewery/brew pub					SE		SE	P	P	P			
Micro distillery					SE		SE	P	P	P			
Mineral Development								SE	SE	SE			Incorporate standards/definitions per geologist
Mini-Storage Facility								SE	SE	SE			
Natural Gas Compressor Station	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE			

USE	R-1	R-3	R-4	CV	CRV	A	V	C	BP	I	Definition Page	Criteria Page	Notes:
P=Use Permitted By Right SE=Use by Special Exception Blank Cell=Not Permitted													
Natural Gas Processing Plant										SE			
Night Club					SE		SE	P	P	P			
No Impact Home Based Business	P	P	P	P	P	P	P	P	P	P			
Non-tower WCF that do not substantially change the dimensions of the structure to which they are attached	P	P	P	P	P	P	P	P	P	P			Part 12
Non-tower WCF that substantially change the dimensions of the structure to which they are attached	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE			Part 12
Outdoor Recreation Facility								SE	SE	SE			
Outdoor Trap, Skeet, Rifle, Pistol or Archery Range								SE	SE	SE			
Park, Public & Non-Profit	P	P	P	P	P	P	P						Removed per 12-6 pc meeting
Parking Garage													Not listed in existing ordinance
Personal Service Shop					P		P	P	P				Revised per 12/6 PC meeting to match retail service.
Planned Residential Development (PRD)			P					P	P				
Principal Solar Energy System (PSES)										SE			BOS to decide 11/27
Public/Semi-public Facilities and Uses	SE	SE	SE	SE	SE	SE	SE	P	P	P			
Quarries										SE			SENT TO GEOLOGIST FOR INPUT
Recycling Business										SE			
Refining Operations										SE			
Research Laboratory/Product Development Facility								P	P	P			
Restaurant, carry-out/delivery					P		P	P	P				Discuss w/ PC
Restaurant, drive-through					P		P	P	P				Discuss w/ PC. Deleted per 12/6 PC meeting. Separate standards for Drive-through
Restaurant, fast food					P		P	P	P				Discuss w/ PC
Restaurant, sit-down					SE		SE	P	P				Discuss w/ PC
Retail Sales and Services (No Drive Thru)					P		P	P	P				Discuss w/ PC
Retail Sales and Services (with Drive Thru)								P	P				Discuss w/ PC. Removed per 12/6 PC meeting.
Riding Academy or Boarding Stable				P	P	P	P						
Roadside Stand	P	P	P	P	P	P	P	P	P	P			
Rooming House		SE	SE	SE	SE	SE	SE	P	P				
Schools, Public/Commercial/Private/College/University					SE		SE	P	P	SE			
Self-storage Facility								SE	SE	SE			
Service Station					SE		SE	P	SE	P			

USE	R-1	R-3	R-4	CV	CRV	A	V	C	BP	I	Definition Page	Criteria Page	Notes:
P=Use Permitted By Right SE=Use by Special Exception Blank Cell=Not Permitted													
Shopping Center								SE	SE	SE			
Short-term Rental - ????	SE	SE	SE	SE	SE		SE						To be completed outside of zoning update
Special Event Venue					SE	SE	SE	P	P				**added clause in Part 6 similar to medical marijuana. Clause added per 12/6 PC meeting
Tavern/Micro-brewery/Mirco-distillery/Nightclub					SE		SE	P	P	P			**added clause in Part 6 for outdoor seating. Clause added per 12/6 PC meeting.
Theater - See Retail Services Definition								P	P				Missing in Part 6 - Discuss w/ PC. Added per 12/6 PC meeting.
Tower-based WCF outside of the public rights-of-way						SE			SE	P			See Part 12
Transportation terminal/Trucking facilities										P			
Vehicle sales lot					SE		SE	P	P	P			
Vehicle Sales, Service, Repair and/or Body Shop					SE		SE	P	P	P			
Vineyard				P		P		P	P	P			
Wholesale Establishment/Warehousing Establishment/Distribution Center										P			
Wind and enegy-related uses				SE		SE							Solar farm references removed per 12/6 PC meeting. Left in CV & Ag per existing regulations. Should this only be allowed in Industrial per the defintion?
Winery , retail					SE		SE	P	P	P			See minutes from 9/6 #3
Winery, vineyard				SE		SE							

Dover Township Use Chart

USE	R-1	R-3	R-4	CV	CRV	A	V	C	BP	I	Definition Page	Criteria Page	Notes:
P=Use Permitted By Right					SE=Use by Special Exception			Blank Cell=Not Permitted					



Part 4
District Regulations

§ 27-401. Permitted Uses [\(See Attached Use Table\)](#)

§ 27-402. CV - Conservation District.

1. Purpose. The purpose of this district is to prescribe a zoning category for those areas where because of natural geographic factors and existing land uses, It is considered feasible and desirable to conserve open spaces, water supply sources, woodland areas, wildlife areas, visual amenities and views from the roadway, other natural resources, and farmland. This district may include steeply sloped areas, stream valleys, water supply, sources, wooded areas, and farmed areas adjacent thereto.

A. The purpose of this district shall be consistent with the conservation and agricultural land use classification descriptions associated with the Rural Resource Areas (Natural and Rural Landscapes) contained in the Future Land Use Plan of the Dover Borough/Dover Township Joint Comprehensive Plan Growth Management Plan, 2007.

2. Bulk and Area Regulations. The following shall be the standards for the CV District.

A. Lot area:

- (1) Minimum lot area: five acres for single family dwellings.
- (2) Minimum lot area: five acres for special exception uses.
- (3) Minimum lot area: five acres for an agribusiness.

B. Minimum lot frontage and width: 300 feet.

C. Minimum setbacks:

- (1) Front setback: 40 feet.
- (2) Rear setback: 40 feet.
- (3) Side setback: 40 feet.

D. Maximum lot coverage: Not more than 20% of the lot shall be covered by impervious coverage. If more than 50% of the site possesses slopes in excess of 15%, the maximum lot coverage shall be 10%.

E. Maximum Building Height:

(1) Agriculture structure, wind turbine and OTARD: 150 feet provided the structure is setback a distance at least equal to its height, from all property lines.

- (2) Other structures, and single-family detached dwellings: not to exceed 45 feet.

F. Land clearing: a maximum of three-fourths of an acre per residential lot may be cleared of trees.

3. Minimum Off-Street Parking. Off-street parking shall be provided in accordance with Part 7.

4. Signs. Signs shall be provided in accordance with Part 8.

5. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth additional regulations which shall apply to all districts.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2016-01, 1/11/2016, § 1)

§ 27-403. A - Agriculture District.

1. Purpose.

A. In areas where agricultural activity remains strong, Agricultural Districts are established to protect and stabilize agriculture as an ongoing economic activity by generally permitting only those land uses and activities which are either agricultural in nature or act in direct support of agricultural activity. The purpose of this district shall be consistent with the conservation and agricultural land use classification descriptions associated with the Rural Resource Areas (Natural and Rural Landscapes) contained in the Future Land Use Plan of the Dover Borough/Dover Township Joint Comprehensive Plan Growth Management Plan, 2007.

B. The regulations for this district are designed to:

(1) Protect and stabilize the essential characteristics of these areas.

(2) Minimize conflicting land uses detrimental to agricultural enterprises.

(3) Limit development which requires highways and other public facilities in excess of those required by agricultural uses.

(4) Maintain agricultural parcels or farms in sizes which will permit efficient agricultural operations.

(5) Maintain the rural and scenic character of the agricultural community.

(6) Meet the objectives of the Dover Township Comprehensive Plan.

C. Consequently, non-agricultural uses are limited and any future inhabitants in this district must be willing to accept the impact associated with normal agricultural practices.

2. Bulk and Area Regulations.

A. Minimum lot area:

(1) Farm parcels: 25 acres.

(2) Single-family detached dwellings permitted uses and special exception uses: 65,340 sq. ft. (one and one-half acres) unless otherwise stated in specific standards in Part 6 hereof.

B. Maximum lot area shall apply to single-family detached dwellings, non-residential uses and special exception uses as follows:

(1) Single-family detached dwellings: two acres.

(2) Special exception uses: five acres unless otherwise stipulated in specific standards in Part 6 hereof.

C. Minimum lot frontage and width: 100 feet.

D. Minimum lot depth: 200 feet.

E. Minimum setback:

(1) Front setback: 35 feet.

(2) Side setback: 30 feet.

(3) Rear setback: 30 feet.

(4) Special setback requirements: No area for slaughtering, storing or processing manure, or composting shall be allowed within 300 feet of a residential or village district, or residential property line.

(5) Minimum setback requirements for Agricultural accessory uses when abutting a non-agricultural property shall increase 20 feet for the front, the side and the rear setback.

F. Maximum height:

(1) Agriculture structure, wind turbine and OTARD: 150 feet provided the structure is setback a distance at least equal to its height, from all property lines.

(2) Other structures, and single-family detached dwellings: not to exceed 45 feet.

G. Maximum lot coverage:

(1) Farm parcel: 10%.

(2) Single-family detached dwellings: 35%.

(3) Special exception uses, unless otherwise specified: 20%.

3. Use Limitations for Single-family Detached Dwellings. Single-family detached dwellings shall be permitted in the Agricultural District subject to the following limitations.

A. Permitted number of dwellings: Upon each parcel as it existed on May 23, 1988 (date of enactment of Dover Township's first agricultural preservation zoning ordinance), there shall be permitted the subdivision of lots for the purpose of constructing single-family detached dwelling units subject to the requirements of this Section. If development activity

between May 23, 1988, and the effective date of this Chapter have added more dwelling units than allowed herein, no additional residential subdivisions shall be allowed from the area of the original tract.

(1) For each 25 acres of contiguous ownership, there may be one lot sold or utilized for a single-family detached dwelling subject to the requirements of this Section.

(2) For each tract of contiguous land and in single ownership that is 1.5 acres or more, but less than 25 acres, there may be only one lot subdivided provided that both the lot to be subdivided and the residual lot meet all applicable requirements of this Part.

(3) The provisions of subsections 1. and 2. of this Section shall apply to all parcels of land legally existing on May 23, 1988. Regardless of size, no lot subsequently subdivided from its parcel shall qualify for additional single-family, detached dwellings pursuant to this Section. Similarly, any subsequent owner of any parcel of land legally existing on May 23, 1988, shall be bound by the actions of previous owners in that such current ownership may subdivide for purposes of additional single-family dwellings only that number of lots, if any remaining from the original number permitted by this Section.

B. Each such additional dwelling shall be located upon a separate and approved lot whether intended for transfer of title or not.

C. A farm tenant dwelling unit shall be allowed as an accessory use to the principal agriculture/farm operation; therefore, shall not require a subdivision or land development plan under the definition of land development and shall be exempt from all other regulations of § 27-403.. The farm tenant dwelling unit shall meet the following requirements.

(1) The unit shall be required to meet all applicable local, State and Federal requirements for the siting of on-lot wastewater and water facilities.

(2) The tenant dwelling unit shall be located contiguous to existing buildings of the agriculture/farm operation and where possible utilize shared driveways. Furthermore, the tenant dwelling shall not be located in a remote area of the farm parcel which would cause the need to cross prime farmland to provide new access to the dwelling unit.

(3) If the tenant dwelling is abandoned as an accessory use, the property owner is no longer exempt from meeting the requirements of this Chapter regarding single-family detached dwellings and shall either meet these regulations or remove the dwelling unit.

D. Soil and land characteristics. The applicant shall have the burden of proof that the land to be utilized for the location of the single-family dwelling meets the criteria set forth in this subsection. Any landowner disagreeing with the classifications set forth in the Soil Survey of York County, Pennsylvania, may submit an engineering analysis of the affected soils and seek reclassification to the Conservation District, Soil Conservation Service and the Township. Lots for the single-family dwellings shall consist of one of the following:

(1) No more than 20% of a lot shall consist of soils listed in TABLE 5 - Prime Farmlands contained in the United States Department of Agriculture Natural Resource and Conservation Services (NRCS) York County soil survey, issued 2003.

(a) Class III - Units IIIe-3 through IIIe-6.

(b) Class IV - Units I'VE-I through I'VE-7.

(c) Class VI - Entire class.

(d) Class VII - Entire class.

(2) The lot shall consist in its entirety of lands which cannot feasibly be farmed for one or more of the following reasons:

(a) Due to existing features of the site such as rock outcroppings, steep slopes (15% or greater), woodlands.

(b) Due to the fact that the size or shape of the area suitable for farming is insufficient to permit efficient use of farm machinery (for purposes of the application of this subsection the land to be contained in the lot shall be considered as a part of the original tract).

(c) In cases where more than 20% of the lot consists of soils listed in TABLE 5 - Prime Farmlands contained in the United States Department of Agriculture Natural Resource and Conservation Services (NRCS) York County soil survey, issued 2003 and does not meet the requirements of subsections (a) or (b) above, up to two dwelling units may be provided as follows:

Size of Parcel	No. of Dwellings Permitted
1.5 - 50 acres	1 unit
More than 50 acres	2 units

E. The following information shall be required in addition to information required for preliminary and final plat submission by the Dover Township Subdivision and Land Development Ordinance [Chapter 22]:

(1) The total area of the parcel as shown in the record of the County Recorder of Deeds on May 23, 1988.

(2) A parcel history, including a listing of the subdivisions that have occurred since May 23, 1988, with a reference to the number of lots, lot area, date of approval and recording data for each subdivision. The location of each lot shall be indicated on a deed plotting of the parcel as it existed on May 23, 1988.

(3) Soil types and classification as mapped in the Soil Survey of York County, Pennsylvania.

F. Subdivision for the transfer of land between two contiguous property owners shall be allowed to resolve on-lot wastewater and/or water problems, or correct irregular lot lines (maximum transfer of one acre) with the following regulations.

(1) As a result of the subdivision, no lot shall be created which is less than the minimum lot size for the district; however, the newly created lot with the wastewater or water problem may exceed the maximum lot size to obtain suitable area for a replacement site.

(2) An area over the two-acre maximum on a subdivision will only be permitted and limited to what is necessary for the resolution of on-lot wastewater/water problems. Under no circumstances shall additional property be transferred between property owners.

(3) The subdivided area shall be added to an existing lot and shall not be interpreted as a new lot; therefore, the subdivision shall not affect the calculation of allowable dwelling units or special exceptions in the agriculture district.

(4) The property owner with the on-lot system problem must show written documentation to the Township that they have received all required local, State and Federal approvals before the subdivision will be granted.

4. Use Limitations for Special Exceptions.

A. Parcels may be subdivided for nonagricultural/nonresidential uses as special exceptions in accordance with § 27-403.A, Part 6 and the following regulations.

(1) The calculation of the number of lots which may be subdivided for nonagricultural/nonresidential purposes shall be based on the number of permitted dwellings calculated in § 27-403.5.B.

(2) One lot utilized for a nonagricultural/nonresidential special exception use shall be equivalent to two residential lots. Thus, the maximum number of residential lots permitted for a specific parcel shall be reduced by two for each permitted nonagricultural/nonresidential special exception use.

B. Special exception uses shall be permitted on lands considered unsuitable for agricultural purposes as follows:

(1) The lot shall consist in its entirety of land included within the following soil capability classes as classified by the Soil Survey of York County, Pennsylvania, Series 1959, No. 23, issued May 1963:

- (a) Class III - Units IIIe-3 through IIIe-6.
- (b) Class IV - Units I'VE-1 through I'VE-7.
- (c) Class VI - Entire class.
- (d) Class VII - Entire class.

(2) Existing features the site including rock outcroppings, woodlands, slopes in excess of 15%.

(3) The size or shape of the area suitable for farming is insufficient to permit efficient use of farm machinery (for the purpose of the application of this subsection the land to be contained in the lot shall be considered as a part of the original tract).

(4) The parcel shall be located adjacent to a public road and shall have direct access to the public road.

5. Subdivision of Land for Agricultural Purposes (Not Involving Any Residences).

A. In order to preserve parcels of land in agriculturally viable units, no subdivision of land for agricultural purposes shall be permitted resulting in the creation of any lot containing less than 25 acres.

B. Any new division line being created between two "farms" shall be agriculturally reasonable and shall not be so as to render the agricultural use of the tracts less efficient; i.e., under normal circumstances, fields and contour strips shall not be split.

C. Land transferred to a farm parcel pursuant to this Section shall not subsequently be separated from such farms.

D. A property owner submitting a subdivision plan shall be required to specify which lot or lots shall carry the right to erect or place any unused quota of dwelling units.

E. There must be assigned both the land being separated from the original tract and the remaining portion of the original tract at least one of the original tract's permitted allocations of single-family dwelling units for the farm parcel dwelling unit unless that land is being permanently joined to an adjacent tract which either contains an existing dwelling or has allocated to it the right to construct at least one dwelling. The farm parcel dwelling shall be allowed as part of the farm parcel, as such, the dwelling is excluded from meeting the provisions of § 27-403.5.B.

6. Minimum Off-Street Parking. Off-street parking shall be provided in accordance with Part 7.

7. Signs. Signs shall be provided in accordance with Part 8.

8. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which shall be applied to all districts.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2016-01, 1/11/2016, §§2, 3; and by Ord. 2019-03, 10/28/2019, §§ 3, 4, 5; and Ord. 2021-03, 3/22/2021, § 2)

§ 27-404. V - Village District.

1. Purpose. This district recognizes the Village of Mount Royal as a unique place in the development of the Township. The center of the Village is recognized as the crossroads of Old Carlisle Road and Conewago Road. The regulations are set forth to preserve the

existing community character of the Mount Royal area. This character includes a mixture of single-family residential uses, neighborhood commercial uses and public and open areas.

A. The purpose of this district shall be consistent with the Rural Village land use classification descriptions contained in the Future Land Use Plan of the Dover Borough/Dover Township Joint Comprehensive Plan Growth Management Plan, 2007.

2. Bulk and Area Regulations.

A. Residential Uses.

(1) The following lot area and width standards shall apply to residential uses based on the type of dwelling unit and presence of public water or sewer.

Unit Type	With Public Water and Sewer	With Public Water or Public Sewer	Without Public Water and Sewer
Minimum lot area (square feet):			
Single-family detached dwelling	9,000	43,560	65,340
Single-family semi-detached dwelling	4,500	43,560	65,340
Minimum lot frontage and width (feet)			
Single-family detached dwelling	80	100	125
Single-family semi-detached dwelling	40	100	125

(2) Minimum lot depth: 100 feet.

(3) Minimum setback:

(a) Front setback: 35 feet.

(b) Side setback: ten feet.

(c) Rear setback: 30 feet.

(4) Special setback requirements: No area for storing or processing manure, or composting shall be allowed within 300 feet of a residential or district or residential property line.

(5) Maximum height: two and one-half stories but not to exceed 35 feet.

(6) Maximum lot coverage: 35%.

B. Nonresidential Uses.

(1) The following lot area and width standards shall apply to nonresidential uses:

	With Public Water and Sewer	With Public Water or Sewer	Without Public Water and Sewer
Minimum lot area (square feet)	32,670	43,560	65,340
Minimum lot frontage and width (ft)	100	100	125

(2) Minimum lot depth 100 feet.

(3) Minimum setback:

(a) Front setback: 35 feet.

(b) Side setback: ten feet.

(c) Rear setback: 30 feet.

(4) Maximum height: not to exceed 45 feet.

(5) Maximum lot coverage: ~~35~~60%.

Commented [JM1]: Changed per 7/12 PC meeting

3. Minimum Off-Street Parking. Off-street parking shall be provided in accordance with Part 7.

4. Signs. Signs shall be provided in accordance with Part 8.

5. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which shall apply to all districts.

6. Access. All uses shall have primary access from an arterial and/or collector roadway.

Commented [JM2]: Changed per 7/12 PC meeting

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2016-01, 1/11/2016, §§4, 5; and by Ord. 2019-03, 10/28/2019, §§ 3, 4)

§ 27-405. R-1 - Residential District Section.

1. Purpose. The purpose of this district is to permit and provide standards for low density residential development, to encourage the preservation of open spaces and conserve natural resources, and to exclude uses incompatible with residential communities. Public water and sewer should be provided for uses inside the Growth Boundary Area as determined by the Dover Borough/Dover Township Joint Comprehensive Plan.

2. Prohibited Uses.

A. Keeping or Raising of Livestock. This provision shall not apply to existing agricultural operations as of the date of the adoption of this ordinance.

3. Bulk and Area Requirements.

A. Minimum lot area:

- (1) Growth Boundary Area - one-half acre.
- (2) Outside Growth Boundary Area - one and one-half acres.

B. Minimum lot frontage and width:

- (1) 100 feet with public water and public sewer.
- (2) 125 feet with public water or public sewer.
- (3) 125 feet with neither public water nor public sewer.

C. Minimum lot depth: 100 feet.

D. Minimum setback:

- (1) Front setback: 35 feet.
- (2) Side setback: 10 feet.
- (3) Rear setback: 30 feet.

E. Maximum height: 45 feet.

F. Maximum lot coverage: 35%.

G. Maximum Density:

- (1) Growth Boundary Area - one unit/one-half acre.
- (2) Outside Growth Boundary Area - one unit/one and one-half acres.

H. Conservation-Based Design. All residential developments 15 acres or more shall follow Conservation-Based Design requirements set forth in § 27-622. Residential development shall be designed to preserve natural landscapes including wetlands and aquifer recharge zones, woodlands, steep slopes, floodplains, greenways, unique natural, cultural, and or historic areas and similar environmentally sensitive areas consistent with the Dover Borough/Dover Township Joint Comprehensive Plan. Conservation-Based Design shall also follow regulations in Chapter 22 - Dover Township Subdivision and Land Development Ordinance.

4. Minimum Off-Street Parking. Off-street parking shall be provided in accordance with Part 7.

5. Signs. Signs shall be provided in accordance with Part 8

6. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which shall apply to all districts.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2019-03, 10/28/2019, §§ 3, 4; and Ord. 2021-03, 3/22/2021, § 3)

§ 27-406. R-3 - Residential District.

1. Purpose. The purpose of this district is to provide reasonable standards for the orderly expansion of medium density, urban residential development in areas of the Township with similar existing uses, to encourage preservation of open spaces and the conservation of natural and groundwater resources, and to exclude uses incompatible with residential neighborhoods. Public water and sewer shall be utilized in this district.

2. Prohibited Uses.

A. Keeping or Raising of Livestock. This provision shall not apply to existing agricultural operations as of the date of the adoption of this ordinance.

3. Bulk and Area Regulations.

A. Residential Uses.

(1) The following lot area, width, depth, and setback standards shall apply to residential uses based on the type of dwelling unit:

Dwelling Type	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Setback (feet)		
				Front	Side	Rear
Single-family detached	9,000	80	100	35	10	30
Single-family semi-detached	5,000	40	100	35	10	30
Single-family attached	3000	24				
Two-family	9,000	80	100	35	10	30
Multi-family development*	43,560	150	150	50	25	50

*Standards refer to the development and not individual units. For standards specific to each unit and other design criteria, see subsection 4.A(5)

(2) Maximum height: Two and one-half stories but not to exceed 35 feet.

(3) Maximum lot coverage: 50%.

(4) Maximum density: Five dwelling units/acre.

(5) Special standards for multi-unit buildings:

(a) Single-family attached (townhouse).

1) Minimum lot area per dwelling unit: 3,000 sq. ft.

2) Minimum width per dwelling unit: 24 feet.

3) Maximum length of grouping: Six units with overall length of 144 feet.

4) Setback requirements: No more than two contiguous units may have the same front yard setback. The minimum difference of staggered setbacks shall be two feet.

5) Maximum lot coverage - 60%.

(b) Multi-family.

1) Permitted density: Five units per acre.

2) Maximum length of building: 200 feet.

(c) Separation between buildings. These regulations apply when more than one building occupies a common lot.

1) Front-to-front, rear-to-rear parallel buildings shall have 40 feet between faces of the building for one story in height, plus five 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 feet at one end if increased by similar or greater distance at the other end.

2) A minimum yard space of 30 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 20 feet.

3) A minimum yard space of 30 feet is required between end walls and front or rear faces of buildings.

(6) Buffer yards: In accordance with § 27-502.A.(6).

B. Nonresidential Uses. The following design standards shall apply to nonresidential uses.

(1) Minimum lot area: Two acres.

(2) Minimum lot width: 100 feet.

(3) Minimum lot depth: 100 feet.

(4) Minimum setback:

(a) Front setback: 35 feet.

(b) Side setback: 30 feet.

(c) Rear setback: 30 feet.

(5) Maximum height: 45 feet.

(6) Maximum lot coverage: 35%.

4. Minimum Off-Street Parking. Off-street parking shall be provided in accordance with Part 7.

5. Signs. Signs shall be provided in accordance with Part 8.

6. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which shall apply to all districts.

7. Conservation-Based Design. Standards in § 27-622 shall apply.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2019-03, 10/28/2019, §§ 3, 4)

§ 27-407. R-4 Residential District.

1. Purpose. The purpose of this District is to provide reasonable standards for the orderly expansion of high density, urban residential development in areas of the Township with similar existing uses, to encourage the preservation of open spaces and the conservation of natural and groundwater resources, and to exclude uses incompatible with residential neighborhoods. Public water and sewer shall be utilized in this district.

2. Prohibited Uses.

A. Keeping or raising of livestock. This provision shall not apply to existing agricultural operations as of the date of the adoption of this ordinance.

3. Bulk and Area Regulations.

A. Residential uses.

(1) The following lot area, width, depth, and setback standards shall apply to residential uses based on the type of dwelling unit:

Dwelling Type	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Setback (feet)		
				Front	Side	Rear
Single-family detached	7,500	60	100	35	10	30

Single-family semi-detached	3,000	20	100	35	10	30
Two-family	7,500	60	100	35	10	30
Single-family development*	43,560	150	150	35	20	30
Multi-family development	46,560	150	150	50	25	50
Mobile home park	N/A	150	150	50	25	50

*Standards refer to the development and not individual units. For standards specific to each unit and other design criteria, see § 27-408.3.

(2) Maximum height: Two and one-half stories but not to exceed 35 feet.

(3) Maximum lot coverage:

(a) Single-family detached, single-family semi-detached, two-family: 35%.

(b) Single-family attached and multi-family: 60%.

(4) Maximum density: Eight dwelling units per acre.

(5) Special standards for multiunit buildings:

(a) Single-family attached (townhouse).

1) Minimum lot area per dwelling unit: 2,000 sq. ft.

2) Minimum width per dwelling unit: 20 feet.

3) Maximum length of grouping: Six units with overall length of 120 feet.

4) Setback requirements: No more than two contiguous units may have the same front yard setback. The minimum difference of staggered setbacks shall be two feet.

(b) Multi-family.

1) Maximum length of building: 200 feet.

(c) Separation between buildings. These regulations apply when more than one building occupies a common lot.

1) Front-to-front, rear to-rear parallel buildings shall have 40 feet between-faces of the building for one story in height, plus five 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 feet at one end if increased by similar or greater distance at the other end.

2) A minimum yard space of 30 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of 20 feet.

3) A minimum yard space of 30 feet is required between end walls and front or rear faces of buildings.

(6) Buffer yards: In accordance with § 27-502. A.(6).

B. Nonresidential Uses. The following design standards shall apply to nonresidential uses.

(1) Minimum lot area: two acres.

(2) Minimum lot width: 100 feet.

(3) Minimum lot depth: 100 feet.

(4) Minimum setback:

(a) Front setback: 35 feet.

(b) Side setback: 30 feet.

(c) Rear setback: 30 feet.

(5) Maximum height: 45 feet.

(6) Maximum lot coverage: 35%.

6. Minimum Off-Street Parking. Off-street parking shall be provided in accordance with Part 7.

7. Signs. Signs shall be provided in accordance with Part 8.

8. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which shall apply to all districts.

9. Conservation-Based Design. Standards in § 27-622 shall apply.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2019-03, 10/28/2019, §§ 3, 4)

§ 27-408. C - Commercial District Section.

1. Purpose. The purpose of this district is to provide reasonable standards for the development of commercial uses which serve the day-to-day shopping needs of the residents as well as those establishments which cater primarily to the motoring public. The standards of this district are designed to separate access roads from major thoroughfares, to minimize traffic congestion and to provide buffer yards and screen plantings where such adjoin residential areas.

2. Prohibited Uses.

A. Keeping or Raising of Livestock. This provision shall not apply to existing agricultural operations as of the date of the adoption of this ordinance.

3. Bulk and Area Regulations.

A. Minimum lot area: As follows unless otherwise stipulated in Part 6, "Specific Standards for Uses."

- (1) 10,000 square feet with public water and public sewer.
- (2) 43,560 square feet with public water or public sewer.
- (3) 65,340 square feet with neither public water nor public sewer.

B. Minimum lot frontage and width:

- (1) 75 feet with public water and sewer.
- (2) 125 feet with public water or public sewer.
- (3) 125 feet with neither public water nor public sewer.

C. Minimum setbacks:

- (1) Front setback: 35 feet.
- (2) Side setback: ten feet.
- (3) Rear setback: 30 feet.

D. Buffer yard: In accordance with § 27-503.2.A.(6).

E. Maximum lot coverage: 75%.

F. Maximum building height: 45 feet.

4. Minimum Off-Street Parking. Off-street parking shall be provided in accordance with Part 7.

5. Signs. Signs shall be provided in accordance with Part 8.

6. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which apply to all districts.

7. Conservation-Based Design. Standards in § 27-622 shall apply.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2016-01, 1/11/2016, §§6, 7; and by Ord. 2019-03, 10/28/2019, §§ 3, 4; and Ord. 2021-03, 3/22/2021, § 4)

§ 27-409. BP - Business Office Park District.

1. Purpose.

A. The purpose of this district is to provide flexible regulations to encourage a mix of nonresidential land uses developed in an integrated manner in a campus setting. This district is designed to achieve the following Township goals:

(1) To provide ancillary uses to support corporate office development.

(2) To encourage a mix of land uses that limit off-site traffic generation.

(3) To permit a wide array of office, business and professional commercial uses including business park development consisting of buildings with multiple tenants including professional offices, high-tech light manufacturing and knowledge-based operations in campus style/oriented settings.

2. Prohibited Uses.

A. Keeping or raising of livestock. This provision shall not apply to existing agricultural operations as of the date of the adoption of this ordinance.

3. Bulk and Area Requirements.

A. If creating a business park:

(1) Minimum tract area: 30 acres.

(2) Minimum lot size within the tract: five acres.

(3) Minimum lot frontage and width: 200 feet.

(4) Minimum open space: 20% of lot area.

(a) The following areas may not be calculated as part of the open space: streets, parking areas.

(b) Future development or sale or lease of open space shall be prohibited.

(5) Maximum lot coverage by principal and accessory buildings: 30% of lot area.

(6) Maximum impervious surface: 50% of lot area.

(7) Maximum building height. No building shall exceed the height of 50 feet; provided, however, that this height may be increased one foot for each additional three feet that each yard and area separating buildings exceeds the minimum required.

(8) Minimum setback.

(a) Front setback: 50 feet.

(b) Side setback: 25 feet.

(c) Rear setback: 50 feet.

(9) Buffer yards.

(a) When adjacent to a residential district a buffer yard having a depth of not less than 100 feet shall be maintained along the exterior property line separating the nonresidential and residential districts. No development shall be permitted therein other than lawns and plantings, except in the interior 60 feet the area may be used as an off-street parking area for employees and visitors.

(b) When adjacent to a public street on which a residential district abuts on the opposite side, the dimension of the right-of-way of the public street shall not be considered to be a part of the depth of the buffer area. However, if the width of the right-of-way of such public street exceeds 60 feet in width, that portion of the right-of-way in excess of 60 feet shall be deemed to be a part of the required buffer yard.

(c) A screen in accordance with buffer planting strip 3 of the Dover Township Subdivision and Land Development Ordinances (22-1103), shall be provided for the length of all buffer yards.

(10) Separation between buildings. These regulations apply when more than one building occupies a common lot.

(a) Front-to-front, rear-to-rear or front-to-rear parallel buildings shall have 40 feet between faces of the building for one story in height. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten feet at one end if increased by similar or greater distance at the other end. A minimum yard space of 30 feet is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end of the building may be reduced to a minimum of 20 feet.

(b) A minimum yard space of 30 feet is required between end walls and front or rear faces of buildings.

(11) Street layout. All lots shall front on the interior street.

B. If not creating a business park, as follows unless otherwise stipulated in Part 6, "Specific Standards for Uses."

(1) Minimum lot size:

- (a) 20,000 square feet with public water and public sewer.
- (b) 43,560 square feet with public water or public sewer.
- (c) 65,340 square feet with neither public water nor public sewer.

(2) Minimum lot frontage and width:

- (a) 100 feet for lots up to 20,000 square feet.
- (b) 200 feet for lots up to 1 acre.
- (c) 200 feet for lots in over one acre up to one and one-half acres.

(3) Minimum open space: 20% of lot area.

(a) The following areas may not be calculated as part of the open space: streets, parking areas.

(b) Future development or sale or lease of open space shall be prohibited.

(4) Maximum lot coverage by principal and accessory buildings: 30% of lot area.

(5) Maximum lot coverage: 75%.

(6) Maximum building height. No building shall exceed the height of 50 feet; provided, however, that this height may be increased one foot for each additional three feet that each yard and area separating buildings exceeds the minimum required.

(7) Minimum setback.

(a) Front setback: 50 feet.

(b) Side setback: 25 feet, except that side yard setbacks may be waived by the Planning Commission under the following circumstances:

1) Neighboring property owners execute and record in the Recorder's Office of York County a shared driveway access and maintenance agreement in a form acceptable to the township and provide copies to the Zoning Officer, or

2) Improved parking area(s) abuts improved parking areas on adjoining lot(s) and the owners of the lot(s) execute and record in the Recorder's Office of York County a shared use and maintenance agreement in a form acceptable to the Township and provide copies to the Zoning Officer

(c) Rear setback: 50 feet.

(8) Buffer yards - in accordance with 27-503.2.A(6).

4. Minimum Off-Street Parking and Loading. Off-street parking shall be provided in accordance with Part 7.

5. Signs. Signs shall be provided in accordance with Part 8.

6. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which shall apply to all districts.

7. Conservation-Based Design. All residential developments 15 acres or more shall follow Conservation-Based Design requirements set forth in § 27-618. Residential development shall be designed to preserve natural landscapes including wetlands and aquifer recharge zones, woodlands, steep slopes, floodplains, greenways, unique natural, cultural, and or historic areas and similar environmentally sensitive areas consistent with the Dover Borough/Dover Township Joint Comprehensive Plan. Conservation-Based Design shall also follow regulations in Chapter 22 - Dover Township Subdivision and Land Development Ordinance.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2016-01, 1/11/2016, §§8, 9; and by Ord. 2019-03, 10/28/2019, §§ 3, 4, 5)

§ 27-410. I - Industrial District.

1. Purpose.

A. The purpose of this district is to permit and encourage industrial development that will be so located and designed as to constitute a harmonious development, contribute to the soundness of the economic base of the Township, and otherwise further the purposes of this Chapter. In promoting these and the general purposes of this Chapter, the specific intent of this district is:

(1) To encourage the development of and continued use of land for industrial purposes.

(2) To prohibit any use which would substantially interfere with the development, continuation or expansion of industrial uses in the district.

(3) To establish reasonable standards for buildings and other structures, the areas and dimensions of yards and other open spaces, and the provision of facilities and operation of industries to minimize air pollution, noise, glare heat, vibration and fire and safety standards.

2. Prohibited Uses.

A. Keeping or Raising of Livestock. This provision shall not apply to existing agricultural operations as of the date of the adoption of this ordinance.

3. Bulk and Area Regulations. The following shall be the standards for the Industrial District:

A. Minimum lot area: 20,000 sq. ft.

B. Minimum lot frontage and width 100 feet.

C. Minimum setbacks:

(1) Front setback: 50 feet.

(2) Side setback: 40 feet.

(3) Rear setback: 40 feet.

D. Maximum lot coverage: 75%.

E. Maximum building height: 45 feet, provided, however, that this height may be increased one foot for each additional three feet that setback exceeds the minimum required.

F. Buffer Yard: in accordance with the following chart unless otherwise specified in

Part 6:

Classification of Impact	Required Buffer Yard (in feet)
Light	20
Medium	30
Heavy	50

G. Screening: in accordance with the following chart:

Classification of Impact	Required Planting Strip from Dover Township SALDO § 22-1103
Light	2
Medium	3
Heavy	3

H. When adjacent to a public street on which a residential district abuts on the opposite side, the dimension of the right-of-way of the public street shall not be considered to be a part of the depth of the buffer area. However, if the width of the right-of-way of such public street exceeds 60 feet in width, that portion of the right-of-way in excess of 60 feet shall be deemed to be a part of the required buffer yard.

4. Minimum Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with Part 7.

5. Signs. Signs shall be provided in accordance with Part 8.

6. Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which shall apply to all districts.

7. Landscaping Plan. A landscaping plan is required in accordance with the provisions in the Township Subdivision and Land Development Ordinance § 22-1100. In addition, the Township requires landscaped earthen berms between industrial and residential uses.

(Ord. 2015-06, 9/28/2015; as amended by Ord. 2016-01, 1/11/2016, §10; and by Ord. 2019-03, 10/28/2019, §§ 3, 4, 5; and Ord. 2021-03, 3/22/2021, § 5)

§ 27-411. FP - Floodplain Overlay Section.

1. Purpose. The purpose of this overlay is to:

A. Promote the general health, welfare, and safety of the community.

B. Minimize danger to public health by protecting water supply and natural drainage.

C. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.

D. Comply with Federal and State floodplain management requirements.

E. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.

2. Warning and Disclaimer of Liability.

A. The degree of flood protection sought by the provisions of these regulations are considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Chapter does not imply that areas outside any identified floodplain areas, or that land uses permitted, within such area will be free from flooding or flood damages.

B. This Chapter shall not create liability on the part of the Township or any officer or employee thereof for any flood damages that results from reliance on this Chapter, or any administrative decision lawfully made thereunder.

3. Identification of Floodplain Areas. The identified floodplain areas shall be those areas of Dover Township, which are subject to the 100-year flood, as identified in the Flood Insurance Study (FIS) dated September 25, 2009, and the accompanying maps prepared for Dover Township by the Federal Emergency Management Agency (FEMA), or the most recent revision thereof.

4. Description of Floodplain Areas.

A. The identified floodplain area shall consist of the following specific areas:

(1) FW (Floodway Area). The areas identified as "Floodway" in the AE Zone in the Flood Insurance Study prepared by FEMA. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.

(2) FF (Flood-Fringe Area). The remaining portions of the 100-year floodplain in those areas identified as an AE Zone where a floodway has been delineated in the Flood Insurance Study. The basis for the outermost boundary of this area shall be the 100-year flood elevations as shown in the flood profiles contained in the Flood Insurance Study.

(3) FA (General Floodplain Area). The areas identified as Zone A in the FIS for which no 100-year flood elevations have been provided. When available, information from other Federal, State, and other acceptable sources shall be used to determine the 100-year elevation, as well as a floodway area. When no other information is available, the 100-year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question.

B. The Township shall require the applicant to determine the elevation with hydrologic, and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken by professional engineers or others of demonstrated qualification who shall certify that the technical methods used correctly reflect currently accepted technical

concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township Engineer.

5. Changes in Identification of Area. The identified floodplain area may be revised or modified by the Board of Supervisors where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency (FEMA).

6. Boundary Disputes. Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Township Zoning Officer and any party aggrieved by this decision may appeal to the Zone Hearing Board. The burden of proof shall be on the appellant.

7. Technical Provisions; General.

A. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the Applicant, and until all required permits or approvals have been first obtained from the Department of Environmental Protection and the Department of Conservation and Natural Resources or the responsible State agency. In addition, the Federal Emergency Management Agency and Pennsylvania Department of Economic and Community Development shall be notified prior to any alteration or relocation of any watercourse. A copy of all such notifications, permit applications, recommendations and approvals shall be submitted to the Township.

B. Any new construction, development, uses or activities allowed within any identified floodplain area, shall be undertaken in strict compliance with the provisions contained in this Chapter and the Floodplain Building Regulations [Chapter 4, Part 1].

8. Existing Structures in Identified Floodplain Areas. The provisions of this Ordinance do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of § 4-161 shall apply.

9. Variance Procedures and Conditions. Requests for variances shall be considered by the Zoning Hearing Board in accordance with the procedures contained in § 27-1003 and the following:

A. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the 100-year flood elevation.

(Ord. 2015-06, 9/28/2015)

§ 27-412. AH - Airport Hazard Overlay Section.

1. Purpose. The purpose of these zones is to prevent injury and/or the loss of property and life and to avoid safety hazards by:

A. Regulating the height of buildings, structures, and natural plant growth within all AH zones which might otherwise have the potential for endangering the lives and property of

the users of all public airports within Dover Township and the surrounding vicinity, and the property or occupants of land in the vicinity of the public Airports. (Such hazards might be created by an obstruction which could reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the public airports).

B. Encouraging and/or requiring the removal, alteration, or marking and lighting of obstructions, whether manmade or natural, which are potential hazards to air navigation in the vicinity of all public Airports.

C. Endeavoring to protect individuals who intend to buy or acquire interest in lands, buildings, or structures which are located within an Airport Hazard Zone.

2. Warning and Disclaimer of Liability.

A. The degree of protection from danger, loss, or injury sought by the provisions of this Chapter is considered reasonable for regulatory purposes and is based on information provided by the Pennsylvania Department of Transportation's Bureau of Aviation pursuant to Act 164, 1984 Pa. Laws 164, Chapter 59, Subchapter B, 74 Pa.C.S.A. §5915(a). This Chapter does not imply that accidents involving aircraft utilizing public Airports and hazards or obstructions in the vicinity of that airport will be or can be avoided solely by the adoption and/or enforcement of the regulations contained herein.

B. This Section shall not create liability on the part of Dover Township or any officer or employee thereof for any airport and/or airport hazard related damage, loss, or injury that results from reliance on this Section of any administrative decision lawfully made thereunder.

3. Definitions. The following definitions relate solely to the airport hazard regulations and shall not apply universally nor shall said regulations be used to interpret other sections of this Part which do not directly apply to airport hazard zoning.

Aircraft - any contrivance, except an unpowered hang glider or parachute, used for manned ascent into or flight through the air.

Airport - any area of land or water which is used, or intended to be used, for airport buildings or air navigation facilities or right-of-way, together with all airport buildings and facilities thereon. As used herein, the term "airport" includes public airports but excludes private airports and heliports. Public and private airports are defined separately in this subsection.

Airport elevation - the highest point of an airport's usable landing area measured in feet above sea level. (The airport elevation of the York Airport is 486 feet. The airport elevation of the Lazy B Airport is 450 feet).

Airport hazard - any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined by "airport hazard" in 74 Pa. C.S.A. §5102.

Airport hazard area - any area of land or water upon which an airport hazard might be established if not prevented as provided for in this Section and the Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).

Approach surface - A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach surface zone height limitation 20:1. In plan the perimeter of the approach surface coincides with the perimeter of the approach surface zone.

Conical surface - a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Department - Pennsylvania Department of Transportation.

FAA - Federal Aviation Administration of the United States Department of Transportation.

Height - for the purpose of determining the height limits in all zones set forth in this Section and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Horizontal surface - a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal surface zone.

Nonconforming use - any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this Section or an amendment thereto.

Obstruction - any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in this Section.

Person - an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Primary surface - A surface longitudinally centered on a runway. When a runway has a specifically prepared hard surface, the primary surface extends 200 feet beyond each end of the runway. The width of the primary surface is 250 feet. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Private airport - an airport which is privately owned and which is not open or intended to be open to the public as defined in 74 Pa.C.S.A. §5102.

Public airport - an airport which is either publicly or privately owned.

Runway - a defined area of an airport prepared for landing and takeoff aircraft along its length.

Structure - an object, including a mobile object, constructed or installed by man, including, but not limited to, buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.

Transitional surfaces - these surfaces extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.

Visual runway - a runway intended solely for the operation of aircraft using visual approach procedures.

4. Establishment of Airport Hazard Zones. The affected area of Dover Township related to the York Airport is the Village of Admire south to the Township line, east to Berlin Road where the Township line intersects, and west to the Robin Road/Admire Road intersection, containing $\pm 2,000$ acres of area. The affected area of Dover Township related to the Lazy B Ranch Airport is Bull Road at the Township and eastern boundary, south to the Bull Road crossing of the Little Conewago Creek, west to the Dover Elementary School and north to Brehmer Road/Bull Road intersection, containing $\pm 3,000$ acres of area. (refer to the Airport Hazard Overlay Maps at the end of this section).

A. Description of Zones.

(1) Basis of Zones. The various Airport Hazard Zones shall include all defined areas delineated below with limitations based on elevations, specified in this Section of the Chapter.

(a) Approach Surface Zone. Established beneath the visual approach surface. The inner edge of this zone coincided with the width of the primary surface and is 250 feet wide. The zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

(b) Horizontal Surface Zone. Established beneath the horizontal surface, 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal surface zone does not include the approach surface and transitional surface zones.

(c) Conical Surface Zone. Established beneath the conical surface. This zone commences at the periphery of the horizontal surface and extends outward there from a horizontal distance of 4,000 feet.

(d) Transitional Surface Zone. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and approach surface, and extending to a height of 150 feet above the airport elevation.

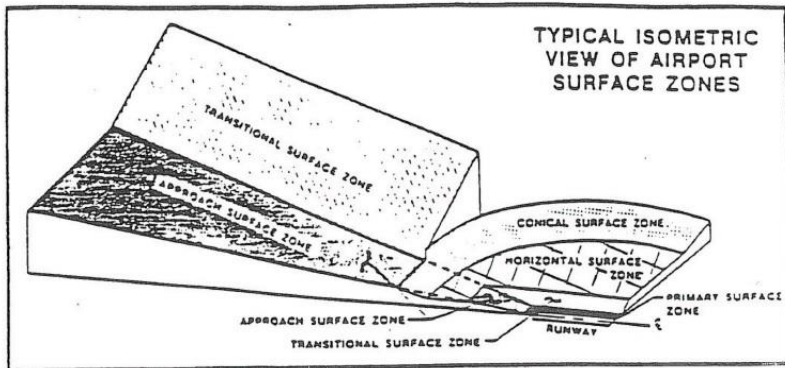
(2) Overlay Concept.

(a) The aforementioned Airport Hazard Zones shall be overlays to the existing and underlying zones as shown on the Official Zoning Map of Dover Township, and as such, the provisions for the Airport Hazard Zones shall serve as a supplement to the underlying zone provisions.

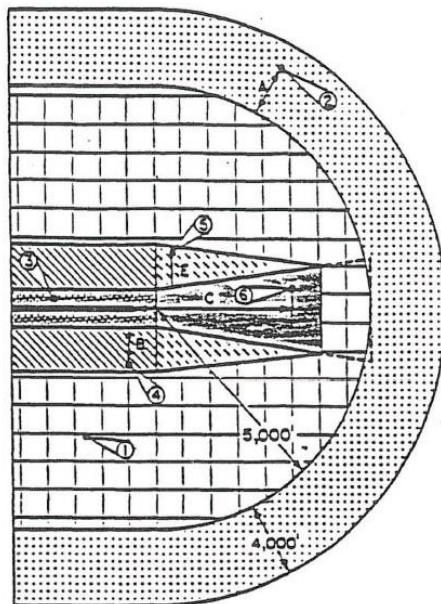
(b) Where there exists any conflict between the provisions of any Airport Hazard Zones and those of any underlying zone the more restrictive provisions shall apply.

B. Inclusion in Zoning Map. The boundaries of the Airport Hazard Zones are established as shown on the York Airport Hazard Overlay Map and the Lazy "B" Ranch Airport Hazard Overlay Map, attached hereto.

C. Zone Boundary Changes. The delineation of any of the airport hazard areas may be revised by the Board of Supervisors only in instances where natural or manmade changes have occurred or corrections are required and detailed studies have been conducted by the Pennsylvania Department of Transportation, Bureau of Aviation, the Federal Aviation Administration or another qualified agency(s) or individual(s) approved by the Bureau and the FAA, and both the Bureau and the FAA recommend and document the advisability of such change.



VISUAL and UTILITY NON-PRECISION RUNWAY ZONES



ALLOWABLE HEIGHT FORMULAS

LOCATION ZONE	FORMULA
1 Horizontal Surface	Allowable Height = (Established Airport Elevation) + (150') - (Ground Elevation)
2 Conical Surface	Allowable Height = (Established Airport Elevation) + (150') + (A ÷ 20) - (Ground Elevation)
3 Primary Surface	Allowable Height = (Elevation of the Runway Perpendicular to the Location Point) - (Ground Elevation)
4 Transitional Surface	Allowable Height = (Elevation of the Primary Surface along the Runway Centerline Perpendicular to the Location Point) + (B ÷ 7) - (Ground Elevation)
5 Transitional Surface	Allowable Height = (Elevation of the Approach Surface along the Runway Centerline Perpendicular to the Location Point) - (E ÷ 7) - (Ground Elevation)
6 Approach Surface	Allowable Height = (Runway End Elevation) + ((C-200) ÷ 20) - (Ground Elevation)

*For Turf Runways do not subtract 200 from C

NOTE: Only Location Zones #1 and #2 apply to Dover Township.

D. Interpretation of Zone Boundaries. Initial interpretations of the boundaries of the Airport Hazard Zones shall be made by the Zoning Officer. Should a dispute arise concerning the boundaries of any of the zones, the person questioning or contesting the location of the zone boundary should be given a reasonable opportunity to present his/her case to the Township Zoning Hearing Board and to submit his/her own technical evidence if he/she so desires.

E. Status of Airport. If a change in the airport is proposed, through improvements to lighting, runways, etc., that would affect airport hazard zoning (i.e., that would necessitate a modification of height and/or distance requirements), the owner and/or operator of the airport must notify the Township's Board of Supervisors in order that this Section may be amended to reflect such changes.

5. Provisions. All uses, activities, and development occurring within an Airport Hazard Zone shall be undertaken only in strict compliance with the provisions of this Chapter and with all other applicable codes and ordinances (such as the Uniform Construction Code) where applicable.

6. Use Restrictions. Notwithstanding any other provisions of this Section, no use may be made of land or water within any zone established by this Chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport

7. Nonconforming Uses.

A. Regulations Not Retroactive. The regulations prescribed by this Section shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Chapter, or otherwise interfere with the continuance of any nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Chapter and is diligently executed.

B. Nonconforming Uses Abandoned or Destroyed. Whenever the Zoning Officer determines that a nonconforming tree or structure has been abandoned or more than 75% torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from this Section.

8. Permits.

A. Except as specifically provided hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any Airport Hazard Zone hereby created unless a permit therefore shall have been applied for and granted.

(1) Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed.

(2) If such determination is in the affirmative, the permit shall be granted.

(3) No permit for a use inconsistent with provisions of this Chapter shall be granted unless a variance has been approved in accordance with § 27-410.

B. The following permit exception applies:

(1) In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

(2) In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any trees or structure less than seventy-five feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limit prescribed for such approach zones.

(3) In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zones, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground except when such a tree or structure, because of terrain, land contour or topographic feature, would extend above the height limit prescribed for such transition zones.

(4) Nothing contained in the foregoing exception shall construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Chapter, except that no permit is required to make maintenance repairs or to replace parts of existing structures which do not enlarge or increase the height of an existing structure.

9. Existing Uses. Before any nonconforming structure may be replaced, substantially altered or rebuilt or tree allowed to grow higher or replanted, a permit must be secured from the Township authorizing the replacement or change. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this Chapter or any amendments thereto, or than it is when the application for a permit is made.

10. Variances.

A. Any person, desiring to erect any structure, increase the height of any structure, permit the growth of any object of natural growth or otherwise use his property in violation of airport zoning regulations, may apply to the Zoning Hearing Board for a variance from the zoning regulations in question. A variance shall be granted only after the requirements of this Section and § 27-1102 of this Chapter are satisfied.

B. The application for variance from a provision of this Section shall be accompanied by a determination from the Federal Aviation Administration (based on Form 7460-1, "Notice of Proposed Construction or Alteration," or the form acceptable to that Administration) and a determination from the Bureau of Aviation of the Pennsylvania Department of Transportation (based on Form AV-57, "Notice of Proposed Construction or Alterations" or other form acceptable to that Bureau) as to the effect of the proposal on the operation or air navigation facilities and the safe, efficient use of navigable airspace.

C. Additionally, no application for variance to the requirements of this Section may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the airport manager (or person of equivalent description) for advice as to the aeronautical effects of the variance. If the airport manager (or person of equivalent description) does not respond to the application within 15 days after receipt, the Zoning Hearing Board may act without such input to grant or deny said application.

11. Hazard Marking and Lighting. In granting any permit or variance under this Section, the Zone Hearing Board shall permit or grant a variance as to require the owner of the structure or object of natural growth in question to permit the airport owner operator, at its own expense, or require the person or persons requesting the permit or variance, to install, operate and maintain thereon such markers and lights as may be required by guidelines or regulations adopted by the FAA.

12. Enforcement.

A. Local Enforcement. It shall be the duty of the Zoning Officer to administer and enforce the regulations prescribed herein. Applications for permits and variances involving Airport Hazard Zones shall be made to the Zoning Officer upon a form published for that purpose.

B. Notice to Department. Notwithstanding any other provision of law, a municipality or board which decides to grant an airport hazard zoning permit or variance under this Section shall notify the Department of Transportation.

13. Acquisition of Air Rights. In any case in which it is desired to remove, lower or otherwise terminate a nonconforming structure or use, or the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations, or it appears advisable that the necessary approach protection be provided by acquisition of property rights, rather than by airport zoning regulations, Dover Township may acquire by purchase, grant or condemnation, in the manner provided by the law under which municipalities are authorized to acquire real property for public purposes, such air right, aviation easement or other estate or interest in the property or nonconforming structure or use in question as may be necessary to effectuate the purpose of this Section. In the case of the purchase of any property or any easement or estate, or interest therein, or the acquisition thereof by the power of eminent domain, Dover Township shall, in addition to the damages for the taking, injury or destruction of property, also pay the cost of removal and relocation of any structure or any public utility which is required to be moved to a new location.

14. Airport Surface Zone Height Limitations.

A. Approach Surface Zone. Slopes 20 feet outward for each foot upward beginning at the end of an at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

B. Transitional Surface Zone. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the airport elevation.

C. Horizontal Surface Zone. Established at 150 feet above the established airport elevation or a height of 750 feet above mean sea level.

D. Conical Surface Zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal surface, and at 150 feet above the established airport elevation, and extending to a height of 350 feet above the established airport elevation or at a height of 950 feet above mean sea level.

15. Maximum Allowable Height. The following figure and formulas have been prepared for determining the maximum allowable heights of objects within the airport's vicinity. The formulas are used in conjunction with the figure; where a formula is assigned a number, that formula corresponds with a point location of the same number on the figure. By using the formulas and following the steps outlined below, the maximum allowable height at a point location can be determined.

A. Locate the point (object) in question on the figure (sample point locations identified by numbers are given in various coded airport zones).

B. Apply the formula having the same number as the chosen point location to calculate the maximum allowable height for an object at that point (some formulas will have letter variables (e.g., "A") shown on the figure).

(Ord. 2015-06, 9/28/2015)

§ 27-413. SRR - Shallow Resource Recovery Overlay District.

1. Purpose. The purpose of the Shallow Resource Recovery Overlay District is to provide for the reasonable development of minerals in the Township by allowing shallow resource recovery uses within the overlay district.

2. Permitted Uses. The use of open areas, non-coal surface mining in the form of shallow resource recovery operations permitting quarrying and recovery of shale and clay materials, the storage of quarry related vehicles and equipment, and the storage of raw materials related to shallow resource recovery.

3. Supplementary Regulations.

A. Section 27-627 of this Chapter shall apply to the SRR Overlay District.

B. Following the completion of shallow resource recovery in the SRR Overlay Zone, the land upon which the shallow resource recovery has been performed shall be restored to support the use in effect prior to the shallow resource recovery operations.

(Ord. 2015-06, 9/28/2015)

§ 27-414. ESA - Environmentally Sensitive Area Overlay District.

1. Purpose. The primary purpose of the Environmentally Sensitive Area Overlay District (ESA) is to protect resources and functional values that have been identified by the Pennsylvania Department of Conservation and Natural Resources (DCNR), and the Dover Borough/Dover Township Joint Comprehensive Plan as providing benefits to the sustainability of the natural resource communities. This section is intended to protect and rehabilitate areas within Dover Township that contain native vegetation and natural features and/or natural resources that contribute to the health, welfare, and quality of life of the people in Dover Township. The Township reserves the right and responsibility to protect and conserve environmentally sensitive areas for the following reasons:

- A. Natural communities and the wildlife habitat they provide;
- B. Contribution to the community's health and safety (i.e. flood control, purification of stormwater runoff, clean and healthy groundwater supplies necessary for the health, safety, and enjoyment of the Township residents and neighboring communities);
- C. Recreational purposes;
- D. Aesthetic and quality of life contributions;
- E. Protection and conservation of natural resources within and adjacent to the natural areas for the community's long-term environmental and economic benefits; and
- F. Contribution to the community's historic and symbolic needs.
- G. Control natural environment areas of ecological value to preserve and/or restore ecological functions to the maximum extent possible;
- H. Regulate the use and subdivision of the land within as it relates to the criteria necessary to provide for the long-term sustainability of environmental features within the ESA Overlay District;
- I. Promote innovative development techniques that conserve and reduce the amount of impervious coverage;
- J. Aid developers in the creation of subdivision and land development plans;
- K. Aid Township staff, the Planning Commission, and Township Board of Supervisors in their assessment of development plans in areas of "natural environmental significance"; and
- L. Encourage cost effective site development through innovative development practices that efficiently use land and resources by: reducing infrastructure engineering and

construction costs because of improved lot configurations, shortened and/or narrower streets, reduced utility runs, and potentially reduced public maintenance costs.

M. Supplementary Regulations. Regulations shall be required in accordance with Part 6, § 27-627 ESA - Environmentally Sensitive Areas; and Part 4, § 27-411 Floodplain Overlay Section.

2. ESA District Overlay Map. Natural resources and environmentally sensitive lands are generally located on the Environmentally Sensitive Areas Overlay Map as part of § 27-411 and 627.

3. Applicability. Exceptions may be granted in accordance with the exemptions set forth in § 27-627 ESA - Environmentally Sensitive Areas.

(Ord. 2015-06, 9/28/2015)

§ 27-415. Crossroads Village Overlay District.

1. Purpose. A community consisting of land for cultivation and pasturage with a small group of dwellings in a rural area. The center of these villages is typically located at a crossroads outside the Growth Boundary Area depicted in the Dover Borough/Dover Township Comprehensive Plan and is not intended to be served by public water and public sewer unless necessary to address a health and safety issue.

2. Bulk and Area Regulations.

A. Residential Uses.

(1) The following lot area and width standards shall apply to residential uses based on the type of dwelling unit and presence of public water and sewer.

Unit Type	With Public Water and Sewer	With Public Water or Public Sewer	Without Public Water and Sewer
Minimum lot area (square feet):			
Single-family detached dwelling	9,000	43,560	65,340
Single-family semi-detached dwelling	4,500	43,560	65,340
Minimum lot frontage and width (feet)			
Single-family detached dwelling	80	100	125
Single-family semi-detached dwelling	40	100	125

(2) Minimum lot depth: 100 feet.

(3) Minimum setback:

(a) Front setback: 35 feet.

(b) Side setback: ten feet.

(c) Rear setback: 30 feet.

(4) Maximum height: two and one-half stories but not to exceed 35 feet.

(5) Maximum lot coverage: 35%.

B. Nonresidential Uses.

(1) The following lot area and width standards shall apply to nonresidential uses:

	With public water and sewer	With public water or sewer	Without public water and sewer
Minimum lot area (sq. ft.)	32,670	43,560	65,340
Minimum lot width (ft.)	100	100	125

(a) Minimum lot depth: 100 feet.

(b) Minimum setback:

1) Front setback: 35 feet.

2) Side setback: ten feet.

3) Rear setback: 30 feet.

(c) Maximum height: two and one-half stories but not to exceed 34.5 feet

(d) Maximum lot coverage: 60%.

6. Access. All uses shall have primary access from an arterial and/or collector roadway.

7. Minimum Off-Street Parking. Off street parking shall be provided in accordance with Part 7.

8. Signs. Signs shall be provided in accordance with Part 8.

9. All uses permitted in the underlying zoning district shall be permitted by right or by special exception, in accordance with how they are permitted in the underlying zoning district.

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Commented [JM4]: Added per 7/12 PC Meeting

Supplementary Regulations. Part 5, "Supplementary Regulations," sets forth regulations which shall apply to all districts.

(Ord. 2015-06, 9/28/2015)

Part 5
Supplementary Regulations

§ 27-501. Purpose.

The regulations set forth by this Part shall be minimum regulations and shall apply uniformly to each class of land use or kind of structure, except as provided herein.

(Ord. 2015-06, 9/28/2015)

§ 27-502. Accessory, Uses, Structures and Buildings.

1. Accessory Structures.

- A. Over-the-air-reception devices ("OTARD")/antennas/residential satellite dish.
- B. Carport and/or an attached or unattached garage.
- C. Sheds or barns or non-commercial greenhouses.
- D. Accessory family dwelling units or accessory apartment.
- E. Agricultural operations buildings and similar buildings.
- F. Porches, decks, patios, and awnings.

G. An accessory structure/building, standing apart from the principal structure, ~~shall be permitted only in the side or rear yard area in any yard area, however, in no case shall the structure/building be permitted within the minimum front building setback yard area,~~ with the exception ~~that of the following: barn accessory buildings shall be permitted in the front yard area in the A and CV Districts and on corner lots in residential districts in~~ accordance with applicable district setback requirements, ~~and corner lots in residential districts~~ (See § 27-503.C.(2)(c)). Apartments or other living quarters shall not be permitted in an accessory structure/building, except as provided for in ~~§ 27-603~~ Part 6 in applicable districts.

(1) An accessory structure (permanent or temporary) may be erected within one of the side yards or within the rear yard provided it is at least 5 feet from the property line.

(a) No accessory structure ~~is shall be~~ located in any easement or right-of-way unless written authorization is provided by the utility or authorized party.

(b) Where such side or rear yard is along an alley the accessory structure shall be located not less than five feet from the right-of-way.

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(2) No building permit shall be required for temporary accessory structures less than 100 square feet without a permanent foundation; such as, swing sets, play equipment, and the like, except swimming pools. See regulations within § 27-502.4, which apply to these structures.

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(3) No building permit shall be required for antennas, residential utility sheds, dog houses or similar accessory structures which encompass an overall area of less than 100 square feet if not on a permanent foundation. (In no way shall the eaves, drip edge gutters and any other extensions beyond the exterior walls of the structure extend across a property line.)

H. Accessory structures may be erected on lots prior to the erection of the principal building provided they meet all building setback regulations for principal buildings in the underlying zone.

2. Fences and Walls.

A. Within residential zones, no fence or wall (except required junkyard walls or fences and a retaining wall of a building permitted under the terms of this Part) shall be erected to a height of more than the following regulations:

- (1) Front yard or front setback area: four feet.
- (2) Rear or side yards: six feet.
- (3) Where a side yard abuts a road (corner lot), the maximum height is six feet.

B. Within nonresidential zones, no fence or wall (except required for junkyard walls or fences and a retaining wall of a building permitted under the terms of this Part) shall be erected to a height of more than the following regulations:

- (1) Front yard or front setback area: six feet.
- (2) Rear or side yards: eight feet.

C. In no case shall opaque fences be permitted along the street line in the front yard or within the front setback area.

D. Any fencing within the clear sight triangle area for driveways and intersections shall not exceed three feet.

E. Fences and retaining walls may be located up to, but not on, the property line.

F. Electrical and barbed-wire fences may be allowed in agriculture areas; however, maintenance around the fence shall be the responsibility of the property owner.

G. Nothing in the foregoing subsection (4) shall apply to any public facilities.

H. A zoning permit is not required for fences necessary for agricultural operations.

~~3. Satellite Earth Station Antenna (Dish).~~

~~—A. Not more than one satellite dish shall be mounted above the roof line of the principal building for each lot, and said satellite dish shall have a maximum diameter not greater than three feet.~~

~~—B. Ground mounted satellite dishes may be placed on a lot as an accessory use only and the structure shall conform to all required height, setback and yard requirements applicable to accessory buildings for the district in which located.~~

34. Residential Swimming Pools. The following regulations apply to any pool or open tank capable of containing water to depth greater than two feet. In addition to these regulations, residential swimming pools shall be subject to any applicable Township building code.

A. A swimming pool shall be at least ten feet from the side and rear property lines and shall not be located in the front setback area.

B. Any decking or concrete around the swimming pool shall be at least five feet from the rear and side property lines.

C. Every outdoor swimming pool must be completely surrounded by a fence or wall not less than four feet in height, which shall be so constructed as not to have openings, holes or gaps larger than four inches in any dimension. This does not apply to above-ground pools having a wall measuring four feet in height and having a retractable ladder. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use, except that the door of any dwelling which forms a part of the enclosure need not be so equipped.

D. Water shall not be discharged from any swimming pool onto any public street or alley.

E. Ponds used for agricultural purposes shall be excluded from the requirements of this subsection but must meet any applicable Federal and State regulations.

45. Height Regulations.

A. For all residential districts, accessory building shall not exceed 16 feet in height.

B. The height regulations do not apply to:

(1) Structures such as chimneys, stand pipes, flagpoles, television antennas and radio towers or windmills.

(2) Structures on buildings, such as clock towers, cupolas, water tanks, and other mechanical appurtenances, if such structures, at any level, do not cover more than 10% of the roof on which they are located.

(3) Parapet walls or cornices used solely for ornamental purposes if not in excess of five feet.

(4) Farm buildings and structures.

(5) Municipal utility and service facilities.

56. Portable Storage Units.

A. Such storage units shall be permitted to be stored only on driveways.

B. The time period for such storage units shall be restricted to one time per calendar year not to exceed 30 days.

C. Truck bodies and/or trailers are prohibited as a means for storage in residential zones.

76. Minimum Off-Street Parking. Off-street parking shall be provided in accordance with Part 7.

(Ord. 2015-06, 9/28/2015)

Figure 1 - Corner Lot

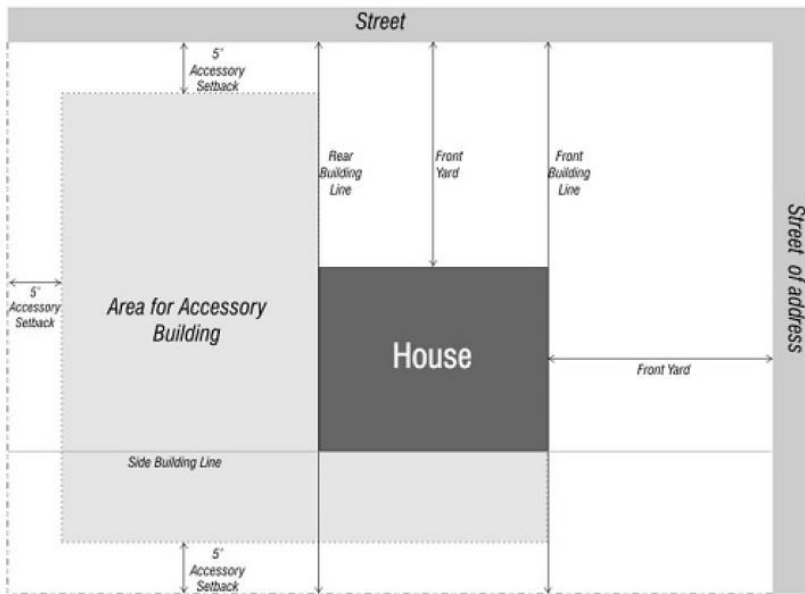
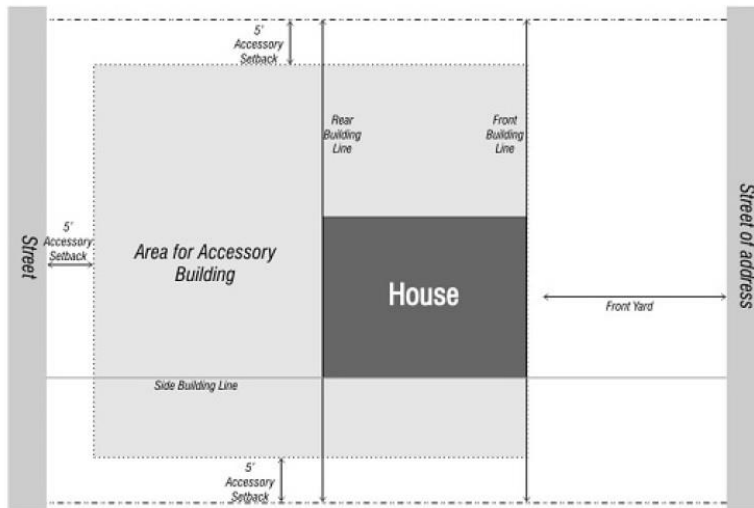


Figure 2 - Double Frontage Lot



§ 27-503. Lot Standards.

The following regulations apply to the development of lots throughout the Township:

A. Lots of Record. On a lot held in single and separate ownership on the effective date of this Chapter, or any amendment thereto, which does not fulfill the requirements for the minimum lot area, lot width, and lot depth for the zone in which it is located, a building may be erected, altered and used and the lot may be used for a conforming (permitted) use providing the setback requirements are not less than the minimum specified herein for the district in which the lot is located.

B. Area Regulations. The area, width and depth of lots shall provide adequate area for off-street loading, unloading, and/or parking space. When necessary, on-lot wastewater facilities shall be provided with areas in addition to the space provided for off-street parking and other paved areas and the area covered by the principal and accessory structures.

C. Setback Modifications. The following standards and requirements apply to all uses in all zones:

(1) Front Yards.

(a) Front Setbacks from All Arterial Roads (As Identified in Dover Township Comprehensive Plan). For the purpose of protecting residential uses from adverse influences of traffic and for the purpose of protecting all arterial ~~and collector~~ roads for their traffic functions, buildings (including residential and nonresidential buildings) along these thoroughfares must be set back at least 50 feet from the right-of-way line of the thoroughfare.

(b) Infill Lots. Where at least two adjacent buildings, along the same street line and within 100 feet of a property line are set back a lesser distance than required, the average of the distances of the adjacent buildings becomes the required front setback for that property.

(c) Agriculture and Farm Operation. No stable or similar animal housing building(s) is permitted within 25 feet of any property line. In addition, such setback modifications are subject to Chapter 27, § 27-402.5.E.(5).

(2) Corner Lots.

(a) Corner lots shall have two front yards at the street side of the lot and two side yards on the non-street side.

(b) Unenclosed, uncovered decks must be at least ten feet from right-of-way line of "side street" (street other than street of address).

(c) Accessory buildings in front yards of a corner lot and double frontage lot. Accessory buildings are permitted in front yards on corner lots and double frontage lots in residential districts provided the accessory building is located to the rear, behind the rear building line, or within the side yard of the lot in accordance with Figure 1 and 2. The front of the lot is defined as the area bounded by the street line which determines the property address.

(3) Reverse Frontage or Double Frontage Lots. The front yard shall be determined by the street address of the property.

(4) School bus shelters, cornices, chimneys, steps, stoops, canopies, and similar extensions including fire escapes and eaves may be within the minimum front, side and rear setback. Stoops shall not be greater than 25 square feet in area.

(5) Porches or patios, whether covered or not, shall be considered part of the main building and shall not project into any front or side building setback area. Uncovered Porches, decks, patios, or awnings, whether attached to or standing apart from the principle principal structure, may be located not closer than ten feet to a rear property line. Covered or enclosed porches, patios, & decks shall adhere to principal building setbacks.

(6) Buffer Yards and Screens. Buffer yards and screens shall be designed in accordance with the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

(7) Outdoor Stockpiling or Storage.

(a) Stockpiling firewood is permitted in all zones, except within the front building setback area.

(b) No stockpiling, except for firewood, is permitted in residential districts. In the Commercial and Industrial Districts, stockpiling may be located in the side yard provided that any stockpiling is screened from any adjoining residential uses. In all other districts, stockpiling shall be located in the rear of buildings and shall be screened.

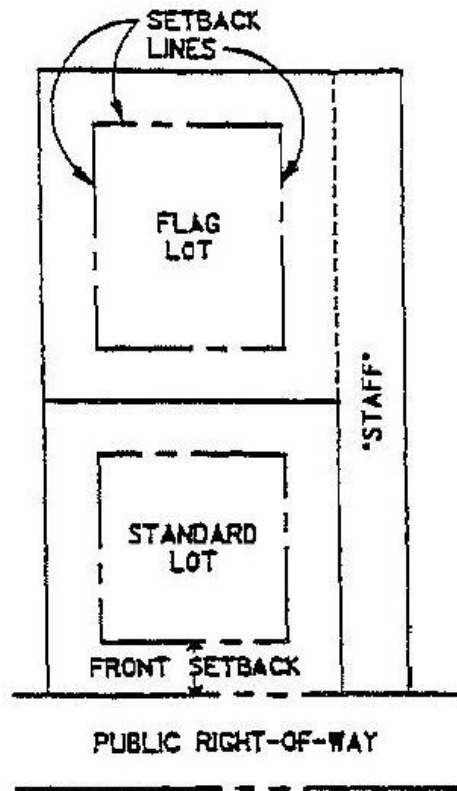
(c) In the Commercial District, the outdoor display of merchandise shall be permitted in the front of a building provided that the merchandise is displayed no more than six feet from the front of the building.

(d) In multi-family developments, remote, screened storage areas shall be provided for items infrequently used, such as recreation vehicles, etc.

(e) A dumpster shall not be permitted on any occupied residential property for longer than 60 days. A dumpster shall not be placed within any road right-of-way in any zone unless written authorization from the Township is obtained due to the individual lot size, grade, or other justified constraint. A dumpster located in the front yard area in a zone other than residential shall be fully screened from view.

(f) Stockpiling must comply with all applicable building code requirements.

D. Obstruction to Vision. Clear sight triangles shall be established as set forth in the Dover Township Subdivision and Land Development Ordinance [Chapter 22]. Proper site sight lines must be maintained at all street intersections. Measured along the center line, there must be a clear site-sight triangle of 75 feet (150 feet for arterial streets) from the point of intersection of two street lines. No building or obstruction greater than three feet in height nor extending lower than 154 feet shall be permitted in this area above the grade of the center line of the street.



E. Flag Lots. Flag lots shall be allowed in the conservation and agriculture districts only and shall meet the following requirements:

- (1) The access strip portion of the lot shall be at least 50 feet wide and shall connect to a public right-of-way.
- (2) All area, yard, and height regulations of the underlying zone shall be applicable. All setbacks shall be measured from the interior staff line or lines of the lot.
- (3) The front building setback line shall be established at the required distance from that portion of the lot which meets the minimum lot width requirement.
- (4) No more than two contiguous flag lots shall be allowed, unless the regulations of the agriculture district requiring nonagricultural uses to be located on the least productive

agriculture lands warrant the placement of more than two contiguous flag lots in a specific area of the original parcel.

(5) The minimum distance between flag lot rights-of-way shall be at least equal to the minimum lot width.

F. Division of Built-On Lots.

(1) No lot may be formed from part of a lot occupied by a building unless each newly created lot will meet all the applicable provisions of this Chapter and the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

(2) In any residential zone, each single family detached dwelling unit shall occupy a separate lot with the exception of a mobile/manufactured home park.

G. Lot Width. Lot width in the case of an interior lot, the lot width is the horizontal distance measured at the minimum required front setback line between the side lot lines; and in the case of a corner lot, the lot width is horizontal distance measured at the minimum building setback line between each front lot line and its opposite lot line.

H. Residential lots, not considered an agricultural operation, are permitted 1 Animal Equivalent Unit (AEU) (refer to AEU definition) per acre.

(Ord. 2015-06, 9/28/2015)

§ 27-504. Minimum Habitable Floor Area.

All dwelling units must conform to the following minimum habitable floor area:

- A. Dwelling unit, other than apartments and units in R-l zones: 700 square feet.
- B. Dwelling units in R-1 zones: 850 square feet.
- C. Apartment: 400 square feet.

(Ord. 2015-06, 9/28/2015)

§ 27-505. Permanent/Temporary Occupancy Requirements.

No person or family shall be permitted to permanently reside within any tent, travel trailer, bus, boat, camper, or motor home. However, temporary occupancy of a tent, travel trailer, camper, or motor home shall be permitted within an approved campground or for periods of up to seven days in any calendar year on the property of a friend or relative.

(Ord. 2015-06, 9/28/2015)

§ 27-506. Demolition.

Demolition of any structure must be completed within three months of the issuance of a permit. Completion consists of tearing the structure down to grade, filling any resulting cavity to grade and removing all resulting material from the lot. A structure may be partly demolished only if a building remains and the demolition of the part is complete as aforesaid. All evidence of the structure which was demolished must be removed from the exterior surfaces of the building remaining.

(Ord. 2015-06, 9/28/2015)

§ 27-507. [Reserved]

§ 27-508. [Reserved]

§ 27-509. Illumination.

1. Light Glare.

A. Direct Light Glare. Such glare is not permitted except as follows:

(1) Direct light glare is permitted in parking lots and on walkways only.

(2) For luminaries 0 to 16 feet above ground level, such luminaries shall be hooded and shielded so the maximum angle or the cone of direct illumination does not exceed 60° from perpendicular to the ground.

(3) For luminaries less than four feet above ground level, the cone of direct illumination may be increased to 90°.

(4) The maximum illumination shall not exceed three foot candles.

B. Indirect light glare shall be prohibited for the following:

(1) The light glare exceeds:

(a) 0.3 foot candles (maximum).

(b) 0.1 foot candles (average).

(2) Deliberately induced sky-reflected glare is for the purpose of advertisement.

C. In all cases light must be shielded so as not to adversely affect adjoining properties.

(Ord. 2015-06, 9/28/2015)

§ 27-510. Drainage.

Adequate Drainage Required. No principal building may be erected, structurally altered, or relocated on land which is not adequately drained at all time and shall conform to Dover Township's Storm Water Ordinance [Chapter 19].

(Ord. 2015-06, 9/28/2015)

~~§ 27-511. Drainage Upon Streets.~~

~~—In order to prevent improper surface drainage upon streets, each building erected, structurally altered, or relocated, and its driveway must be at a satisfactory grade as determined by Township personnel relative to the established street grade or the existing street grade where none is established.~~

~~—A. Sump Pump. Under no circumstance are they allowed to discharge directly onto the street. Connection should be made to storm sewer if available or daylighted within the lawn area halfway between the principal building and the road right-of-way line.~~

(Ord. 2015-06, 9/28/2015)

~~§ 27-512. Obstruction to Drainage Prohibited.~~

~~—The damming, filling, or otherwise interfering with the natural flow of a drainage area or a surface watercourse is not permitted.~~

(Ord. 2015-06, 9/28/2015)

§ 27-513. Campus-Style Development

A. Permitted Uses. All uses permitted within the district proposed for development.

B. Sewer and Water Facilities. The tract shall be served by public sewer and public water facilities deemed acceptable by the Board of Supervisors.

C. Environmentally Sensitive Area Overlay District. Development plans shall be designed in accordance to with § 27-413 and specific standards set forth for Environmentally Sensitive Area Overlay District § 27-621 shall apply.

D. Density. The maximum density for development pursuant to this Section shall be in accordance with the applicable zoning district.

E. Density Bonus. The maximum density for an age-restrictive community development may be increased by one dwelling unit per acre if an additional 10% of open space is provided.

F. Open Space. A minimum of 30% of the tract shall be permanently preserved as open space.

G. Tract Width. The minimum tract width is 200 feet.

H. Maximum Lot Coverage. Maximum lot coverage for the residential development area of the tract shall be 60% per lot and 75% per lot for single-family attached units as well as any non-residential development area of the Tract.

I. Height. The maximum height for all buildings shall be as follows:

- (1) Residential and non-residential buildings - 45 feet.
- (2) Accessory structures - 18 feet.

J. Building and Accessory Structure Setback from Interior Roads.

- (1) Front setback: 20 feet (measured from the street right-of-way line).
- (2) Side setback: ten feet.
- (3) Rear setback: 25 feet.

K. Building Setback from Development Access/Entryway. On either side of any development access/entry road, for a distance of at least 100 feet along the existing intersecting roadway (measured perpendicular to the ultimate right-of-way lines of the entry road), the setback in which no structure or parking facility shall be placed (with the exception of entrance area guard station, entrance roads, ponds, stormwater basins, or cart paths).

L. Separation between buildings. These regulations apply when more than one building occupies a common lot.

(1) Front-to-front, rear-to-rear parallel buildings shall have 50 feet between faces of the building for one story in height, plus five feet for each additional story. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as 20 feet at one end if increased by similar or greater distance at the other end.

(2) A minimum yard space of 30 feet is required between end walls of buildings.

(3) A minimum yard space of 50 feet is required between end walls and front or rear faces of buildings.

M. Access Restriction. No dwelling units within the development shall have access directly from any existing road within the Township. All buildings and dwelling units shall gain access from an internal access road(s), drives, courts, or similar arrangements connected to a common access/entry drive.

N. Tract Buffer. There shall be a landscaped tract buffer yard of 50 feet encompassing the entire perimeter of the development tract provided landscaping and screening is planned including an earthen berm that is: a minimum height of three feet with a maximum three to one side slope be utilized; provides 75% visual screening; and, has a minimum height of six feet at the time of planting.

O. Utilities. All proposed utilities shall be placed/installed underground in accordance with Chapter 22, Dover Township Subdivision and Land Development Ordinance.

P. Lighting. All proposed lighting for residential area, non-residential areas, roads, and parking areas, shall be provided and arranged in a manner which protects the existing frontage roads and neighboring properties from direct glare or hazardous interference of any kind. Lighting shall also be arranged to avoid direct glare into the proposed residences. The height of lighting fixtures shall be a maximum of 20 feet for parking lots and 16 feet for pedestrian walkways.

Q. Residential Signs. All signage to be installed in any location within a campus-style development shall comply with all requirements for residential signs, as stipulated in Chapter 27, Part 8. All signage shall be of compatible materials and design with the buildings and other streetscape features found in the development, and shall be of a coordinated design throughout the development.

R. Commercial Signs. All signage to be installed in any location within a campus-style development shall comply with all requirements for commercial signs, as stipulated in Chapter 27, Part 8. All signage shall be of compatible materials and design with the buildings and other street furniture found in the development, and shall be of a coordinated design throughout the development.

S. Parking for Residential and Non-residential Uses. Any residential and non-residential uses in a campus-style development shall be subject to parking requirements in accordance with Chapter 22 27, Part 7. Guest parking is required and number of spaces and location of the guest spaces shall be calculated and located by the applicant. The applicant shall demonstrate that there is sufficient on and off-street parking. Parking lot landscaping shall be required and shall follow the requirements contained in Chapter 27, Part 7 and Chapter 22, Part 11.

T. Trash and Refuse Areas. Provisions shall be made for the storage of trash, refuse, garbage and recyclables, whether inside a building(s) or within a walled or fenced area outside in an enclosed storage unit(s). The walls or fences of such trash and refuse areas must shield the contents of the enclosure from direct view from any residences, and shall be of compatible design and materials with the building(s) which it services. Proper ingress and egress must be provided for removal of the trash, refuse, garbage and recyclables, without conflict with parked vehicles or circulation within the parking area. Around the non-parking lot side(s) of any enclosure, landscaping shall be provided to soften the appearance of the enclosure.

U. Landscape Requirements.

(1) A coordinated landscape plan showing street trees, landscaped buffers as required herein and any additional landscaping proposed within the entire community shall be submitted. The landscaping plan shall be prepared and installed in accordance with Chapter 22, Part 11.

(2) Other general landscaping requirements. Landscaping throughout the community shall be planned in accordance with the following guidelines.

(a) Shade trees shall be installed systematically along all existing and proposed public and private streets in accordance with Chapter 22, Part 11.

(b) All common spaces between buildings shall be landscaped.

(c) Based upon review of the submitted landscape plan, the Township may require landscaping in addition to those minimal requirements herein where unusual field conditions exist, or if circumstances arise which were not contemplated by this ordinance.

(d) Screening shall be required at the perimeter of the development in accordance with the Code of Ordinance Chapter 22, Part 7 and Part 11.

(3) Trees planting and preservation shall be in accordance with the Code of Ordinance Chapter 22, Part 11.

V. Sidewalks, Trails, and Pathways.

(1) The development tract shall contain a system of sidewalks, trails and or pedestrian pathways that link parking areas to living units, the community center, other non-residential areas, and outdoor recreational facilities/areas.

(2) All common spaces between buildings shall contain pedestrian pathways.

(3) All sidewalks, trails, and pathways shall be ADA compliant in accordance with Chapter 22, Part 7.

W. Off-Street Parking and Loading. Off-street parking and loading shall be in accordance with the requirements set forth in Chapter 27, Part 7.

(Ord. 2015-06, 9/28/2015)

Part 6 Specific Standards for Uses

§ 27-601. Purpose.

The purpose of this Part is to provide specific ~~standards~~standards for the particular uses allowed by special exception or permitted by right, addition to the general standards as contained in the various zoning district regulations. For special exception uses, the standards of this Part must be met prior to the granting of the special exception by the Zoning Hearing Board. For permitted uses in the various zones, the standards of this Part must be met to the satisfaction of the Zoning Officer prior to granting a building permit, occupancy permit, or other permit issued by the Township. In the case where a specific minimum lot size is required in Part 6, such lot size requirement shall not be less than the required lot size stated within the appropriate district.

§ 27-602. Accessory Apartment.

1. The required two parking spaces per dwelling must be provided for this use.
2. The accessory apartment shall be part of the principle structure.
3. Only one accessory apartment is allowed per parcel or lot of record.

§ 27-603. Accessory Family Dwelling Unit.

1. The principal dwelling unit must be occupied by the property owner.
2. A detached accessory family dwelling unit shall be of portable construction (excluding recreational vehicles, campers, or any other type of vehicle capable of being moved) and shall not exceed 900 square feet of floor area, and shall not exceed 15 feet in height. A detached accessory family dwelling unit shall be located only in the side or rear yard.
3. All setbacks and total lot coverage for the relevant district must be met.
4. Adequate sewage disposal and water for both the principal dwelling and the accessory family dwelling unit must be maintained.
5. No more than two persons shall occupy the accessory family dwelling unit.
6. An accessory family dwelling unit shall be occupied only by the property owner's family members, defined as: great-grandparents, grandparents, parents, children or lineal descendants (a family member's spouse and children are to be included in the definition).
7. A use permit shall be valid for a period of one year from the date of issuance, and shall be renewable in annual increments, provided that the medical hardship of the family member continues. A use permit that is issued shall become null and void if the property owner does not obtain a renewal thereof prior to the expiration date.
8. An accessory family dwelling unit shall not be rented under any circumstances.

9. A use permit shall automatically expire and a detached accessory dwelling unit must be removed from the property within six months upon the occurrence of any of the following:

- A. Removal of the property owner from the principal dwelling unit.
- B. Removal of the family member from the detached accessory family dwelling unit.
- C. A violation of the requirements of this Section.

§ 27-604. Adaptive reuse.

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1. Permitted Reuses. Structures determined to meet the criteria of adaptive reuses may be reused for the following purposes by special exception:
 - A. Single-family dwelling.
 - B. Multi-family dwelling.
 - C. Financial institution.
 - D. Private clubs or social halls, ~~provided that there are no sales of alcohol on the premises.~~
 - E. Day care facilities of all types.
 - F. Civic or cultural building.
 - G. Community/Senior center.
 - H. Other such uses as determined appropriate upon recommendation of the Planning Commission and approval of the ~~Board of Supervisors~~Zoning Hearing Board.
2. Standards for Exterior Alterations. All exterior alterations must be generally consistent with the original structure's architecture and the neighborhood in which it is located.
3. Parking shall meet the requirements of Part VII of this Ordinance based on the permitted reuses.

§ 27-604. Adult-Oriented Facility.

1. An adult-oriented facility shall not be located within 1000 feet of any residential use or district.
2. An adult-oriented facility shall not be located within 2,500 feet of any church, school, library, park, playground, day care center, community center, or any other adult-oriented facility.
3. Any building or structure used and occupied as an adult-oriented facility shall be windowless or have an opaque covering over all windows or doors of any area in which materials, merchandise, film or other offered items of service are visible from outside the building or structure.
4. No sign shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise film or service offered therein.

5. Each and every entrance to the structure shall be posted with a notice, minimum one foot by one and one-half feet, that the use is a regulated facility, that persons under the age of 18 are not permitted to enter and warning all others that they may be offended upon entry.

6. The following shall be prohibited. Any use or activity prohibited by §5903 of the Pennsylvania Crimes Codes, 18 Pa.C.S.A. §5903.

§ 27-605. Age-Restricted Community (ARC).

1. Intent. To further define the Community Development Objectives contained in Chapter 27 Part 1, it is hereby declared to be the intent of this Section with respect to the Age-Restricted Community use to establish standards and criteria to permit an ARC by special exception (§ 27-1004) within the R-1, R-3, and R-4 Zoning Districts of the Township. The following community objectives shall be considered:

A. To recognize housing needs for residents as they get older and life-style preferences changes.

B. To provide for developments consistent with the provisions of the Federal Fair Housing Act amendments of 1988, or as subsequently amended.

C. To provide for such developments consistent with the Township's Comprehensive Plan goals, Community Development Objectives and strategies.

D. To recognize the lesser impacts of smaller households sizes associated with age-restricted communities organized in higher densities.

E. To encourage conservation-based site design resulting in a campus-style development pattern.

F. To encourage the creation of neighborhoods specifically designed for the region's senior residents.

2. Prerequisites for Special Exception Use Application. The following prerequisites shall be met for each application for approval of an age-restricted community:

A. All provisions of the Federal Fair Housing Act amendments of 1988, or as subsequently amended. A minimum of 80% of the dwelling units to be permanently occupied by at least one person age 55 or older; a greater percentage may be so restricted as part of the declaration. No permanent occupant of an age-qualified dwelling unit may be less than 18 years of age.

B. Tract Size. Any tract of ground, or contiguous group of tracts which are the subject of an application for special exception approval as an age-restricted community pursuant to this Section, shall contain a minimum of 60 acres if located within the R-1 Zoning District and 30 acres if located within the R-3 or R-4 Zoning District, exclusive of area within the ultimate rights-of-way of existing public roads.

C. Traffic. A traffic summary shall be submitted pursuant to the Code of Ordinance Chapter 22, § 22-719.

D. Campus-Style Development. Shall follow “Campus-Style” Development standards in § 27-513.

3. Pre-Application Consultation. The Township encourages a pre-application consultation including a concept plan shall be scheduled with appropriate Township staff.

4. Use Regulations. The following use regulations shall apply for an age-restricted community development. Age restricted communities are permitted in the R-1, R-3, and R-4 Zoning Districts and shall permit the following uses:

A. R-1 Zoning District.

(1) Residential Uses.

- (a) Single-family detached.
- (b) Single-family semi-detached.
- (c) Duplex.

B. R-3 and R-4 Zoning Districts.

(1) Residential Uses.

- (a) Single-family detached.
- (b) Single-family semi-detached.
- (c) Single-family attached.
- (d) Duplex.
- (e) Multi-family.

C. Nonresidential Uses.

(1) Community center.

(2) Outdoor recreational facilities.

(3) Indoor recreational facilities.

(4) Fitness/health spa establishments.

(5) Security office.

(6) Personal services.

(7) Restaurant.

(8) Cafeteria.

(9) Pharmacy.

(10) Other similar uses.

(11) Medical office, health clinic, and similar medical/health professional offices.

5. Use Distribution. The approval of any land development and or subdivision application(s) under this section will be made contingent upon the inclusion of adequate development controls (such as permanent deed restrictions) that are designed to ensure the entire tract will be developed according to the following distribution of uses:

A. R-1, R-3 and R-4 Zoning Districts.

(1) Maximum residential - 70%.

(2) Minimum nonresidential - 5%.

(3) Maximum nonresidential - 35%.

(4) Minimum open space area - 20%.

6. Building Size. Non-residential buildings in the R-1, R-3 and R-4, excluding community center, shall not be larger than 12,000 square feet.

7. Maximum Density. Three units per acre in the R-1 Zoning District, eight units per acre in the R-3 and R-4 Zoning District.

8. Declaration of Restrictive Covenants. A Declaration of Restrictive Covenants must be approved by the Township. Said Declaration shall provide all of the restrictions necessary to assure compliance with the Federal Fair Housing Act amendments of 1988, or as subsequently amended. The following are the minimum requirements for the Declaration:

A. Provisions for the establishment of a Homeowners Association (HOA) or other similar entity as approved by the Township, with mandatory membership by the current owner of each dwelling unit represented in the land development plan.

B. Parties to the Declaration of Restrictive Covenants shall be bound by all restrictions contained therein, and shall include, at a minimum, members of the aforementioned Association(s), developer and all such other parties.

C. Cross Easements. Cross easements shall be included, which shall assure proper circulation throughout the development and access to all common recreation and open space areas, roadways and common parking areas.

D. Maintenance provisions shall be included for any community/recreation center and related facilities, other recreational facilities, circulation network, common parking areas, landscaping and all other areas not individually controlled by the homeowner in fee title.

E. Provisions to ensure that development of any buildings, parking, stormwater management facilities, or other similar improvements, are prohibited on any lots to be utilized solely for open space purposes, as indicated on the most currently approved land development plan.

F. Provisions stipulating each lot owner/resident's rights with respect to common areas.

G. Residency restrictions applicable to a development in an age-restricted community development shall be in accordance with the Federal Fair Housing Act amendments of 1988, or as subsequently amended.

H. Any other outside agency that requires additional regulations to the development that is stricter than existing Township regulations shall apply.

I. No lot or unit shall be transferred without the prior recording of a Declaration of Restrictive Covenants.

J. The development of a community center is strictly for the use of ARC residents and invited guests.

K. Provisions to ensure Township enforcement rights for the common areas if they are not maintained.

§ 27-606. Agribusiness.

1. Must be considered and approved as a special exception.
2. May be a principal use.
3. All structures shall be located at least 50 feet from all property lines.
4. Maximum lot coverage shall be 20%.
5. Sufficient vehicle stacking lanes shall be provided to vehicle backups onto adjoining roads.
6. A minimum 25 foot buffer shall be provided along all property lines.
7. All grain storage facilities, conveying apparatuses, drying chambers and axial ventilation fans shall be set back a minimum of 100 feet from all property lines.
8. Off-street parking shall be provided in accordance with Part 7.
9. Signs shall be provided in accordance with Part 8.
10. Existing non-conforming lots are permitted, by special exception, to establish an agribusiness in accordance with § 27-401.4.A. and § 27-402.4.B.

§ 27-607. **Animal Day Care/Animal Grooming Facility.**

1. All services and care provided to the animals shall be conducted indoors. If exterior care is provided, Kennel requirements under this Part shall be met.
2. The applicant shall provide a Manure Management Plan to show that adequate provisions are being implemented to collect, store, and dispose of the animal waste associated with the proposed facility. The containers to be used in the process shall be kept covered and shall be cleaned on a regular basis to avoid the potential for detectable odors.

Commented [JM1]: Added per 6/7/23 PC meeting

~~§ 27-607. **Animal Grooming Facility.**~~

- ~~1. All services and care provided to the animals shall be conducted indoors.~~
- ~~2. The applicant shall provide a Manure Management Plan to show that adequate provisions are being implemented to collect, store, and dispose of the animal waste associated with the proposed facility. The containers to be used in the process shall be kept covered and shall be cleaned on a regular basis to avoid the potential for detectable odors.~~

§ 27-607. Animal Hospital/Crematorium.

1. All animal boarding buildings that are not wholly-enclosed, and any outdoor animal pens, stalls, or runways shall be located within the rear yard area.
2. All animal boarding buildings that are not wholly-enclosed, and any outdoor animal pens, stalls, or runways shall be a minimum 100 feet from all property lines.
3. All outdoor pasture/recreation areas shall be enclosed to prevent the escape of animals; all such enclosures shall be setback a minimum of ten feet from all property lines.
4. When veterinary services are performed on-site, a permit for the wastewater system shall be obtained from DEP's Bureau of Water Quality Management as required by the Clean Streams Law, 35 P.S. § 691.101 et seq.
5. Crematory/crematorium is considered an accessory use to an animal hospital establishment. Such accessory use must be operated and maintained entirely within the primary use.

~~§ 27-608. Art Gallery.~~

- ~~1. The scale, massing, and building design shall be compatible with the surrounding neighborhood.~~

§ 27-608. Asphalt/Concrete Plant.

1. If materials are to be stored, they shall be screened sufficiently from adjacent properties and the public ROW.
2. All permanent batch plants ~~(permanent or temporary)~~ shall have an effective dust collection system approved by the Township.
3. The ~~Board of Supervisors requires~~ Zoning Hearing Board may require the use of wheel washers or another means of cleaning trucks/vehicles before entering public streets.
4. Batch plants shall have an approved sediment pond before wash-out water is discharged into any waterway.
5. The ~~Board of Supervisors~~ Zoning Hearing Board may impose restrictions on access to the facility, storage of vehicles or materials on the premises, hours of operation and other such matters as they deem necessary to ensure that there is no adverse impact upon the functioning of the district or adjacent parcels.

§ 27-608. Banks and Other Similar Financial Institutions.

- ~~Any associated drive-through windows and/or lane(s) must meet the standards outlined in §27-6xx. 1. All drive through window lanes shall be separated from the parking lot's interior driveways.~~

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~~2. Sufficient stacking lanes shall be provided, associated with drive-through windows, to prevent vehicle backups on adjoining roads.~~

~~3. Any exterior microphone/speaker system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties.~~

Commented [JM2]: Removed per separate drive-through standards.

(Ord. 2015-06, 9/28/2015)

§ 27-609. Bed and Breakfast Inn.

1. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
2. Guest stays shall be limited to a maximum of 14 consecutive days.
3. A maximum of five guest rooms shall be permitted.
4. The required parking spaces shall be provided in accordance with Part 7. Parking areas may not be in front of the dwelling unit and shall be a minimum of 20 feet from any lot line.
5. All floors above grade shall have direct means of escape to ground level.
6. One sign may be erected on the property of a maximum size of two square feet in area.
7. The inn must comply with local and State regulations including, but not limited to, fire, health, safety and building codes.
8. The operation of the inn shall be conducted so as to be clearly incidental and accessory to the primary use as a single family dwelling.
9. The Township Sewage Enforcement Officer shall certify the adequacy of on-lot wastewater systems to handle the additional volume generated by the inn in those areas dependent on on-lot wastewater systems.

~~§ 27-609. Beverage Distributor & Brewery.~~

- ~~1. Operations shall be regulated so that nuisances such as visual blight, glare, noise, blowing debris, and dust shall not be created.~~
- ~~2. Operations shall be regulated so that nuisances such as excessive noise levels shall not be created. The Township may attach such reasonable conditions as it deems necessary to ensure the operation complies with this requirement.~~
- ~~3. The scale, massing, and building design shall be compatible with the surrounding neighborhood.~~
- ~~4. The facility shall provide on-site all required off-street parking and loading spaces.~~
- ~~5. The vehicular and pedestrian circulation system shall be designed to minimize conflicts between vehicular and pedestrian circulation.~~
- ~~6. Operations shall cease between the hours of 2:00 a.m. and 9:00 a.m. prevailing time, and the establishment may not be open to the public during those hours.~~
- ~~7. The use shall not be located closer than 600 feet to another similar use.~~

~~§ 27-609. Bus or Truck Maintenance Facility.~~

- ~~1. Access shall be via an urban arterial or collector road as identified in the Dover Township Comprehensive Plan.~~
- ~~2. All service and/or repair activities shall be conducted within a wholly enclosed building.~~
- ~~3. All exterior vehicle storage areas shall be screened from view on all sides.~~
- ~~4. A maximum of five unlicensed vehicles on the premises which are used for parts and not for sale are permitted. All vehicles shall be screened in accordance with the Dover Township Subdivision and Land Development Ordinance [Chapter 22].~~
- ~~5. All merchandise, except vending machines shall be stored within a building.~~
- ~~6. If gasoline pumps are to be installed, all special exception requirements for a service station shall be satisfied.~~
- ~~7. Any use involving the generation of waste grease and/or oil shall be required to install traps to collect these waste products. Such uses shall also demonstrate a regular and proper means of disposal of such greases and/or oils, as required by applicable State and/or Federal regulations.~~
- ~~8. No outdoor stockpiling of tires or outdoor storage of trash permitted. An area enclosed by a wall or fence, screened from view of adjoining properties, shall be provided whenever outdoor storage is required. No materials may be stored to create a fire hazard.~~
- ~~9. Satisfactory provision shall be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration, and smoke.~~
- ~~10. The Dover Township Fire Chief shall review and approve the application in accordance with the State fire codes.~~
- ~~11. One hundred percent of the area utilized for the display or parking of vehicles must be paved or improved with impervious cover as defined in Dover Township's Subdivision and Land Development Ordinance [Chapter 22].~~

§ 27-610. Business and Professional Offices.

If business and professional offices exceed 100,000 square feet in gross floor area, standards in § 27-513 shall apply.

(Ord. 2015-06, 9/28/2015)

§ 27-611. Campground or Recreational Vehicle Park.

1. The minimum lot area shall be ten acres. In the agriculture district the use shall equal five residential lots.
2. All campsites shall be located at least 50 feet from any property line and at least 200 feet from any street line.
3. No more than ten campsites shall be permitted per acre parking space for one automobile shall be provided at each site which will not interfere with the convenient and safe movement of traffic, plus an equivalent amount of parking shall be provided in a common area or lot.

4. An internal road system shall be provided. The pavement width for the access drive entrance way shall be at least 24 feet. The pavement width for internal drives shall be a minimum of 16 feet. All internal drives must be improved to a mud-free, dust-free condition.

5. A minimum of one-quarter acre per acre of total site area shall be reserved as an outdoor play area. Each outdoor play area shall be setback at least 100 feet from any property line and screened from adjoining properties.

6. Personal occupancy of each space shall be limited to not more than 180 days in a given year, or 28 consecutive days.

7. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

8. Consideration shall be given to traffic problems. If the nature of the campground or recreational vehicle park is such that it will generate a high volume of vehicular traffic, then access should be via an arterial or a collector road as identified in the Dover Township Comprehensive Plan.

9. All campgrounds and recreational vehicle parks shall furnish sanitary and garbage collection facilities that shall be set back a minimum of 100 feet from any property line.

10. Any accessory retail or service commercial uses shall be set back at least 100 feet from any property line. Such accessory commercial uses shall be solely designed and constructed to serve the facility's registered guests and their visitors. Any parking spaces provided for such uses shall have vehicular access from the facility's internal road rather than the public street.

11. The Township Sewage Enforcement Officer shall certify the adequacy of on-lot wastewater systems to handle the additional volume generated by the campground those areas dependent on on-lot wastewater systems.

12. The camper/trailer shall not be a primary residence.

13. A Campground/Recreational Vehicle Park shall be permitted within any active agricultural use and must have been in agricultural use for a period of at least two (2) years prior to the filing of an application, regardless of zoning district.

(Ord. 2015-06, 9/28/2015)

Commented [JM3]: Added per 11/15 PC meeting

§27-612. Care Facilities:

§ 27-612A. Adult Day Care Center.

1. Licensing. The facility shall obtain a certificate of licensure from the appropriate state agency, and shall provide a copy of the certificate to the Township prior to occupancy approval by the Township. The facility must be in compliance with all applicable Township health, building and fire codes.

2. Signs. Signage visible from the street in residential districts must comply with §27, Part 8, Signs.

3. Garbage. Adult care daily operations must screen and secure all outdoor trash and garbage facilities.

4. Parking. The adult care facilities shall provide parking in accordance with §27, Part 7, Off-Street Parking and Loading.

5. Indoor Space. Adult care facilities shall provide at least a minimum of 500 square feet of indoor space.

(Ord. 2015-06, 9/28/2015)

§ 27-612B. Child Day Care Center - Large.

A facility in which children of various ages who are not related to the operator receive child care for a period not to exceed 24 hours at one time.

A. Licensure. The facility shall obtain a certificate of licensure from the Pennsylvania Department of Public Welfare (or successor agency), and shall provide a copy of the certificate to the Township prior to occupancy approval by the Township. The facility must be in compliance with all applicable Township health, building and fire codes.

B. Play Areas. Indoor and outdoor play areas shall be provided in accordance with Commonwealth of Pennsylvania regulations, as specified in 55 PA Code, Section 3270. Outdoor play areas for children must be located in a side or rear yard and shall be sufficiently enclosed to provide for the health and safety of the children. Outdoor play areas must be screened in accordance with the Dover Township Subdivision and Land Development Ordinance [Chapter 22]. A child care center without at least 40 square feet of outdoor play area shall only be permitted if located within one-half mile walking distance of a public park.

C. Parking. The center should provide adequate parking and loading space in accordance with §27, Part 7, Off-Street Parking and Loading. Adequate vehicle stacking space must be provided for drop-off/ pick-up of children.

D. Signs. Signage visible from the street must comply with §27, Part 8, Signs.

E. Residential District. In the residential district, the child care center must be an accessory use either to the building or business.

F. Additional Requirements. All local licensing and permit requirements/standards shall be met.

(Ord. 2015-06, 9/28/2015)

§ 27-612C. Child Day Care Center - Small.

A care center in which seven to 12 children of various ages or in which seven to 15 children from 4th grade through 15 years of age who are not related to the operator receive child care for a period not to exceed 24 hours at one time.

A. License. A Group Child Care Home must have a certificate of compliance ("license") from the Commonwealth of Pennsylvania Department of Public Welfare in order to legally operate. In addition, the home must be in compliance with all applicable Township health, building and fire codes.

B. Play Areas. Indoor and outdoor play areas shall be in compliance with DPW requirements as specified in 55 PA Code 3280. Outdoor play areas for children must be located in a side or rear yard and shall be sufficiently enclosed to provide for the health and safety of the children. Outdoor play areas must be screened in accordance with the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

C. Unsightly Conditions. Child care daily operations must not cause unsightly conditions or waste that is visible from off the property except for normal trash loads placed on curb for regular trash pick-up day.

D. Signs. Signage visible from the street must comply with §27, Part 8, Signs.

E. Parking. The child care operation must have sufficient off-street parking to accommodate residential use and employees in accordance with §27, Part 7, Off-Street Parking and Loading. The applicant shall provide an area for drop off/pick up of children.

F. Traffic. The child care operation must not create a volume of passenger or commercial traffic that is inconsistent with the normal level of traffic for the street on which the dwelling or building is located.

(Ord. 2015-06, 9/28/2015)

§ 27-612D. Domiciliary Child Day Care.

A business located in the caregiver's home in which four, five, or six children who are not related to the caregiver receive child care for a period not to exceed 24 hours in at one time.

A. License. A Family Child Care Home must have a certificate of registration from the Commonwealth of Pennsylvania Department of Public Welfare (DPW) in order to legally operate. In addition, the home must be in compliance with all applicable Township Health, Building and Fire codes.

B. Play. Areas Indoor and outdoor play areas shall be in compliance with DPW requirements as specified in 55 PA Code 3290. Outdoor play areas for children must be located in a side or rear yard and shall be sufficiently enclosed to provide for the health and safety of the children. Outdoor play areas must be screened in accordance with the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

C. Unsightly Conditions. Child care daily operations must not cause unsightly conditions or waste that is visible from off the property except for normal trash loads placed on curb for regular trash pick-up day.

D. Signs. Signage visible from the street must comply with §27, Part 8, Signs.

E. Parking. The child care operation must have sufficient off-street parking to accommodate residential use and employees in accordance with §27, Part 7, Off-Street Parking and Loading. The applicant shall provide an area for drop off/pick up of children.

F. Traffic. The child care operation must not create a volume of passenger or commercial traffic that is inconsistent with the normal level of traffic for the street on which the dwelling or building is located.

(Ord. 2015-06, 9/28/2015)

§ 27-612E. Domiciliary Adult Care Home.

1. Licensure. The facility shall obtain a certificate of licensure from the York County Area Agency on Aging and shall provide a copy of the certificate to the prior to occupancy approval by the Township. The facility must be in compliance with all applicable Township health, building and fire codes.

2. Location. The home must be an accessory use located in a single-family attached, detached or semi-detached dwelling unit.

3. Cooking/dining. No facilities for cooking or dining shall be provided in individual rooms or suites.

4. Operator. The family residing on the premises shall provide the care associated with a domiciliary care home.

5. Operator Residence. The domiciliary care home operator shall reside primarily at the dwelling.

6. Parking. Standards of §27, Part 7, Off-Street Parking and Loading, must be met.

(Ord. 2015-06, 9/28/2015)

§ 27-612F. Nursing Care Facility.

1. Licensure. The facility shall obtain a certificate of licensure from the appropriate state agency, and shall provide a copy of the certificate to the Township prior to occupancy approval by the Township. The facility must be in compliance with all applicable Township health, building and fire codes.

2. Area space for social and welfare facilities, such as cafeterias, dining halls, community rooms, workshops and other essential service facilities, shall not occupy more than 35% of the total floor area.

3. Parking. Parking for employees and visitors must be provided on-site. Loading spaces should be provided at the rear or side of the property. Additional parking standards in §27, Part 7, Off-Street Parking and Loading, must be addressed.

4. Screening. All outside storage and dumpsters should be screened.

5. Sidewalks. Sidewalks should be provided along street frontage and parking lots to building entrances.

6. Signs. Outside signage for accessory uses is prohibited. Signage visible from the street in all districts must comply with §27, Part 8, Signs.

(Ord. 2015-06, 9/28/2015)

§ 27-612G. Personal Care Facility .

1. Licensure. The facility shall obtain a certificate of licensure from the appropriate state agency, and shall provide a copy of the certificate to the Township prior to occupancy approval by the Township. The facility must be in compliance with all applicable Township health, building and fire codes.

2. Staff. On-site staff must be available to residents on a 24-hour basis.

3. Dining Area. A common dining area shall be provided to serve prepared meals to the residents of the facility. No facilities for cooking (microwave ovens are exempt) or dining shall be provided in individual rooms or suites.

4. Land Development Plan. Any new facility not located within a single-family dwelling shall be required to submit a land development plan.

5. The family residing on the premises shall provide the care associated with the personal care facility and the operator shall reside primarily at the dwelling.

6. Parking. Standards in §27, Part 7, Off-Street Parking and Loading, must be met. Facilities which are accessory to a single-family dwelling must provide parking for the dwelling.

(Ord. 2015-06, 9/28/2015)

§ 27-613. **Car Wash, automatic & self service.**

1. Entrances to the site should be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any surrounding residential neighborhoods.

2. The definition of a car wash does not include a one-bay washing facility in a service station where washing facilities are purely incidental to the operation.

3. A car wash shall provide a minimum of five stacking spaces per washing bay.

4. Paved off-street stacking spaces shall be arranged in an orderly fashion so as not to cause blockage of any means of ingress or egress and to ensure that the traffic flow on a public ROW is not endangered in any way. A separate means of ingress shall be established and clearly marked, as shall be a separate means of egress from the car wash. It shall be the responsibility of the owner to avoid any congestion in the public ROW by directing traffic away from the facility by posting a "Temporarily Closed" sign or other means of notification. Traffic studies and associated improvements may be required by the ~~municipalities~~ **municipality** as a condition of approval.

Commented [JM4]: Per LAO comment

5. The car wash shall have direct access to an arterial or collector road or shall have a point of ingress/egress from a public or private street within the lot of a shopping center. The road shall have sufficient capacity to handle traffic generated by the facility.
6. Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat, or glare shall not be produced.
7. All equipment related to the operation of the car wash shall be properly screened to minimize nuisances to adjoining lots.

8. A car wash that adjoins an existing ~~nonresidential~~ lot shall provide a bufferyard. The bufferyard shall be planted within a combination of deciduous and evergreen trees, shrubs, ornamental grasses, or ground covers. Grass, sod, or turf shall not be considered an acceptable plant for use within landscaped bufferyards.

Commented [JM5]: Per LAO comments

~~8.9.~~ An automatic car wash shall also meet the standards of a drive-through service facility.

Commented [JM6]: Added per drive-through standards.

§ 27-613. ~~Catering, facility and event venue facility.~~

1. Entrances to the site should be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any surrounding residential neighborhoods.

~~2. The site shall have direct vehicular access from an arterial or collector street.~~

Commented [JM7]: Per 11/15 PC Meeting

~~3.2.~~ The scale, massing, and building design shall be compatible with the surrounding neighborhood.

~~4.3.~~ No outdoor loading or service areas, ~~including dumpsters~~, shall be located within the side or rear yard setback areas.

Commented [JM8]: Per LAO comments - dumpsters are not wanted in front yards.

§ 27-613. Cemetery.

1. Minimum lot area: five acres.
2. All burial plots or facilities shall be located at least 100 feet from all property or street lines.
3. Assurances must be provided that water supplies of surrounding properties will not be contaminated by burial activity within the proposed cemetery.
4. No burial plots or facilities are permitted in flood hazard areas.
5. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.
6. Pet cemeteries must meet all of the above applicable requirements.

(Ord. 2015-06, 9/28/2015)

§ 27-614. Clubs, Profit/Nonprofit.

1. All private clubs shall have access to an arterial or collector road as identified in the Dover Township Comprehensive Plan.

2. All off-street parking areas shall be set back a minimum of 30 feet from any adjoining residential lot lines.
3. All outdoor recreation/activity areas shall be set back at least 50 feet from any property line.
4. Screening shall be provided along any adjoining residentially-zoned property.

(Ord. 2015-06, 9/28/2015)

~~§ 27-614. College/University.~~

- ~~1. The minimum lot size shall be five (5) acres.~~
- ~~2. A college or university shall have frontage on and direct vehicular access to an arterial or collector street. A college/university shall have a maximum of one (1) vehicular access point to an arterial or collector street per 1,000 feet of street frontage.~~
- ~~3. Loading areas shall not be visible from the primary entrance to the development or from neighboring residential properties.~~
- ~~4. A traffic impact study is required and shall be reviewed and approved by the municipal engineer.~~
- ~~5. The site shall be serviced by public water and public sewer systems.~~
- ~~6. The owner and operator of the college/university shall be responsible for the conduct and safety of the students, employees, visitors, faculty, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by students, employees, visitors, faculty, and guests.~~

Commented [JM9]: Included w/ Schools, public/private

§ 27-614a. Commercial Recreation Facilities.

1. All outdoor storage of equipment shall be setback a minimum of 50 feet from any property line and shall be screened from view in accordance with the requirements of the SALDO.
2. Buffer yards and screening shall be provided as necessary to adequately protect neighboring properties. A buffer yard at least 50 feet wide must be provided on the site in all instances where the site adjoins a residential use or district. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage purposes. Screening shall be provided for the length of the buffer yard in accordance with § 22-721 of the Subdivision and Land Development Ordinance [Chapter 22].
3. Any exterior lighting and/or amplified public address system shall be arranged and designed so as to prevent objectionable impact on neighboring properties. Use of the outdoor public address systems shall only be permitted between the hours of 8:00 a.m. and 11:00 p.m. Exterior lighting other than that essential for the safety of the users of the premises shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m.

4. Outdoor recreation areas shall not include any required parking areas.
5. Outdoor recreation areas shall only be permitted between the hours of 8:00 a.m. and 11:00 p.m.
6. Outdoor trash and recycling receptacles shall be provided amid any outdoor recreation area. Such trash receptacles shall be emptied so as to prevent the scattering of litter and debris.
7. The applicant shall demonstrate adequacy of sewage disposal and water supply.
8. Shall have vehicular access to an arterial or collector road as identified in the Dover Township Comprehensive Plan.
9. Shall be a minimum of five acres.

(Ord. 2015-06, 9/28/2015)

~~§ 27-615. Commercial School.~~

- ~~1. Access shall be via an arterial or collector road as identified the Dover Township Comprehensive Plan.~~
- ~~2. A minimum of one off-street parking space shall be provided for each staff person plus an additional space shall be provided for each five students to be served by the facility.~~
- ~~3. Buffers and screens shall be provided as necessary to adequately protect neighboring properties.~~

~~(Ord. 2015-06, 9/28/2015)~~

Commented [JM10]: Included w/ Schools, public/private./commercial

§ 27-616. [Reserved]

§ 27-617. Conference Centers and Corporate Headquarters.

If a conference or corporate center facility exceeds 100,000 square feet in gross floor area, standards in §27- 513 shall apply.

(Ord. 2015-06, 9/28/2015)

§ 27-618. Conservation-Based Design.

1. Purpose. The purpose of the Conservation Based Design development is to permit procedure for development which will:

- A. Promote more environmentally aware subdivision layout.
- B. Encourage ingenuity and originality in site design.
- C. Preserve environmentally sensitive areas.

2. Environmentally Sensitive Areas. All subdivision and or land development plans containing environmentally sensitive features as identified on the ESA Overlay District development in accordance with § 27-413 and § 27-~~621~~⁶²³. All plans shall conform to the Environmental Overlay District regulations and map and all other applicable township regulatory ordinances.

Commented [JM11]: 623 is current section. Numbering subject to change when alphabetized.

3. Planning Standards. A Conservation Based Design subdivision must meet the following minimum requirements:

A. Permitted uses shall be in accordance with the applicable zoning district.

B. Public water and sewer shall be provided, unless the development is located outside the Designated Growth Area, in which case, on-lot disposal systems or a community-on-lot system shall be provided in compliance with Dover Township Subdivision and Land Development Ordinance Chapter 22 § 22-713 and Water, Sewer, and Sewage Disposal Chapter 26 § 26-156) and the Pennsylvania Department of Environmental Protection requirements.

4. Tract Standards.

A. Minimum tract size shall be 15 acres for this section to apply.

B. Common Open Space. The following requirements shall apply to the common open space areas:

(1) Minimum Common Open Space shall be 20% of the total tract area.

(2) The following areas may not be calculated as part of the common open space: streets, private yards, minimum required spacing between buildings, recreation land required for dedication to the Township, parking areas and buffer areas on individual residential lots.

(3) The area shall be accessible to all residents. Pedestrian ways shall interconnect residential units and common open space areas.

(4) Common open space areas shall be designed as a continuous system of usable area, which is interspersed among residential groupings.

(5) Future development or sale of common open space shall be prohibited.

(6) Maintenance of Common Space and Buffer Yards. The developer must submit a detailed statement including covenants, agreement or specific documents showing the ownership, financial responsibility, and methods of maintenance and utilization of required common open space area and buffer yards within the development. Furthermore, the Township Solicitor shall review such documents to determine whether they adequately provide for the creation of a common open space area and its maintenance. The Township shall require that such documents provide that any alteration or amendment of the provisions establishing a common open space area or its maintenance cannot be accomplished without the express consent of the Township. Such documents creating the areas and providing for their maintenance shall not be altered or amended after the Township approval has been granted without the specific consent of the Township.

5. Conservation Subdivision Design. All subdivisions meeting the minimum tract size shall follow the four-step process in accordance with the Chapter 22 Dover Township Subdivision and Land Development Ordinance.

6. Walking Paths. Walking paths, or sidewalks and or trail are required in all Conservation-Based Design developments. Such paths shall connect to adjacent neighborhoods; parks, existing paths, sidewalks or established greenway systems.

(Ord. 2015-06, 9/28/2015)

§ 27-619. Contractor Office/Shop.

1. Access shall be via an urban arterial or collector road as identified in the Dover Township Comprehensive Plan.

2. All activities shall be conducted within a wholly-enclosed building.

3. All exterior storage areas shall be screened from view on all sides.

4. All merchandise, except vending machines shall be stored within a building.

5. An area enclosed by a wall or fence, screened from view of adjoining properties, shall be provided whenever outdoor storage is required. No materials may be stored so as to create a fire hazard.

6. Satisfactory provision shall be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration and smoke.

7. Illumination shall be in accordance with § 27-509 of this Chapter.

(Ord. 2015-06, 9/28/2015)

§ 27-620. Contractor's Yard/Heavy Storage.

1. Access shall be via an arterial or collector road as identified in the Dover Township Comprehensive Plan.

2. A buffer yard 30 feet wide must be located on the site in all instances where the site adjoins a residential use or district. The buffer yard shall be naturally landscaped, have no impervious cover and shall be used for building, parking, loading or storage.

3. Any outdoor storage areas shall be enclosed by a wall or fence and screened from view of adjoining properties. No materials may be stored so as to create a public health hazard or a public nuisance.

4. No toxic or hazardous materials may be stored on any property, except in compliance with applicable State and Federal regulations.

(Ord. 2015-06, 9/28/2015)

~~§ 27-621. Convalescent/Nursing Home/Large Personal Care Facility.~~

- ~~—1. Minimum lot area: one acre.~~
- ~~—2. Minimum lot width: 150 feet.~~
- ~~—3. Setbacks: all buildings shall be located at least 25 feet from any side property line.~~
- ~~—4. Water and sewer facilities approved by the Pennsylvania Department of Environmental Protection must be used.~~
- ~~—5. Access shall be via an arterial or collector road as identified in the Dover Township Comprehensive Plan.~~
- ~~—6. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to fences, walls, plantings and open spaces.~~

(Ord. 2015-06, 9/28/2015)

§ 27-622. Cryptocurrency Mining Factory.

1. Cryptocurrency mining ~~facilities~~factories shall be reviewed as a special except if shall not be adjacent to a Residential Zoning District or use (excluding roads and other ROWs) or within ~~500-75 feet of~~ from a residential property boundary or a Residential Zoning District. ~~when they shall be reviewed as a special exception.~~
2. ~~These facilities shall be required to develop or purchase sufficient new renewable energy to offset 100% of the electricity consumed by the cryptocurrency mining operation. To meet this condition, the cryptocurrency mining operation must be able to establish that their actions will introduce new renewable energy onto the electrical grid beyond what would have been developed otherwise.~~
3. ~~Verification must be provided that all electronic waste generated at the cryptocurrency mining operation will be handled by a DEQ-licensed~~an electronic waste recycling firm.

~~§ 27-622. Distillery.~~

- ~~1. Operations shall cease between the hours of 2:00 a.m. and 9:00 a.m. prevailing time, and the establishment may not be open to the public during those hours.~~
- ~~2. The use shall not be located closer than 600 feet to another similar use.~~
- ~~3. Operations shall be regulated so that nuisances such as excessive noise levels shall not be created. The applicable municipality may attach such reasonable conditions as it deems necessary to ensure the operation complies with this requirement.~~
- ~~4. Indoor and outdoor display areas associated with retail activity shall not exceed a total of 3,000 square feet in gross floor area. Display areas within parking lots and outdoor storage areas shall be included within the calculated gross floor area.~~
- ~~5. The minimum number of required parking spaces shall not be utilized for display areas and/or outdoor storage areas.~~
- ~~6. The minimum distance between buildings shall be 30 feet.~~
- ~~7. The maximum length of any building shall be no more than 200 feet.~~
- ~~8. No storage or transfer of toxic, corrosive, flammable, carcinogenic, or explosive materials, chemicals, liquids, gases, or solids shall be permitted on the lot(s), except for gasoline, diesel fuel, and oil for the operation and maintenance of motorized vehicles and equipment.~~

Commented [JM12]: Not on use chart

Commented [JM13R12]: Struck per 11/15 PC meeting - standards exist for care facilities.

Commented [JM14]: JTM to contemplate

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~~§ 27-622. Distribution Center.~~

- ~~1. An additional 10 feet of yard setback with landscape buffering a minimum of six feet in height for parking and loading areas shall be provided to protect the surrounding neighborhood from inappropriate light and other disturbances.~~
- ~~2. The facility shall have one point of vehicular access to an arterial street. The point of vehicular access shall be located in a manner that minimizes detrimental traffic impacts (to both pedestrians and vehicles) on adjacent arterial and/or collector street(s).~~
- ~~3. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.~~
- ~~4. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.~~
- ~~5. No storage or transfer of toxic, corrosive, flammable, carcinogenic, or explosive materials, chemicals, liquids, gases, or solids is permitted on the subject property.~~

2.

§27-6xx. Drive-Through Service Facility

1. A drive-through shall be permitted as an accessory use to any new or lawfully existing commercial establishment such as a bank, restaurant, or retail establishment subject to the following applicable requirements:
 - a. All drive-through window lanes shall be separated from the parking lot's interior driveways and parking spaces.
 - b. Any exterior speaker/microphone system and/or menu board shall be arranged and/or screened to prevent objectionable noise and/or light impact on adjoining properties.
 - c. A 20' bufferyard shall be provided when the drive-through window service or menu board is directly adjacent to a residential use.
 - ~~2. Sufficient stacking lanes shall be provided, associated with drive-through windows, to prevent vehicle backups on adjoining roads or adversely impacting internal parking lot circulation.~~
 - d.
 - e. Sufficient temporary parking spaces needed to accommodate the queue for the drive-through shall be added in addition to the required number of parking spaces for the principal use.
 - f. Multiple lanes: Where parallel lanes for additional windows or menu boards are proposed, additional stacking in the window lane shall be provided at two additional vehicles for each window/menu board. Each lane where the window/menu board is located shall meet the minimum width.

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g. Minimum width: The approach, required stacking area, and drive-through lane shall be no less than 12 feet.

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§ 27-622. Restaurant - Drive-Through, Fast Food and/or Carry-Out/Delivery Restaurant.

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1. ~~1.~~ Exterior trash receptacles shall be provided and routinely emptied to prevent the scattering of litter. A description of a working plan for the control of litter shall be provided. The trash receptacle shall be adequately screened in accordance with § 22-721 of the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

Commented [JM19]: Needs renumbered in alphabetical

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Commented [JM21]: No standards for sit-down restaurant. Develop standards similar to Tavern?

~~2. All drive-through window lanes shall be separated from the parking lot's interior driveways.~~

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~~3. Any exterior speaker/microphone system shall be arranged and/or screened to prevent objectionable noise impact on adjoining properties.~~

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2. ~~4.~~ All exterior seating/play areas shall be suitably enclosed.

3. ~~5.~~ Stacking lanes shall be provided to allow a minimum of four vehicles on site and out of the cartway.

4. Any associated Drive-Through windows and/or lane(s) must meet the standards outlined in §27-6xx.

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(Ord. 2015-06, 9/28/2015)

§ 27-623. ESA - Environmentally Sensitive Areas.

1. Development Procedure. The ESA Overlay District is intended to provide for greater protection of the Township's natural resources as described in § 27-413. The application procedure and applicable general standards pertaining to all development types within the ESA Overlay District, subject to any exceptions, modifications, or additions set forth in the ordinance.

2. Standards. The ESA Overlay District was created and shall be used for all development to mandate the preservation and enhancement of the natural characteristics and valuable natural resources existing on a site. The controls stated herein shall apply to all lands within the ESA Overlay District Map. Actual locations of such environmentally sensitive features shall be shown on the required subdivision and or land development plan.

A. Uses permitted in the Environmental Overlay District shall be the same as those permitted in the underlying base district. Because of the valued natural resources existing in areas within the Environmental Overlay District, any development proposed within the ESA shall be reviewed and considered consistent with the procedures for the review of a special exception use as provided in this ordinance (see § 27-1007).

B. Wetlands. No building, structure, construction, excavation or land filling shall occur on any area determined to be a jurisdictional wetland without the approval and necessary wetlands permit(s), as required by the U.S. Army Corps of Engineers.

C. Steep Slopes. No building or structure (except for a required public utility and necessary public roads) shall be constructed on any areas where the slope of the land is equal to or exceeds 25%. Development may be permitted by the Township upon the review and approval of an engineering geotechnical report including:

(1) The location and description of existing natural and manmade features on and surrounding the site, including general topography and soil characteristics and a copy of the soil conservation service soil survey for the site.

(2) The location and description of proposed changes to the site, including any grading and excavation, vegetation removal, the location and profiles of proposed roadways, the location of proposed utility lines, the location of existing and proposed buildings and structures, and the location of all other proposed site features. Site grading shall be subject to the Dover Township Subdivision and Land Development Ordinance Chapter 22, Part 7, Section 712.

(3) The identification of measures proposed for soil erosion and sediment control, including a schedule of the sequence for the installation of planned erosion and sediment control measures, including anticipated starting and completion dates in accordance with Dover Township Subdivision and Land Development Ordinance Chapter 22, Part 10.

(4) Landscaping Plans for the proposed vegetation of all disturbed site areas.

D. Grading. Construction activity, including, but not limited to, grading, shall conform to Dover Township Subdivision and Land Development Ordinance [Chapter 22].

E. Critical wildlife habitat. No development, building, structure, construction, excavation or land filling shall occur on designated environmentally sensitive areas without review and comment being received from the PA Fish and Boat Commission, PA Game Commission and/or the United States Fish and Wildlife Service prior to consideration by the Township Board of Supervisors.

F. Existing Conditions. An applicant shall show the natural resources and environmentally sensitive areas existing on the development tract on a plan including but not limited to: wetlands, steep slopes, critical wildlife habitat areas, woodlands, streams, ponds, wellhead protection areas, and groundwater recharge areas.

G. Exemptions. The following are exempt from the provisions of this section:

(1) Previously-approved projects are exempted. Any development proposal calling for the construction of a structure in land areas within the Environmental Overlay District having already received approval, pursuant to the adopted regulations in effect at the time of approval, prior to enactment of this section shall be exempt.

(2) Township Parks and Recreation and or Open Space Projects. Municipal buildings, facilities, lands specified for recreation, active and passive recreational parks, greenways, and or lands purchased for open space protection.

H. Supplementary Regulations. Regulations shall be required in accordance with Part 4, § 27-413 Floodplain Overlay Section.

(Ord. 2015-06, 9/28/2015)

§ 27-624. Farm Product Warehouses, Farm Equipment Sales and Service.

1. All activities and services should be directed at meeting the needs of the local farming community. Uses shall not include the wholesale distribution of agricultural products and livestock sales or auctions.

2. All uses shall have vehicular access to an arterial or collector road as identified in the Dover Township Comprehensive Plan.

3. Minimum lot size shall be two acres.

4. All structures shall be located at least 50 feet from all property lines, unless setback further by standards the underlying zoning.

5. Maximum lot coverage shall be 20%.

6. A minimum 25 foot landscape strip shall be provided along all property lines.

7. All outside storage shall be completely enclosed by a six-foot high fence and screened from adjoining properties and roads. No outdoor storage is permitted within the required landscape strip.

8. All grain storage facilities conveying apparatuses drying chambers and axial ventilation fans shall be set back a minimum of 100 feet from all property lines.

(Ord. 2015-06, 9/28/2015)

§ 27-625. Farm/Farmer's Market.

1. The sales/display areas shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all sales/display areas plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The sales/display areas shall include all indoor and outdoor areas as listed above.

2. Any exterior lighting and/or amplified public address system shall be arranged and designed so as to prevent objectionable impact on adjoining properties.

3. Outdoor display/sales areas shall not include any required parking areas.

4. Outdoor sales and outdoor address systems shall only be permitted between the hours of 8:00 a.m. and 8:00 p.m.

5. Outdoor trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be emptied so as to prevent the scattering of litter and debris.
6. All outdoor sales/display areas shall be setback a minimum of 50 feet from any residential district or use.
7. Temporary sales vendors must be located within the sales/display areas as set forth in 1. above.
8. Off-street loading shall be calculated on the interior sales/display area.
9. The applicant shall demonstrate adequacy of sewage disposal and water supply.
10. Farm/farmers markets shall have vehicular access to an arterial or collector road as identified in the Dover Township Comprehensive Plan.

(Ord. 2015-06, 9/28/2015)

~~§ 27-625. Flex Space.~~

- ~~1. Where the proposed development is an addition or expansion of an existing structure, facility, or development within the Township, any addition or expansion shall complement the existing structure, facility and/or development and fit within a plan for future structures and facilities.~~
- ~~2. Vehicular and pedestrian access to the proposed development shall be designed and provided to maximize pedestrian and vehicle safety.~~
- ~~3. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.~~
- ~~4. To ensure public health and safety, the site shall be served by and connected to a public sewer system and public water system.~~
- ~~5. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors, and guests.~~

§ 27-626 Funeral Home/Crematorium.

1. Access shall be via an arterial or collector road as identified in the Dover Township Comprehensive Plan.
2. Parking and loading areas must be screened from view adjoining residential use or zone.
3. Adequate space shall be provided for formation of automobile processions to prevent traffic backups onto adjoining roads.
4. Crematory/crematorium may be considered an accessory use to a funeral home establishment or animal hospital. Such accessory use must be operated and maintained entirely within the primary use and must comply with PA Department of Environmental Protection,

Bureau of Air Quality General Permit BAQ-GPA/GP-14: Human or Animal Crematories license requirements.

(Ord. 2015-06, 9/28/2015)

§ 27-627. Garden Center.

1. All garden centers shall have vehicular access to an arterial or collector road as identified in the Dover Township Comprehensive Plan.
2. All outdoor display areas shall be set back at least 50 feet from the street right-of-way line.
3. All structures, parking lots and loading areas shall be screened from adjoining residential properties existing at the time development and/or residential zones.
4. If on-lot water and sewage is proposed must supply proof of availability and adequacy.
5. All landscaping equipment and associated vehicles shall be screened in accordance with § 22-721 of the Dover Township Subdivision and Land Development Ordinance [Chapter 22].
6. A buffer yard of 50 feet shall be provided when the lot located adjacent to an existing residential use or a residential zone.

(Ord. 2015-06, 9/28/2015)

§ 27-628. Golf Courses.

1. Golf course, including club house, restaurant and other accessory uses provided these are clearly accessory to the golf course, subject to the following lot area provisions:

Minimum Lot Area.

- | | | | |
|---------------|-----------|--------------------------|---------|
| A. Regulation | 18 hole | 6000-7000 yds. in length | 130 ac. |
| B. Executive | 18 hole | 3000-4000 yds. in length | 60 ac. |
| C. Nine hole | | 3100-3500 yds. in length | 60 ac. |
| D. Par | 3-18 hole | 2000-2500 yds. in length | 45 ac. |

2. No building shall be closer than 100 feet to any lot line.

(Ord. 2015-06, 9/28/2015)

§ 27-629. Greenhouses and Nurseries.

1. All greenhouses and nurseries shall have vehicular access to an arterial or collector road as identified in the Dover Township Comprehensive Plan.

2. Parking lots and loading areas shall be screened from adjoining residential properties existing at the time of development and/or residential zones.

3. The display and sale of nonplant material shall be incidental to the nursery operation. The display area for these items shall not exceed 25% of the total gross display and sales area on the subject property and shall be set back at least 35 feet. The display, sale or repair of motorized nursery or garden equipment shall not be permitted.

4. All landscaping equipment and associated vehicles shall be screened in accordance with § 22-721 of the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

5. A buffer yard of 50 feet shall be provided when the lot located adjacent to an existing residential use or residential zone.

(Ord. 2015-06, 9/28/2015)

§ 27-630. Group Home.

The number of residents permitted in a group home may exceed ten if the following criteria are met:

A. No more than two residents may occupy any existing bedroom. Rooms converted to bedroom (i.e. kitchens, dining rooms, etc.) do not qualify.

B. Occupancy limitations of the Uniform Construction Code for Dover Township must be complied with; however at no time shall the number of residents exceed ten.

C. Parking. The requirement for additional off-street parking (See § 27-703.1) may be waived by the Zoning Hearing Board if evidence is provided that due to the nature of the group home, the residents would not operate vehicles. If waived, such parking would need to be added at such point as the nature of the group home changes and parking is deemed to be needed.

D. An on-site resident staff person must be present at all times.

E. A group home shall be operated and maintained in the character of a residential dwelling in harmony with and appropriate in appearance to the character of the general vicinity in which it is to be located.

F. In accordance with the Federal Fair Housing Act, a "Group Home" does not extend to the following persons:

(1) Persons who claim to be disabled solely on the basis of having been adjudicated a juvenile delinquent;

(2) Persons who claim to be disabled solely on the basis of having a criminal record;

(3) Persons who claim to be disabled solely on the basis of being registered as a "sex offender";

- (4) Persons who currently use illegal drugs;
 - (5) Persons who have been convicted of the manufacture or sale of illegal drugs;
 - (6) Persons with or without disabilities who present a direct threat to the persons or property of others.
- (Ord. 2015-06, 9/28/2015)

§ 27-631. Half-Way House.

1. A half-way house must be licensed where required by an appropriate government agency(ies), and shall be in compliance with all applicable rules and regulations of the licensing body(ies). A copy of any required license must be delivered to the Township prior to beginning the use.
2. A half-way house shall be directly affiliated with a parent institution or organization that shall provide full-time supervision and administration to the residents of the house.
3. A common cooking and eating area must be provided; no cooking or dining facilities shall be provided in individual rooms or suites.
4. The residents of the half-way house shall reside on-premises benefit from the services provided.
5. Necessary permits for water supply and sanitary waste disposal must be obtained.
6. A minimum of one off-street parking space shall be provided for each three residents of the half-way house plus one for each employee.
7. A minimum of 250 square feet of habitable floor space per occupant (excluding employees).
8. A maximum of ten occupants (excluding employees).
9. Each special exception application shall be accompanied statement describing the following:
 - A. The character of the half-way house.
 - B. The policies and goals of the half-way house, and the means proposed to accomplish those goals.
 - C. The characteristics of the residents and number of residents to be served.
 - D. The operating methods and procedures to be used.
 - E. Any other facts relevant to the proposed operation of the half-way house.
10. Any special exception granted for a half-way house shall be bound to the type and number of offenders listed on the application. Any change in the type or number of offenders being housed shall require a new special exception.

11. If a facility will house persons presenting a potential physical threat to the safety of nonresidents, the facility operator shall provide evidence that sufficient staffing and other security measures will be provided.

(Ord. 2015-06, 9/28/2015)

§ 27-632. Home Occupations.

Subject to the requirements below, the following home occupations may be authorized in a dwelling unit or accessory structure by special exception in all zones: Physician, dentist, clergyman, lawyer, engineer, accountant, architect, teacher, artist, crafts person (excluding furniture, cabinetry, etc.) licensed insurance or real estate agent, seamstress, barber, beautician, baker, pet grooming, taxidermy and similar service occupations and professions. Firearm sales are allowed in all zones except residential.

A. The owner/resident shall be the operator and no more than one nonresident employee shall be permitted, nor may more than three pupils receive instruction at one time.

B. The character or external appearance of the dwelling unit accessory structure must remain that of a dwelling/accessory structure. No display or products may be shown so as to be visible from outside the dwelling/accessory structure. A name plate not larger than two square feet in area is permitted. It must be illuminated only by indirect lighting.

C. Not more than 30% of the habitable floor area of the dwelling unit, up to a maximum of 350 square feet, may be devoted to the home occupation. If located in an accessory structure, the total area devoted to the home occupation shall not exceed an area equal to 30% of the habitable floor area (up to a maximum of 350 square feet) of the dwelling unit.

D. Besides the required parking for the dwelling unit, additional off-street parking is required as follows:

(1) One space for the operation of the home occupation and one space for each nonresident employee.

(2) Three additional spaces per 100 square feet of habitable floor area used for medical, dentistry or veterinary professions.

(3) Garages shall not be considered parking area for home occupations. Each space provided shall not have direct access to the street to avoid vehicles backing into the flow of traffic.

E. For home occupations utilizing on-lot wastewater systems and generating additional wastewater than the residential use, the Township Sewage Enforcement Officer (SEO) shall certify that the onlot system will function with the additional volume and content of the wastewater generated by the home occupation.

F. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

G. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

H. The business may not involve any illegal activity.

(Ord. 2015-06, 9/28/2015)

§ 27-633. Hospital.

1. Minimum lot area: five acres.
2. Public sewer and water facilities shall be used.
3. Access shall be via an arterial or collector road as identified in the Dover Township Comprehensive Plan.
4. All buildings and structures shall be set back a minimum 50 feet from all property lines.
5. Where possible, emergency entrances shall be located on a building wall facing away from adjoining residentially-zoned properties.

(Ord. 2015-06, 9/28/2015)

§ 27-634. Hotel and Motel.

1. Hotels and motels shall be considered commercial uses.
2. Buffer yards of 50 feet shall separate the hotel and motel use from residential uses and districts. No parking or structure shall be allowed in the buffer yard. The buffer yard shall be measured from exterior property lines and shall not be a part of the minimum setback requirement.
3. Screening shall be provided the length of the buffer yard in accordance with the Dover Township Subdivision and Land Development Ordinance [Chapter 22].
4. Motels and hotels may include accessory restaurant facilities, conference facilities, and meeting rooms. In addition to the parking requirement in Part 7, parking shall be provided for the accessory facilities based on one off-street parking space for each 50 square feet of floor area or one off-street parking space for every four seats, whichever requires the greater number of spaces.

(Ord. 2015-06, 9/28/2015)

§ 27-635. Household Pet Breeding, Commercial.

1. Minimum lot area: two acres or the minimum required by the underlying zone, whichever is greater.

2. All animal boarding buildings that are not wholly enclosed and any outdoor animal pens, stalls, or runways shall be located within the rear yard area and shall be a minimum of 100 feet from all property lines.

3. All animals must be housed within a common structure except while exercising.

4. All pasture and outdoor recreational areas shall be enclosed to prevent the escape of animals; all such enclosures shall be set back at least ten feet from all property lines.

5. Satisfactory evidence must be presented to indicate that adequate disposal of animal waste will be provided in a manner that will not create a public health hazard or nuisance.

6. Provided no veterinary facilities are located on the property, the Township Sewage Enforcement Officer shall certify the adequacy of on-lot wastewater systems to handle the additional volume generated by the household pet breeding use in those areas dependent on onlot wastewater systems. Otherwise a permit shall be obtained from DEP's Bureau of Water Quality Management as required by the Clean Streams Law, 35 P.S. § 659.101 et seq.

(Ord. 2015-06, 9/28/2015)

§ 27-636. House of Worship.

Development size. If a house of worship development exceeds 100,000 square feet in gross floor area the development shall follow § 27-513 Campus Style Development regulations.

(Ord. 2015-06, 9/28/2015)

§ 27-637. Industrial Park.

All Industrial Park developments and or expansion plans shall submit a master plan that encompasses the entire industrial park and future expansion areas. The master plan shall include: lot lines, street system, general utility locations and easements, areas dedicated for stormwater management, environmentally sensitive areas in accordance with § 27-410, § 27-413, § 27-513, § 27-621 and Dover Township Subdivision and Land Development Ordinance [Chapter 22].

A. Access shall be via an arterial or collector road as identified in the Dover Township Comprehensive Plan. Truck traffic going to and from the industrial park will be permitted on nonresidential streets only; traffic routes and exits shall be located at a great enough distance from residential uses so that truck noise and vibration will be minimized.

B. All internal streets providing access parcels within the industrial park shall be a minimum of 20 feet in width and be constructed to Township specifications. Such streets shall remain private unless accepted for dedication by the Township Board of Supervisors.

C. Minimum area: five acres.

D. Minimum lot width: 200 feet.

E. Minimum open space: 20% of lot area.

(1) The following areas may not be calculated as part of the open space: streets, parking areas and buffer areas.

(2) Future development or sale or lease of open space shall be prohibited.

F. Individual lots within the park (whether or not such lots are subdivided and separately deeded) shall have minimum setbacks as follows: front - 50 feet; each side - 25 feet; rear - 50 feet.

G. Minimum lot coverage by principal and accessory buildings; 30% of lot area.

H. Maximum impervious surface: 50% of lot area.

I. Satisfactory provision will be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration, smoke, vapors, and gases, electrical emissions, and industrial wastes.

J. Maximum building height: 40 feet.

K. Landscaping Plan.

(1) Landscaping Plan is required at the perimeter of the industrial park as well as between lots and/or uses in accordance with §27-409.5.F and 27-409.8 and the Dover Township Subdivision and Land Development Ordinance § 22-1100.

(2) Signage Plan. A plan for industrial park signage shall be submitted with land development plans including the total number of signs, location of signs, sign design drawings and specifications. All sign specifications shall be in conformance with Part 8, Chapter 27-801. Free-standing business advertising signs shall be designed to include ground lighting or up-lighting as well as landscaping.

L. Public or community water and public or community sewer facilities approved by the Pennsylvania Department of Environmental Protection must be provided to all tenants.

M. When adjacent to a zoning district permitting residential uses, a buffer yard of not less than 150 feet shall be maintained on each side adjoining it. The buffer yard shall be naturally landscaped, have no impervious cover, and shall not be used for buildings, parking or loading except in the interior 60 feet the area may be used as an off-street parking area. A buffer yard of a minimum 40 feet shall be maintained between all other uses.

N. All uses within the industrial park must comply with all applicable Federal, State and local regulations.

O. Loading docks and truck maneuvering areas and terminals must be further from residential areas than buildings. From a residential zone boundary:

(1) A truck terminal or motor freight depot must be at least 500 feet distant.

(2) A shipping or receiving dock must be at least 300 feet distant.

P. If any buffer area, open space, street or parking area is held in common ownership for the development, the developer/owner must submit a detailed statement including covenants, agreements or specific documents showing the ownership and method of maintenance, financial responsibility and utilization of the common areas within the development. Furthermore, the Township Solicitor shall review such documents to determine whether they adequately provide for the creation of an open space area or its maintenance. The Township shall require that such documents provide that any alteration or amendment of the provisions establishing a common open space area or its maintenance cannot be accomplished without the express consent of the Township. Such documents creating the areas and providing for their maintenance shall not be altered or amended after Township approval has been granted without the specific consent of the Township.

Q. Access Drives and Parking. In the case where two or more buildings are planned adjacent to one another on either a common lot or adjacent lots, shared parking lots and access drives shall be required. Access and parking easements shall be established and recorded with the plans.

R. Lighting. A lighting plan, encompassing the entire planned industrial park is required and shall be in accordance with § 27-707. Lighting fixtures shall be installed along all walking paths/sidewalks.

S. Walking Paths/Trails and or Sidewalks. Walking paths/trails/and or sidewalks shall be incorporated as part of the land development plan and shall be in accordance with § 22-710. Each phase of the park, if applicable, shall include walking paths/trails/and or sidewalks.

(Ord. 2015-06, 9/28/2015)

§ 27-638. Intensive Agricultural Operations.

1. Minimum Lot Area. The minimum number of acres on which a new intensive agricultural operation which contains either livestock, dairy, or poultry facilities may be established as follows:

A. Intensive agricultural facility (other than poultry) - Twenty-five acres or the number of acres required by an approved nutrient management plan, whichever is greater. All parcels of land which comprise the facility and are used in its nutrient management plan for liquid waste disposal need not be contiguous.

B. Intensive poultry facility - Twenty acres or the number of acres required by an approved nutrient management plan, whichever is greater. All parcels of land which comprise the facility and are used in its nutrient management plan need not be contiguous. The operator shall provide evidence acceptable to the zoning officer of his legal right of access or proof of ownership of any such noncontiguous parcels associated with the facility or nutrient management plan.

C. Existing livestock, dairy, or poultry facilities in existence and in operation on the effective date of this ordinance as determined by the zoning officer that do not meet the minimum

acreage requirement, shall be considered nonconforming uses and may be continued or expanded as provided in Chapter 27, Part 9 .

2. Setbacks.

A. Minimum setbacks for new intensive agricultural facilities shall be set back from property lines, structures and other designated areas as follows:

- (1) From public roadways when the operator owns both sides of the roadway - 200 feet.
- (2) From all other property lines - 100 feet.

Any existing intensive agricultural facility in operation on the effective date of this ordinance, as determined by the Zoning Officer, that do not meet the setback requirements of this article shall be considered nonconforming uses and nonconforming structures so long as the existing use of the facility or structures is not interrupted for more than two years.

3. Development.

A. The operator of an intensive agricultural facility constructed, expanded, or completed after the effective date of this chapter shall file a land development plan showing the entire parcel or parcels on which the facility is located and also showing the location of the facility within such parcel or parcels in accordance with the Dover Township Subdivision and Land Development Ordinance Chapter 22.

4. Nutrient Management Plan.

A. Intensive agricultural operations prepare a Nutrient Management Plan in accordance with the regulations set forth in Act 38, PA Nutrient Management Act, as amended.

5. Odor Management Plan.

A. Intensive agricultural operations prepare a Nutrient Management Plan in accordance with the regulations set forth in Act 38, PA Nutrient Management Act, as amended and approved by the State Conservation Commission.

B. Odor management plans must be fully implemented prior to using any new animal housing facility or manure storage facility.

(Ord. 2015-06, 9/28/2015)

§ 27-639. Junkyards.

1. Minimum lot area shall be two acres.
2. Junk shall be setback in accordance with the following yard setback requirements or the setback requirements of the underlying zone whichever is greater:
 - A. Front yard: 60 feet.
 - B. Side yard: 40 feet.
 - C. Rear yard: 40 feet.

3. Every junkyard shall be completely enclosed by fencing. The fencing shall be a minimum of six feet and a maximum of eight feet in height. Fencing shall be of wood or wire construction with maximum lineal openings of three inches.

4. No material may be stored or stacked so that it is visible from adjoining properties roads.

5. The junkyard facility shall meet all requirements as set forth in Chapter 10, Parts 2 and 3.

6. All additional Federal and State laws shall be satisfied.

(Ord. 2015-06, 9/28/2015)

§ 27-640. Kennel.

1. Minimum lot area: two acres.

2. All animal boarding buildings that are not wholly enclosed and outdoor animal pens, stalls, or runways shall be located within the rear yard area and shall be a minimum of 100 feet from all property lines.

3. All animals must be housed within a common structure except while exercising.

4. All pasture and outdoor recreational areas shall be enclosed to prevent the escape of animals; all such enclosures shall be set back least ten feet from all property lines.

5. Satisfactory evidence must be presented to indicate that adequate disposal of animal waste will be provided in a manner that will not create a public health hazard or nuisance.

6. Provided no veterinary facilities are located on the property, the Township Sewage Enforcement Officer may and shall certify the adequacy of an on-lot wastewater system to handle the additional volume generated by the kennel in those areas dependent on on-lot wastewater systems. Otherwise a permit shall be obtained from DEP's Bureau of Water Quality Management as required by the Clean Streams Law, 35 P.S. § 659.101 et seq.

(Ord. 2015-06, 9/28/2015)

~~§ 27-640a. Landscape Service Center, retail or wholesale.~~

~~—1. Shall have vehicular access to an arterial or collector road as identified in the Dover Township Comprehensive Plan.~~

~~—2. All outdoor display areas shall be set back at least 50 feet from the street right-of-way line.~~

~~—3. All structures, parking lots and loading areas shall be screened from adjoining residential properties existing at the time development and/or residential zones.~~

~~—4. If on-lot water and sewage is proposed must supply proof of availability and adequacy.~~

~~—5. All landscaping equipment and associated vehicles shall be screened in accordance with § 22-721 of the Dover Township Subdivision and Land Development Ordinance [Chapter 22].~~

~~—6. A buffer yard of 50 feet shall be provided when the lot located adjacent to an existing residential use or a residential zone.~~

~~(Ord. 2015-06, 9/28/2015)~~

§ 27-641. Laundry/Laundromat and Dry-Cleaning Establishments.

1. Public sewer and water facilities approved by the Pennsylvania Department of Environmental Protection must be used.
2. All activities shall be conducted within a completely enclosed building.
3. Any exhaust ventilation equipment shall be directed away from adjoining residentially-zoned property.
4. Self-service laundromats shall require one off-street parking space for each two washing machines; other laundry-related uses shall provide one off-street parking space for each 400 square feet of gross floor area.
5. Dry cleaning establishments must comply with all applicable environmental regulations.

(Ord. 2015-06, 9/28/2015)

§67-6xx. Manufacturing

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1. Access shall be via an arterial or collector road as identified in the Dover Township Comprehensive Plan.
2. Buffer yards and screening shall be provided as necessary to adequately protect neighboring properties. A buffer yard at least 50 feet wide must be provided on the site in all instances where the site adjoins a residential use or district. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage purposes. Screening shall be provided for the length of the buffer yard in accordance with § 22-721 of the Subdivision and Land Development Ordinance [Chapter 22].

§ 27-642. Medical Center/Facilities /Laboratory

1. This use must demonstrate proper disposal of all waste.
2. Parking shall be provided at the rate of one space per employee, plus one space for each patient service area.
3. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m., prevailing local time.

(Ord. 2015-06, 9/28/2015)

§ 27-643. Medical Marijuana Dispensary/Grower/Processor.

~~1. The applicant shall demonstrate compliance with all facility regulations in §802 of the Medical Marijuana Act, as amended (Act 16, Pennsylvania Law 84, No.16).~~

1. The dispensary/grower/processor shall meet the same land use requirements as other commercial facilities that are located in the underlying District.

2. A growing/processing facility shall meet the requirements of Greenhouses and Nurseries under this Part.

~~2.3. A growing/processing facility shall be permitted within any active agricultural use and must have been in agricultural use for a period of at least two (2) years prior to the filing of an application, or an existing and approved greenhouse/nursery in operation regardless of zoning district.~~

~~§ 27-643. Medical Marijuana Grower/Processor.~~

~~1. The applicant shall demonstrate compliance with all facility regulations outline in §702 of the Medical Marijuana Act, as amended (Act 16, Pennsylvania Law 84, No.16).~~

~~2. The grower/processor facility shall meet the same land use requirements as other manufacturing, processing, and production facilities that are located in the underlying District.~~

§ 27-643. Micro-brewery.

1. The standards for “Tavern” in this Article shall apply.

§ 27-643. Micro-distillery.

a. The standards for “Tavern” in this Article shall apply.

§ 27-643. Mineral Development.

1. The applicant for a mining or processing special exception permit shall submit the following information to the Zoning Officer:

- a. Evidence of compliance with all state and federal laws applicable to the process for which the special exception permit is sought.
- b. A description of the character, timing, and duration of the proposed operation, including maps and plans showing the area and extent of the proposed activity, the location and design of all structures, depth of the excavation, areas for storage of soil materials areas for the deposit of ~~coal~~ mining waste, and facilities for processing, loading, and transportation of minerals.

2. The location of all structures, land uses, and overlay zoning features which may be affected by the proposed operation and measures which will be taken to protect all structures, land uses, and overlay zoning features from adverse impacts from mining.

3. Measures which will be taken to ensure that any loss, diminution, or pollution of water supplies in areas affected by mining will be corrected or replaced.

Commented [JM24]: Incorporate geologist's revisions

Commented [JM25]: Changed per Geo's comments

4. Measures which will be taken to ensure that the performance standards contained in all Sections of this Ordinance shall be met.
5. Description of plans for the transportation of the mined product, including routes of travel, number and weight of vehicles, and measures which will be taken to ~~maintain~~ preserve all roads within the municipalities which are used to transport minerals shall be provided.
6. Plans for the restoration and reclamation of all land affected by the extractive operation to a condition which will support agriculture or other uses which are permitted by right or as special exceptions in the concerned District. ~~1-~~ If the proposed reclamation is for development, the proposed development should be compatible with the Comprehensive Plan and in conformance with the purposes and regulations of the District in which it is located.
7. ~~Adequate~~ Sufficient screening and buffering shall be provided as required by this Ordinance.
8. No expansion in area of a mining operation shall be permitted until mining activities have been completed on an equivalent area of land and the land shall have been graded and vegetation established in accordance with the approved plan for reclamation of the site.
9. In no case shall a special exception permit extend to an area of land or mode of operation which is larger or in any way different from the scope of permits issued concurrently by state and/or federal permitting authorities for the same existing or proposed mining or processing activity.

Commented [JM26]: Changed per Geo's comments

§ 27-643. Natural Gas Compressor Station.

1. Natural gas compressor stations shall only be permitted to occur on property that is a minimum of five (5) acres or larger. The applicant shall strive to consider locations for its temporary and permanent operations where prudent and possible so as to minimize interference with area residents' enjoyment of their property and future development activities within the municipalities. The applicant must present an expert witness testimony to demonstrate the location of the facility will not unreasonably adversely affect any of the following:
 - a. Lawful existing or authorized uses of adjacent properties.
 - b. Neighboring flood-prone or landslide-prone areas.
 - c. Agriculture or farmland.
2. A special exception application for a natural gas compressor station shall be accompanied with written permission from the property owner(s) who has legal or equitable title in and to the surface rights of the property or a court order recognizing the operator's authority to occupy the surface. If the operator owns the property, proof must be provided.
3. As part of the special exception application, the applicable municipality and all applicable Emergency Responders shall be provided the name of the person supervising the compressor station and a phone number where such person can be reached 24 hours a day. Also, a list of contact information for all subcontractors associated with the operations of the station must be provided. The list shall include verification that all

supervisors/operators and subcontractors at the site are aware and understand this Section.

4. All natural gas compressor stations shall be completely enclosed by a building.
 - a. The building shall be constructed in a manner that the architectural character complements the existing character of the area. The building shall employ architectural features, including but not limited to sloped roofs, stone and brick accents, steeples, cupolas, etc.
 - b. The building shall employ soundproof-type walls, and all equipment associated with the compressor station shall be enclosed within the building. All acoustical structures shall be constructed of metal, masonry, or other structurally sound material as approved by the applicable municipal Engineer.
5. Access directly to state roads shall require PennDOT HOP approval. Prior to initiating any work at the compressor station, the applicable municipality shall be provided a copy of the HOP. Access roads shall also comply with the following:
 - a. Access roads must be 50 feet from adjacent property lines unless written consent is given by the adjacent property owner.
 - b. The first 50 feet must be paved. Then, 150 feet must be limestone in a manner that reasonably minimizes water, sediments, and/or debris carried onto any public roads.
 - c. If the access road is less than 200 feet, the entire road must be limestone.
6. The access driveway off the public road to the compressor station shall be gated at the entrance to prevent illegal access into the site. The site assigned address shall be clearly visible on the access gate for emergency 911 purposes. In addition, the sign shall include the station name and number, name of the operator, and the telephone number for a person responsible who may be contacted in case of emergency.
7. The operator must provide a plan for the transmission of gas, water, oil, or other substances to and from the station. The operator shall identify the location of, but not limited to, gathering lines, compressors, and other mid- and downstream facilities located within the applicable municipality and extending 800 feet beyond the municipal boundary. The operator shall provide the applicable municipality with all state and federal permits that have been acquired, and bonding agreements, and proof of ability to operate such pipelines.
8. As part of the special exception process, the applicable municipality reserves the right to increase any required setback based on physical characteristics of the site, including but not limited to topography, woodlands, and distance from structures, parks, schools, and residential neighborhoods.
9. Compressor stations shall utilize electric motors rather than internal combustion engines. The Board of Supervisors may approve the use of internal combustion engines as part of the special exception approval if deemed to be absolutely necessary, due to the prolonged lack of availability of electrical service. However, any exhaust from any internal combustion engine or compressor used in connection with the station, used by any production

equipment, or used in development shall not be discharged into the open air unless it is equipped with an exhaust muffler or an exhaust box. The exhaust muffler or exhaust box shall be constructed of noncombustible materials designed and installed to suppress noise and disruptive vibrations. Moreover, all such equipment with an exhaust muffler or exhaust box shall be maintained in good operating condition according to the manufacturer's specifications.

- a. Noise. The applicable municipality may require acoustical blankets, sound walls, mufflers, or other alternative methods to ensure compliance depending on the location of a proposed station to adjacent residential properties. As part of the special exception application, and prior to construction, the operator shall establish the residual or background noise level baseline. The baseline shall be established over a 72-hour period with at least one 24-hour reading on a Saturday or Sunday. A noise consultant/engineer mutually agreed upon by the Township and owner/operator will be responsible for determining the residual background noise level baseline. The operator shall be responsible for all costs associated with the noise consultant/engineer.
 - i. The noise generated during operating activities when measured at the nearest protected structure property line or 100 feet from the nearest protected structure (as measured to the closest exterior point of the building), whichever is closer to the protected structure, shall not exceed the average ambient noise level as determined by the 72-hour evaluation: i. During station or plant activities by more than ten (10) dBA during the hours of 7:00 a.m. to 9:00 p.m.
 - ii. During station or plant activities by more than five (5) dBA during the hours of 9:00 p.m. to 7:00 a.m.
- b. If the operator engages in any noise testing as required by this Section, it will provide preliminary data to the applicable municipality no later than ten (10) business days following completion of the noise testing. Once the monitoring is complete, the operator will meet with municipal representatives and affected residents to discuss whether possible noise abatement measures are warranted, if the permitted levels set further herein were exceeded. The applicable municipality reserves the right to hire a noise consultant to do its own testing and investigation regarding the noise complaint.

- 10. Drip pans must be placed in any location, under equipment, that has the potential to leak.
- 11. All condensate tanks shall be equipped with vapor recovery and/or vapor destruction units.
- 12. All structures, including but not limited to pumping units, storage tanks, buildings, and structures, shall be painted a neutral color, and shall be compatible with the surrounding uses. Neutral colors shall include sand, gray, green, and unobtrusive shades of brown, or other neutral colors, as approved by the Township.

13. Compressor stations shall be inspected by the applicable local Fire Department prior to operation. During the active operation at the compressor station, Municipal staff or consultants designated by the applicable Municipal Manager shall have access to the site to determine continuing compliance with the special exception approval.
14. The applicant will reimburse the municipality for all reasonable and direct professional consultant fees incurred related to site inspection, approval process, or for specialized work called for in the permit.
15. The applicable municipality reserves the right to impose any other additional conditions necessary to protect the public health, safety, and general welfare of its residents in order to address any unique characteristics of a particular compressor station site which are not otherwise within the jurisdiction of federal and state regulations in accordance with the MPC.
16. Indemnification and express negligence provisions. The operator shall fully defend, protect, indemnify, and hold harmless the applicable municipality, its departments, officials, officers, agents, employees, and contractors from and against each and every claim, demand, or cause of action and any and all liability, damages, obligations, judgments, losses, fines, penalties, costs, legal and expert fees, and expenses incurred in defense of the applicable municipality, including, without limitation, personal injuries and death in connection therewith which may be made or asserted by any third parties on account of, arising out of, or in any way incidental to or in connection with the performance by the operator.
17. The facility and/or its operation shall comply with all applicable permits and requirements of the DEP, the EPA, and any other governmental authority having jurisdiction over its operations and with all Federal, State, and Local laws, ordinances, and regulations promulgated to protect the environment or otherwise relating to environmental matters. The applicant shall demonstrate that the compressor stations will not violate the citizens of the New Brighton Area's right to clean air and pure water as set forth in Art. 1, Sec. 27, of the Pennsylvania Constitution (the Environmental Rights Amendment). The applicant will have the initial burden to demonstrate that its operations will not affect the health, safety, or welfare of the citizens of the New Brighton Area or any other potentially affected landowner. The application submittal shall include reports from qualified environmental individuals attesting that the proposed location will not negatively impact area residents' environmental rights and will include air modeling and hydrogeological studies as potential pathways that a spill or release of fluid may follow.
18. The operator shall be required to provide notice of any spills and/or releases to the Township.

§ 27-643. Natural Gas Processing Plant.

- A. Natural gas processing plants shall only be permitted to occur on property that is a minimum of five (5) acres or larger. The applicant shall strive to consider locations for its temporary and permanent operations where prudent and possible so as to minimize

interference with the municipalities' residents' enjoyment of their property and future development activities. The applicant must present an expert witness testimony to demonstrate the location of the facility will not unreasonably adversely affect any of the following:

1. Lawful existing or authorized uses of adjacent properties.
 2. Neighboring flood-prone or landslide-prone areas.
 3. Agriculture or farmland.
- B. A special exception application for a processing plant shall be accompanied with written permission from the property owner(s) who has legal or equitable title in and to the surface rights of the property or a court order recognizing the operator's authority to occupy the surface. If the operator owns the property, proof must be provided.
- C. Special exception approval is nontransferable without consent from the Board of Supervisors, and shall automatically terminate, unless extended, if substantial construction is not commenced and sustained within one (1) year from the date of issuance of the special exception. The special exception approval may be extended by the Board of Supervisors upon written request by the operator. The operator shall provide proof that the requested special exception permit for such location has not changed.
- D. As part of the special exception application, the applicable municipality and all applicable Emergency Responders shall be provided the name of the person supervising the compressor station and a phone number where such person can be reached 24 hours a day. Also, a list of contact information for all subcontractors associated with the operations of the station must be provided. The list shall include verification that all supervisors/operators and subcontractors at the site are aware and understand this Section.
- E. Access directly to state roads shall require PennDOT HOP approval. Prior to initiating any work at the processing plant, the applicable municipality shall be provided a copy of the HOP. Access roads shall also comply with the following:
1. Access roads must be 50 feet from adjacent property lines unless written consent is given by the adjacent property owner.
 2. The first 50 feet must be paved. Then, 150 feet must be limestone in a manner that reasonably minimizes water, sediments, and/or debris carried onto any public roads.
 3. If the access road is less than 200 feet, the entire road must be limestone.

- F. The access driveway off the public road to the processing plant shall be gated at the entrance to prevent illegal access into the site. The site assigned address shall be clearly visible on the access gate for emergency 911 purposes. In addition, the sign shall include the plant name and number, name of the operator, and the telephone number for a person responsible who may be contacted in case of emergency.
- G. The operator must provide a plan for the transmission of gas, water, oil, or other substances to and from the plant. The operator shall identify the location of, but not limited to, gathering lines, compressors, and other mid- and downstream facilities located within the applicable municipality and extending 800 feet beyond the municipal boundary. The operator shall provide the applicable municipality with all State and Federal permits that have been acquired, and bonding agreements, and proof of ability to operate such pipelines.
- H. As part of the special exception process, the applicable municipality reserves the right to increase any required setback based on physical characteristics of the site, including but not limited to topography, woodlands, and distance from structures, parks, schools, and residential neighborhoods.
- I. Processing plants shall utilize electric motors rather than internal combustion engines. The Board of Supervisors may approve the use of internal combustion engines as part of the special exception approval if deemed to be absolutely necessary, due to the prolonged lack of availability of electrical service. However, any exhaust from any internal combustion engine or compressor used in connection with the station, used by any production equipment, or used in development shall not be discharged into the open air unless it is equipped with an exhaust muffler or an exhaust box. The exhaust muffler or exhaust box shall be constructed of noncombustible materials designed and installed to suppress noise and disruptive vibrations. Moreover, all such equipment with an exhaust muffler or exhaust box shall be maintained in good operating condition according to the manufacturer's specifications.
- J. Noise. The municipalities may require acoustical blankets, sound walls, mufflers, or other alternative methods to ensure compliance depending on the location of a proposed plant to adjacent residential properties. As part of the special exception application, and prior to construction, the operator shall establish the residual or background noise level baseline. The baseline shall be established over a 72-hour period with at least one 24-hour reading on a Saturday or Sunday. A noise consultant/engineer mutually agreed upon by the applicable municipality and owner/operator will be responsible for determining the residual background noise level baseline. The operator shall be responsible for all costs associated with the noise consultant/engineer.

1. The noise generated during operating activities when measured at the nearest protected structure property line or 100 feet from the nearest protected structure (as measured to the closest exterior point of the building), whichever is closer to the protected structure, shall not exceed the average ambient noise level as determined by the 72-hour evaluation:

- a. During station or plant activities by more than ten (10) dBa during the hours of 7:00 a.m. to 9:00 p.m.
- b. During station or plant activities by more than five (5) dBa during the hours of 9:00 p.m. to 7:00 a.m.

2. Sound Test.

- a. If a complaint is received by any person using a protected structure for a lawful purpose, within a reasonable vicinity of a compressor station, regarding noise generated by plant operations, the applicable municipality will conduct a sound test to verify that a viable complaint exists. Upon confirmation by the municipality that a possible noise violation exists, the operator shall, within 24 hours of the receipt of the complaint from the municipality, continuously monitor for a 48-hour period at a point which is the closer to the complainant's building of:
 - i. The complainant's protected structure property line nearest to the well site or equipment generating the noise; or
 - ii. 100 feet from the protected structure, whichever is closer.
- b. If the operator engages in any noise testing as required by this Section, it will provide preliminary data to the applicable municipality no later than ten (10) business days following completion of the noise testing. Once the monitoring is complete, the operator will meet with municipal representatives and affected residents to discuss whether possible noise abatement measures are warranted, if the permitted levels set further herein were exceeded. The applicable municipality reserves the right to hire a noise consultant to do its own testing and investigation regarding the noise complaint.

K. Drip pans must be placed in any location, under equipment, that has the potential to leak.

L. All condensate tanks shall be equipped with vapor recovery and/or vapor destruction units.

- M. All structures, including but not limited to pumping units, storage tanks, buildings, and structures, shall be painted a neutral color, and shall be compatible with the surrounding uses. Neutral colors shall include sand, gray, green, and unobtrusive shades of brown, or other neutral colors, as approved by the applicable municipality.
- N. Processing plants shall be inspected by the applicable local Fire Department prior to operation. During the active operation at the plant, municipal staff or consultants designated by the applicable municipality shall have access to the site to determine continuing compliance with the special exception approval.
- O. The applicant will reimburse the applicable municipality for all reasonable and direct professional consultant fees incurred by the applicable municipality related to site inspection, approval process, or for specialized work called for in the permit.
- P. The applicable municipality reserves the right to impose any other additional conditions necessary to protect the public health, safety, and general welfare of its residents in order to address any unique characteristics of a particular processing plant site which are not otherwise within the jurisdiction of federal and state regulations in accordance with the MPC.
- Q. Indemnification and express negligence provisions. The operator shall fully defend, protect, indemnify, and hold harmless the applicable municipality, its departments, officials, officers, agents, employees, and contractors from and against each and every claim, demand, or cause of action and any and all liability, damages, obligations, judgments, losses, fines, penalties, costs, legal and expert fees, and expenses incurred in defense of the municipality, including, without limitation, personal injuries and death in connection therewith which may be made or asserted by any third parties on account of, arising out of, or in any way incidental to or in connection with the performance by the operator.
- R. The facility and/or its operation shall comply with all applicable permits and requirements of the DEP, the EPA, and any other governmental authority having jurisdiction over its operations and with all federal, state, and local laws, ordinances, and regulations promulgated to protect the environment or otherwise relating to environmental matters. The applicant shall demonstrate that the processing plant will not violate the citizens of the municipalities right to clean air and pure water as set forth in Art. 1, Sec. 27, of the Pennsylvania Constitution (the Environmental Rights Amendment). The applicant will have the initial burden to demonstrate that its operations will not affect the health, safety, or welfare of the citizens of the municipalities or any other potentially affected landowner. The application submittal shall include reports from qualified environmental individuals attesting that the proposed location will not negatively impact the area residents' environmental rights

and will include air modeling and hydrogeological studies as potential pathways that a spill or release of fluid may follow.

~~§ 27-643. Night Club.~~

- ~~1. The night operations shall cease between the hours of 2:00 a.m. and 9:00 a.m., prevailing time (unless more restrictive non-operating hours are established by the Board of Supervisors in its special exception decision), and the establishment shall not be open to the public during those hours.~~
- ~~2. All night club activities shall be conducted within an enclosed building, and all doors and windows shall remain closed during the hours that the night club is open for operation.~~
- ~~3. The facility entrances and exits (excluding emergency exits) which face adjacent residential dwellings and/or residential zoned properties shall have a vestibule with a second door to minimize noise impacts to adjacent residential dwellings and properties.~~
- ~~4. No night club shall be permitted within 500 feet of an adult oriented business and/or another night club, as measured from lot line to lot line.~~
- ~~5. The night club operations shall not cause or create a nuisance, including, but not limited to, excessive noise levels.~~
- ~~6. The owner and operator of the night club shall be responsible for the conduct and safety of its patrons.~~
- ~~7. No more than one (1) identification sign shall be permitted. The sign shall be a ground sign or wall sign. The graphic area of the sign shall not exceed 40 square feet.~~

§ 27-643. Mini-Storage Facility.

1. Parking for the individual storage units shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least 20 feet wide where access to storage units is only on one side of the aisle and at least 24 feet wide where access to storage units is on both sides of the aisle.
2. If a manager/business office established on the site, at least four off-street parking spaces must be provided adjacent to the office. If moving vehicles are available on the site for rent, an additional parking space shall be provided for each rental vehicle.
3. The servicing or repair of stored equipment shall not be conducted in the storage units or outdoor storage areas. Furthermore, no business activities shall be conducted within the storage units.
4. The storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals is prohibited.
5. If a parking area provided for the outdoor, storage recreational vehicles, such parking shall be in addition to required off-street parking.
6. Illumination shall be in accordance with § 27-509 of this Chapter.
7. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.

(Ord. 2015-06, 9/28/2015)

§ 27-644. Mobile Home Park.

1. A public water supply system and public sewer system approved by the Pennsylvania Department Environmental Protection must be used.

2. Each mobile home lot (not including street right-of-way) shall not be less than 7,500 square feet in area and not less than 55 feet wide at the street right-of-way line.

3. Minimum setback requirements:

A. Front setback: 20 feet.

B. Rear setback: ten feet.

C. Side setbacks: Each lot shall have side yard areas totaling not less than 30 feet and no one side yard distance less than 12 feet. In no case shall the distance between any two mobile homes be less than 30 feet.

4. The Zoning Hearing Board may require suitable screen planting, or may further restrict the proximity of mobile homes or other improvements to adjoining properties, or may attach such other conditions or safeguards to the use of land for a mobile home park as the Board may deem necessary to protect the general welfare.

5. A mobile home park or extension thereof shall also comply with all applicable State and/or municipal regulations now in effect or hereinafter enacted, including Part 8 of the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 2015-06, 9/28/2015)

§ 27-645. No Impact Home-Based Business.

The business or commercial activity must satisfy the following requirements:

A. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

B. The business shall employ no employees other than family members residing in the dwelling.

C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

D. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.

E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

F. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

G. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.

H. The business may not involve any illegal activity.

(Ord. 2015-06, 9/28/2015)

§ 27-646. Outdoor Recreations Facilities

1. All outdoor storage of maintenance equipment and bulk storage shall be setback a minimum of 50 feet from any property line and shall be screened from view in accordance with the requirements of the SALDO.

2. Buffer yards and screening shall be provided as necessary to adequately protect neighboring properties. A buffer yard at least 50 feet wide must be provided on the site in all instances where the site adjoins a residential use or district. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage purposes. Screening shall be provided for the length of the buffer yard in accordance with § 22-721 of the Subdivision and Land Development Ordinance [Chapter 22].

3. Any exterior lighting and/or amplified public address system shall be arranged and designed so as to prevent objectionable impact on neighboring properties. Use of the outdoor public address systems shall only be permitted between the hours of 8:00 a.m. and 11:00 p.m. Exterior lighting other than that essential for the safety of the users of the premises shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m.

(Ord. 2015-06, 9/28/2015)

§ 27-647. Outdoor Trap, Skeet, Rifle, Pistol or Archery Range.

Commented [JM27]: Lead standards per Cashman comments?

1. General Requirements for new Rifle and Pistol Range.

A. Minimum lot area: five acres.

B. Minimum lot width: 300 feet (street side right-of-way). The range area must be a minimum of 400 feet wide plus the width of the shooting range. A minimum of 200 feet is required from any property or street right-of-way line. The area of use must be 900 feet from any neighboring residential or commercial dwelling.

C. An earthen background berm must be provided within 20 feet of the farthest target post. Such berms shall have a slope of not less than 45 degrees or a one to one ratio and must extend to 12 feet above the ground level of the highest target and or eight feet above the highest target. The crest of the berm at the 12 foot minimum height limit shall be at least four feet wide as measured between the wall of the berm facing the range and the opposite wall. The berm shall extend eight feet beyond the target on both sides. The berm shall be free of

gravel and other hard surface material to provide adequate drainage. Natural earth backstop berms are permitted provided adequate vertical and horizontal requirements listed above are satisfied.

D. The earthen side berms must be provided immediately adjacent to the range and shall extend from the firing line to the background berm. The side berms shall meet the same design qualifications as set forth for background berms in subsection C. above.

E. Only targets mounted on target cross rails shall be permitted. No targets of any kind shall be set directly on the ground.

F. Warning signs noted 'Firing Range, Stay Clear' shall be posted outside the berms where visible from any location while approaching the berms.

2. General Requirements for new Trap and Skeet Range.

A. Minimum lot area: eight and one-half acres.

B. Minimum lot size: 300 feet (street side right-of-way). The range area must be 400 feet wide plus the width of the shooting range. A minimum of 200 feet is required from any property or street right-of-way line. The area of use must be 900 feet from any neighboring residential or commercial dwelling. The firing range must have 900 feet clear down range of firing line.

C. Only launched clay targets shall be used at a trap or skeet range. No targets of any kind shall be set directly on the ground.

D. Warning signs noted 'Firing Range, Stay Clear' shall be posted outside the designated area for trap and skeet shooting and must be visible from any location while approaching the trap or skeet range.

3. General Requirements for new Archery Range.

A. Minimum lot area: Not applicable (N/A).

B. Minimum lot size: The lot size will be dependent on the number of targets and the distance the targets are placed from the firing line. All targets must be located with a natural earth background or constructed berm such that the arrow of a missed target cannot land on a neighboring property or occupied areas. Targets set with clear and extended range beyond the target may be set up without a background berm providing that a missed target does not allow the arrow to land on a neighboring property or occupied area.

C. Warning signs noted 'Archery Range, Stay Clear' shall be posted outside the designated area for archery shooting and must be visible while approaching the archery range.

4. Existing rifle, pistol, trap, skeet and archery ranges prior to 4/6/15 shall be grandfathered and shall not be required to meet this requirement. However, these guidelines are highly recommended and will be required for any new range installation.

(Ord. 2015-06, 9/28/2015)

§ 27-648. ~~Schools, Public/Commercial and Private/College/University Schools.~~

Religious sectarian and nonsectarian, denominational private or public school or college, which is not conducted as a private gainful business, provided that the following requirements are met:

1. ~~A.~~ Minimum Lot Size and Lot Width Requirements.

	Minimum Lot Size	Minimum Lot Width
Kindergarten	1 acre	150 feet
Elementary school	3 acres	200 feet
Junior high school		
Middle school	5 acres	250 feet
Senior high school	5 acres	250 feet
<u>College/University</u>	<u>5 acres</u>	<u>1000 feet</u>

2. ~~B.~~ All outdoor play areas shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbances.

A. ~~A college/university shall have a maximum of one (1) vehicular access point to an arterial or collector street per 1,000 feet of street frontage.~~

B. ~~Loading areas shall not be visible from the primary entrance to the development or from neighboring residential properties.~~

C. ~~A traffic impact study is required and shall be reviewed and approved by the municipal engineer.~~

D. ~~The site shall be serviced by public water and public sewer systems.~~

E. ~~The owner and operator of any private school or college/university shall be responsible for the conduct and safety of the students, employees, visitors, faculty, and guests and shall be available to respond to inquiries and promptly resolve any issues caused by students, employees, visitors, faculty, and guests.~~

(Ord. 2015-06, 9/28/2015)

§ 27-649. Public/Semi-Public Facilities and Uses.

1. Consideration shall be given to traffic problems. If the nature of the public building or facility is such that it will generate a high volume of vehicular traffic then access should be via an arterial or collector street as designated in the Township's Thoroughfare Classification Plan.

2. Outdoor storage of materials and vehicles and related apparatus shall be completely enclosed with a six-foot high fence and screened from adjoining streets and properties.

Commented [JM28]: Renumber & alphabetize

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3. Screening or fencing may be required where determined appropriate to form an effective visual barrier between the use and adjoining properties.

(Ord. 2015-06, 9/28/2015)

§ 27-650. Public Utility Buildings and/or Service Structures.

1. Front, side, and rear yard setbacks and lot coverage shall be provided in accordance with the regulations of the district in which the building is located. The lot area requirement shall be exempted.

2. Maximum height of buildings shall be as required by the district regulations.

3. The external design of the building shall, to the extent possible be in conformity with the buildings in the surrounding area.

4. Unhoused equipment shall be enclosed by a fence or wall not less than six feet in height, which shall be so constructed as not to have openings, holes or gaps larger than six inches in any direction and shall be limited to those items normally used by the utility. The required fence for unhoused equipment shall be surrounded by an evergreen screen planting when located adjacent to existing residential uses or in a residential district.

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

6. In residential districts, the permitted public facilities shall not include the storage of vehicles or equipment used in the maintenance of any utility and no equipment causing unreasonable noise, vibration, smoke, odor, or hazardous effect shall be installed.

7. A stormwater management plan shall be required.

(Ord. 2015-06, 9/28/2015)

§ 27-651. Quarries.

1. In making determinations concerning special exceptions for quarrying operations, the Zoning Hearing Board must make findings as to the specific following factors:

A. Application.

(1) Prior to granting approval of the special exception, the applicant shall submit for review by the Planning Commission and approval of the Zoning Hearing Board a development or mining plan, operational requirements, and restoration/reclamation requirements.

(2) Prior to granting approval of the special exception, the applicant shall submit for review by the Planning Commission and the Zoning Hearing Board, a copy of all applications, plans, maps, and related information filed with any regulatory agency or body having jurisdiction and all permits issued with respect thereto.

B. Development or Mining Plan. A development plan or mining plan shall consist of a topographic plan with a contour interval of not greater than 5 feet showing all natural and man-made features, rights-of-way, easements, property lines, flood information, any other pertinent data, and a plan and cross-sections of the proposed surface mining including ground-water information. More specifically the plan shall include:

(1) Location of quarrying pit, buildings, stockpiles, waste piles in relation to other existing or planned uses in the area.

(2) Physical Factors.

(a) Soil, nature and characteristics, including possible erosion by water and wind.

(b) Drainage.

(c) Prevailing wind.

(3) Abutting land and streets, lateral support slopes and grades.

(4) A rehabilitation plan shall be filed with the Zoning Hearing Board stating the guarantee implementation plan for the best possible reuse.

C. Operational Requirements.

(1) Machinery, Equipment and Operations. All machinery, equipment and materials used in quarrying; all processing and manufacturing operations; and all hauling of quarrying products must be maintained, operated, or conducted in such a manner that in a residential zone:

(a) Flying objects and debris are not thrown.

(b) Noxious gases are not disseminated.

(c) There is no appreciable noise, vibration, dust, or mist.

(2) Barriers.

(a) Fencing. A six-foot substantial fence or other suitable barrier six feet high must surround the area of actual quarrying, unless such requirement is waived by the special exception issued by the Zoning Hearing Board. If guarded at all times, the entrance of the pit where adjacent to the quarry office, may be left unfenced.

(b) Screens. Where the quarry operations will substantially impair the beauty and character of the surrounding countryside, trees or shrubs must be planted, or attractive earth barriers erected, to screen the operation as far as practical from normal view.

(3) Washing. The washing of any earth material is permitted except:

(a) Where the quantity of water required will seriously affect the supply for residential uses in the area.

(b) Where the written opinion of the Pennsylvania Department of Environmental Protection, disposal of water will result in contamination, pollution, or excessive silting.

(4) Setbacks from Residential Zones. Where the lot or parcel land which is the focus of quarrying operations is adjacent to a residential zone:

(a) No stockpiles, waste piles, processing or manufacturing equipment, may be closer than 1,000 feet to the residential zone.

(b) No part of the quarrying pit, private access road, truck parking area, scales, or operational equipment, may be closer than 500 feet to the residential zone.

(5) Street Setbacks. From the right-of-way line of a public street or highway, no part of the quarrying pit, stockpiles, waste piles, processing or manufacturing equipment, scales, or operational equipment, may be closer than 100 feet.

(6) Property Line Setbacks. From a property line, except for those following:

(a) No part of the quarrying pit stockpiles, waste piles, processing or manufacturing equipment, may be closer than 200 feet.

(b) No private access road, truck parking area, scales, or operational equipment, may be closer than 100 feet.

(c) Where a quarry property abuts another quarry property, an operating railroad's right-of-way property or a property in an agricultural zone, no part of the quarrying operation except an access road may be closer than 50 feet.

(7) Access Drive. The access drive to the facility shall be paved within 200 feet from the street line.

D. Restoration or Reclamation Requirements.

(1) Restoration Required. Within two years after the termination of quarrying operations, the area of actual quarrying operations must be rehabilitated to a condition of reasonable physical attractiveness and, as practical, restored.

(2) Restoration Standards. In rehabilitating the area of actual quarrying operations, the owner or operator must comply with the following standards:

(a) Slope. The slope of earth material in any excavated pit must not exceed the angle of slippage.

(b) Topsoil and Ground Cover. Where filling of the pit is desirable and economically feasible, the fill must be of a kind and depth to sustain grass, plants or trees and such must be planted.

(c) Drainage. To prevent any silt, erosion debris, or other loose material from filling any existing drainage course, or encroachment on State or Township roads or private property, all surface drainage existing or developing by or through the topsoil site must be controlled by dikes, barriers, or drainage structures. All measures to control natural drainage or flood water must meet with the approval of the Board of Supervisors.

(d) Removal of Plant and Equipment. Within two years after termination of operations, all plant and equipment must be removed, except where the plant and equipment is still used

for processing earth material from other properties. If substantially covered, foundations and piers maybe left in the ground.

(3) Reporting of Operational and Restoration Information. In order to keep the Zoning Officer abreast of impending termination of quarrying operations and plans for restoration as well as operational activities which he/she has a duty to check, each quarry owner or operator must submit to the Zoning Officer, annually in the month of October, the information following:

(a) Operational Data.

1) Ownership and acreage of the land which is the site of quarrying operations, including all land held under contract or lease.

2) Type of earth resources quarried.

3) Present depth of quarrying operations.

(b) Location map, at a scale of one inch equals 100 feet, or such other scale acceptable to the Township, showing:

1) All land owned or under option, contract or lease.

2) Lot or land quarried.

3) As practical, contours at 20 foot intervals extending beyond the site to the nearest public street or highway.

4) Private access roads and abutting streets and highways.

5) Existing structures.

6) Existing stockpiles and waste piles.

7) Title, scale, north point, and date.

8) Fencing and screen planting. If fencing vegetation, give details of size and type.

(Ord. 2015-06, 9/28/2015)

§ 27-652. Recycling Business.

1. The perimeter of the property shall be enclosed with a fence or wall no higher than eight (8) feet and no lower than six (6) feet in height. Barbed-wire fences are prohibited.
2. Requirements for indoor and outdoor storage are listed in the table below:

Type of Recyclable	Under Roof Y/N	Need to be Covered Y/N
Beverage Containers	No	No
Demolition Debris	No	No
Electronics	Yes	N/A

Metal	No	No
Oil	Yes	N/A
Paper	Yes	N/A
Plastic	No	No
Rubber Products	No	Yes
Tires	Yes	Yes

- a. Batteries and other items considered hazardous waste shall not be kept on site.
- b. Recycled oil shall be kept in an enclosed container at all times.
- c. Any item that would create a hazardous run-off shall be kept under a roof or covered at all times.
- d. Items such as newspaper, office paper, plastic, and drinking containers shall be secured so that they are not affected by the wind.

3. No pile of recyclables shall exceed twenty (20) feet in height.

§ 27-652. Refining Operations.

1. All uses shall have vehicular access to an arterial or collector road as identified in the Dover Township Comprehensive Plan.
2. Minimum lot size shall be two acres.
3. All structures shall be located at least 150 feet from all property lines, unless setback further by standards the underlying zoning.
4. Maximum lot coverage shall be 60%.
5. A minimum buffer strip shall be provided along all property lines in accordance Section 409.
6. All outside storage of raw material shall be completely enclosed by an eight-foot high fence and screened from adjoining properties and roads. No outdoor storage is permitted within the required buffer strip.
7. All storage facilities, conveying apparatuses, drying or wetting chambers and axial ventilation fans shall be set back a minimum of 150 feet from all property lines.
8. Operational Requirements.

A. Machinery, Equipment and Operations. All machinery, equipment and materials used in refining; all processing and manufacturing operations; and all hauling of refined products must be maintained, operated, or conducted in such a manner that:

- (1) Flying objects and debris are not thrown.
- (2) Noxious gases are not disseminated.
- (3) There is no appreciable noise, vibration, dust, or mist.

(Ord. 2015-06, 9/28/2015)

§ 27-652a. Research Laboratory/Product Development Facility.

1. Access shall be via an arterial or collector road as identified in the Dover Township Comprehensive Plan.
2. Buffers and screens shall be provided as necessary to adequately protect neighboring properties. This includes, but is not limited to, fences, walls, plantings and open spaces.
3. Satisfactory provision shall be made to minimize harmful or unpleasant effects (noise, odors, fumes, glare, vibration and smoke).
4. The use must comply with all applicable Federal, State, and local regulations.

(Ord. 2015-06, 9/28/2015)

§ 27-653. Residential Conversions.

1. Conversion may occur to single-family detached dwellings only.
2. No conversion shall result in a dwelling unit which has less than the minimum habitable floor area required by this Chapter.
3. Each unit shall provide required parking spaces in accordance with Part 7 of this Chapter.
4. All bulk and area requirements for the underlying district shall apply to the lot.

(Ord. 2015-06, 9/28/2015)

§ 27-654. Retail Sales and Services.

Retail sales and service establishments exceeding 100,000 square feet in gross floor area, standards in § 27-513 Campus-Style Development shall apply.

(Ord. 2015-06, 9/28/2015)

§ 27-655. Riding Academy or Boarding Stables.

1. Minimum lot size: ten acres. In the agriculture district this use shall equal five residential lots.
2. All animals, except while exercising or pasturing, shall be confined to a building erected for that purpose.
3. All stalls shall be maintained so as to minimize odors.
4. All outdoor training or show facilities or areas shall be set back at least 50 feet from all property lines.
5. All outdoor training, show, riding, boarding or pasture areas shall be enclosed by a minimum four-foot high fence which may be located up to, but not on, the property line.
6. Adequate off-street parking shall be provided as determined by a review of the number of stalls and activities proposed. All parking areas shall be set back at least ten feet from any property line.
7. All animal wastes shall be properly stored and disposed of in a manner that will not create a public health hazard or nuisance. No animal wastes shall be stored within the required setback areas.

(Ord. 2015-06, 9/28/2015)

§ 27-656. Roadside Stand.

1. Shall be owned and operated by the owners of the property and operated as an accessory use to the ~~principle~~principal use.
2. Only agricultural products grown or prepared on-site or locally shall be sold.
3. Display structures shall be less than 250 square feet in size and be located at least 50 feet from any side or rear property line; as required by the underlying zone, whichever is greater.
4. The structure shall be set back at least 50 feet from the street right-of-way.
5. Off-street parking shall be provided for all employees and customers.
6. Signs shall be attached to the structure and shall not exceed four square feet in area.
7. Stand shall be temporary in nature and shall be removed in the off-season.

(Ord. 2015-06, 9/28/2015)

§ 27-657. Rooming House.

1. Each sleeping room shall be limited to one bed.
2. Maximum of four occupant rooms in addition to the owner's sleeping quarters.
3. Shall be owner-occupied.

4. Off-street parking requirement equals one space per resident.
5. Verification of adequate sewer facilities.

(Ord. 2015-06, 9/28/2015)

~~§ 27-657. Self-storage Facility.~~

- ~~1. The minimum lot area required shall be five (5) acres.~~
- ~~2. The lot shall have direct vehicular access to an arterial or collector street, and points of vehicular access shall not be through a street on which the current use of the majority of lots fronting on that street is single-family dwellings.~~
- ~~3. All one-way driveways shall have a minimum of one ten-foot parking lane, plus one fifteen-foot travel lane.~~
- ~~4. All two-way driveways shall provide a minimum of one ten-foot parking lane, plus two twelve-foot travel lanes. Parking lanes may be eliminated where the driveway does not serve storage units.~~
- ~~5. All interior driveways shall be paved with an impervious surface sufficient for the loads the driveways are expected to bear.~~
- ~~6. The minimum distance from the face of any storage building to the face of any adjacent storage building shall be 28 feet for storage units which are less than 15 feet in depth and 42 feet for storage units which are more than 15 feet in depth.~~
- ~~7. The maximum length of any storage building shall be 200 feet.~~
- ~~8. The maximum distance from the end of any storage building to the end of any adjacent storage building shall be 20 feet.~~
- ~~9. The maximum size of any storage unit shall be 14 feet wide, 40 feet deep and one story and no more than 20 feet in height. If storage units are placed back-to-back, the maximum width of the building shall not exceed 40 feet.~~
- ~~10. Office space may be provided which shall not exceed 5% of the total floor area devoted to storage.~~
- ~~11. No business activity other than the rental of storage units shall be conducted on the premises.~~
- ~~12. Buildings shall be so situated or screened so that the access doors are not facing adjacent streets.~~
- ~~13. No hazardous materials or substances shall be permitted to be stored in the storage buildings other than those permitted by the applicable Construction Code.~~
- ~~14. The location of buildings and structures shall be designed to minimize impact on adjacent residential properties.~~

§ 27-658. Service Station or Convenience Store Dispensing Fuel.

1. Minimum Setbacks from Street Right-of-Way Lines.

- A. Pumps: 15 feet.
- B. Building: 40 feet
- 2. Access Drives.
 - A. Minimum offset from intersection of street right-of-way lines: 40 feet.
 - B. Side lot line offset: ten feet.
 - C. Minimum width: 12 feet.
 - D. Maximum width: 35 feet.
 - E. Minimum separation of drives on same lot: 25 feet.
- 3. Except along access drives, a concrete curb eight inches in height must be placed along all street right-of-way lines.
- 4. Illumination shall be in accordance with § 27-509 of this Chapter.
- 5. No outdoor stockpiling of tires or outdoor storage of trash permitted. An area enclosed by a wall or fence, screened from view of adjoining properties, shall be provided whenever outdoor storage is required. No materials may be stored so as to create a fire hazard. Storage of materials shall conform to all applicable State and Federal regulations.
- 6. At least 10% of the lot on which the service station situated must be devoted to landscaping.

(Ord. 2015-06, 9/28/2015)

~~§ 27-659. Shallow Resource Recovery.~~

- ~~1. Hours of operation shall be limited to daylight hours.~~
- ~~2. No blasting shall be permitted.~~
- ~~3. Materials removed shall not be hauled or conveyed through Dover Borough unless road closures or other emergencies preclude any other reasonable route.~~
- ~~4. All activities and uses shall be subject to those regulations established from time to time by the Environmental Protection Agency ("EPA"), the Pennsylvania Department of Environmental Protection ("DEP") and/or the Bureau of Surface Mines of the Commonwealth of Pennsylvania ("BSM"), which are applicable to such operations and uses.~~
- ~~5. The storage of quarry related vehicles and equipment, and the storage of raw materials related to shallow resource recovery shall be considered permitted accessory uses.~~

~~(Ord. 2015-06, 9/28/2015)~~

Commented [JM29]: Removed per separate standards associated w/ Mineral Development. SRR Overlay was removed as well.

§ 27-660. Shopping Center/Flea Market.

1. Minimum lot area: two acres.
2. Minimum lot width: 200 feet.
3. Access must be via an arterial or collector road as identified the Dover Township Comprehensive Plan.
4. All buildings must be set back at least 50 feet from any property line and 100 feet from a street right-of-way line.
5. A buffer yard at least 50 feet wide must be provided on the site in all instances where the site adjoins a residential zone. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage purposes. Screening shall be provided for the length of the buffer yard in accordance with § 22-721 of the Subdivision and Land Development Ordinance [Chapter 22].
6. Sign requirements shall be provided in accordance with Part 8.

(Ord. 2015-06, 9/28/2015)

Short term Rental

- ~~1. An owner of property that desires to convert an existing property into a Short-Term Rental or an owner of property that desires to build a dwelling for the sole purpose of operating a Short-Term Rental must apply for a Certificate of Use with the Township Zoning Officer and pay the cost thereof, which cost may be amended from time to time, prior to beginning operations as a Short-Term Rental.~~
- ~~2. Compliance with the requirements of this section shall be considered conditions precedent of a Short-Term Rental Certificate of Use approval, the violation of which may result in a revocation of that Certificate of Use by the Township Zoning Officer.~~
- ~~3. The Township Sewage Enforcement Officer shall certify the adequacy of on-lot wastewater systems to handle the additional volume generated by the Short-Term Rental in those areas dependent on on-lot wastewater systems.~~
- ~~4. Approval for a Short-Term Rental shall be issued only to the owner of the subject property.~~
- ~~5. Applicant shall comply with all applicable tax requirements including, but not limited to, County hotel excise tax and State sales and use tax.~~
- ~~6. Overnight occupancy of a Short-Term Rental shall be limited to no more than two (2) adults per bedroom.~~
- ~~7. Outdoor parking for overnight occupants and day guests shall be limited to available improved parking areas on the Short-Term Rental property. Parking shall be prohibited in any grass or lawn area.~~

Commented [JM30]: Complete after Zoning Update per 8/31 PC Meeting

~~8. A minimum of one parking space for each bedroom shall be provided. In no event shall parking for Short-Term Rental guests include spaces in any public street right-of-way.~~

~~9. A Short-Term Rental shall not have any outside appearance indicating a change of use from the surrounding residential uses, except that a Short-Term Rental may contain a sign that identifies the Short-Term Rental, however the sign cannot be larger than two (2) square foot and cannot be internally illuminated.~~

~~10. Fireworks and floating lanterns are prohibited.~~

~~11. The owner shall provide a functioning 2A:10BC fire extinguisher and install smoke detectors in accordance with the standards and guidance of the National Fire Protection Association. If the Short-Term Rental uses a combustible fuel source, the owner shall install carbon monoxide detectors in accordance with the standards and guidance of the National Fire Protection Association.~~

~~12. Subleasing all or a portion of the Short-Term Rental is prohibited.~~

~~13. All Short-Term Rentals shall have a clearly visible and legible notice posted within the dwelling on or adjacent to the front door containing the following information:~~

- ~~a. The name of the owner of the unit or the managing agency, agent, property manager, or local contact authorized in writing to accept service for the owner of the unit and a telephone number at which that party can be reached on a 24-hour basis.~~
- ~~b. The 911 address of the property.~~
- ~~c. The maximum number of adult occupants permitted to stay in the dwelling.~~
- ~~d. The requirement that all occupant and/or guest parking must be parked in the available improved parking areas on the property and not in or along any private, community or public street right-of-way. Parking shall be prohibited in any grass or lawn area.~~
- ~~e. The trash pick-up day and notification that trash and refuse shall not be left or stored on the exterior of the property.~~
- ~~f. The use shall not involve any illegal activity.~~

§ 27-660a. Special Event Venue.

~~1.1.1.~~ - Venue shall be owned and operated by the owners of the property and operated as an accessory use to the ~~principle~~principal use.

~~2. 2.~~ 2. Event structures shall be least 50 feet from any side or rear property line; as required by the underlying zone, whichever is greater.

~~3. 3.~~ - Event structures shall be set back at least 50 feet from the street right-of-way.

~~4. 4.~~ Off-street parking shall be provided for all employees, vendors and attendees based on the maximum amount of employees, vendors and guest anticipated to participate in the event.

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~~4. 5.~~ Any exterior lighting and/or amplified public address system shall be arranged and designed so as to prevent objectionable impact on neighboring properties. Use of the outdoor public address systems shall only be permitted between the hours of 8:00 a.m. and 11:00 p.m. Exterior lighting other than that essential for the safety of the users of the premises shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m.

~~5.~~

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~~6. 6.~~ Tenting or canopies for events shall be temporary in nature and shall be removed in the off-season.

~~7.~~ The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light, noise or litter.

~~8. 8.~~ The applicant shall furnish evidence of adequate provisions for water and sewage disposal during the event.

10. A Special Event Venue shall be permitted within any active agricultural use and must have been in agricultural use for a period of at least two (2) years prior to the filing of an application, regardless of zoning district.

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(Ord. 2015-06, 9/28/2015)

§ 27-661. Tavern/Micro-brewery/Micro-distillery/Nightclub/Winery.

1. The facility shall be licensed in accordance with the requirements of the Commonwealth and any other applicable permitting and regulatory agencies.

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2. Setbacks:

A. The building entry shall not be located closer than 100 feet from a property line of a residential use, nor 150 feet from a property line of an existing house of worship, school, care facility, public building, library, park or playground.

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B. Outdoor seating area(s) shall not be located closer than 100 feet from any property line of a residential use within a residential zone.

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C. Outdoor seating area(s) shall not be located closer than 50 feet from any property line of a residential use in a non-residential zone. Vegetative screening and a noise barrier, such as a privacy fence, shall be provided.

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D. No outdoor entertainment or music is permitted within 150' of a property line of a residential use.

E. Outdoor seating areas along arterial roads may be located within the front setback area provided they are not closer than 35 feet from the street right of way. Protective barriers shall be installed for any seating area located in front of a building.

F. Buffer yards and screens shall be designed in accordance with the Dover Township Subdivision and Land Development Ordinance.

3. No new customers shall be seated at an outdoor seating area after 10:00 p.m.

§ 27-661. Tavern.

—1. The facility shall be licensed in accordance with the requirements of the Commonwealth and any other applicable permitting and regulatory agencies.

—2. Set backs:

A. — A. For properties in the Commercial Zone, the lot or property line of such building shall not be located within 100 feet of any residential district or the property of any residential use, house of worship, school, care facility, public building, library, park or playground.

B. — B. For properties in the Village Zone, the lot or property line of such building shall not be located within 100 feet of any residential district or the property of any residential use, house of worship, school, care facility, public building, library, park or playground.

— C. For properties in the Business Park Zone, the lot or property line of such building shall not be located within 100 feet of any residential district or the property of any residential use, house of worship, school, care facility, public building, library, park or playground.

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—3. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light or litter.

—4. The applicant shall furnish evidence as to how the use will be controlled so as not to constitute a nuisance due to sound or loitering outside of the building.

(Ord. 2015-06, 9/28/2015)

§ 27-662. Transportation Terminal/Trucking Facility.

—1. Access shall be via an urban major arterial or collector road as identified in the Dover Township Comprehensive Plan.

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~~a. —2.—~~

—A buffer yard at least 100 feet wide must be located on the terminal site where the site adjoins a residential district. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for parking, building, loading, or storage purposes. A screen shall be provided the length of the buffer yard adjacent to an existing residential use or district in accordance with § 22-721 of the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

~~b. —3.—~~

—Storage of materials shall conform to all applicable State and Federal regulations.

~~c. —4.—~~

—Satisfactory provision shall be made to minimize harmful or unpleasant effects such as noise, odors, smoke, fumes, glare and vibration.

~~d. —5.—~~

~~e. Illumination shall be in accordance with § 27-509 of this Chapter.~~

~~f. Accessory maintenance facilities shall follow the requirements of Vehicle Sales, Service, Repair and/or Body Shop.~~

(Ord. 2015-06, 9/28/2015)

§ 27-663. Vehicle Sales, Service, Repair and/or Body Shop.

~~g. Minimum lot area for vehicle sales shall be 1.5 acres~~

~~1.~~ Access shall be via an urban arterial or collector road as identified in the Dover Township Comprehensive Plan.

~~h. —2.— All~~

—service and/or repair activities shall be conducted within a wholly-enclosed building.

~~i. —3.—~~

—All exterior vehicle storage areas shall be screened from view on all sides.

~~j. —4.— A~~

—~~maximum~~A maximum of five unlicensed vehicles on the premises which are used for parts and not for sale are permitted. All vehicles shall be screened in accordance with the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

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~~k. —5.—~~

~~—All merchandise, except vending machines shall be stored within a building.~~

~~l. —6.—~~

~~—If gasoline pumps are to be installed, all special exception requirements for a service station shall be satisfied.~~

~~m. —7.—~~

~~—Any use involving the generation of waste grease and/or oil shall be required to install traps to collect these waste products. Such uses shall also demonstrate a regular and proper means of disposal of such greases and/or oils, as required by applicable State and/or Federal regulations.~~

~~n. —8.—~~

~~—No outdoor stockpiling of tires or outdoor storage of trash permitted. An area enclosed by a wall or fence, screened from view of adjoining properties, shall be provided whenever outdoor storage is required. No materials may be stored so as to create a fire hazard.~~

~~o. —9.—~~

~~—Satisfactory provision shall be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration and smoke.~~

~~p. —10.—~~

~~—The Dover Township Fire Chief shall review and approve the application in accordance with the State fire codes.~~

~~q. —11.—~~

~~—Illumination shall be in accordance with § 27-509 of this Chapter.~~

~~r. —12.— One~~

~~s. hundred percent of the area utilized for the display or parking of vehicles must be paved or improved with impervious cover as defined in Dover Township's Subdivision and Land Development Ordinance [Chapter 22].~~

(Ord. 2015-06, 9/28/2015)

~~§ 27-663a. Vineyard.~~

~~1. Vehicular access to and from a vineyard shall be conducted from an arterial or collector road.~~

~~2. Vineyard operations shall be conducted in accordance with all applicable Federal, State, County, and Township laws and regulations governing the production of crops and related operations.~~

~~3. No storage or transfer of toxic, corrosive, flammable, carcinogenic, or explosive materials, chemicals, liquids, gases, or solids shall be permitted on the lot(s), with the exception of gasoline, diesel fuel, and oil for the operation and maintenance of motorized vehicles and equipment.~~

~~4. A vineyard shall not significantly intensify vehicular or pedestrian traffic, which is normal for residences in the neighborhood.~~

§ 27-663a. Owner-Operated Automotive Repair Business.

1. This accessory use is allowed only in the Conservation, Agricultural and Village Districts.
2. The use shall only be conducted by the owner of the property.
3. All service and/or repair activities shall be conducted within a wholly-enclosed building that is detached from the principal building.
4. No vehicles, parts, tires or other materials shall be stored outside.
5. Any use involving the generation of waste grease and/or oil shall be required to install traps to collect these waste products. Such uses shall also demonstrate a regular and proper means of disposal of such greases and/or oils, as required by applicable State and/or Federal regulations.
6. Satisfactory provision shall be made to minimize harmful or unpleasant effects such as noise, odors, fumes, glare, vibration and smoke.

(Ord. 2016-01, 1/11/2016, §11)

§ 27-664. Wholesale Establishment/Warehousing Establishment/~~Distribution Center.~~

1. Access shall be via an arterial or collector road as identified in the Dover Township Comprehensive Plan.

2. Buffer yards and screening shall be provided as necessary to adequately protect neighboring properties. A buffer yard at least 50 feet wide must be provided on the site in all instances where the site adjoins a residential use or district. The buffer yard shall be naturally landscaped, have no impervious cover and shall not be used for building, parking, loading or storage purposes. Screening shall be provided for the length of the buffer yard in accordance with § 22-721 of the Subdivision and Land Development Ordinance [Chapter 22].

~~3. No outdoor storage of commodities is permitted.~~

(Ord. 2015-06, 9/28/2015)

Commented [JM31]: Standards duplicated to newly created standards for Manufacturing per 12/6 PC meeting.

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§ 27-665. Wind and Other Energy Related Uses.

1. Minimum System Height: In no case shall the height be less than 60 feet. In cases where the manufacturer's minimum height recommendation is higher than 60 feet, that recommendation shall be used as the minimum allowable height.
2. Maximum System Height: There is no limitation on system height, except as imposed by FAA regulations and the required setbacks set forth in this Chapter 27.
3. Building Mounted Systems: Wind turbines mounted on buildings are still required to follow the industry standard that the entire wind turbine should be 30 feet above all obstructions within a 500-foot radius of the turbine, including the structure to which it is mounted, and the surrounding tree height.
4. Setback: no part of the wind system structure, including guy wire anchors or any other appurtenance may extend closer than ten feet to any property boundary line. No setback requirement shall exceed the total system height as measured to the center of the base of the tower.
5. Access: To prevent unauthorized climbing, climbing pegs shall be removed from the lower ten feet of the tower, or ladder access shall be restricted.
6. Signage: A "Danger, High Voltage" sign shall be installed where it is clearly visible by persons standing near the tower base.
7. Sound: During normal operation, small wind energy systems shall not exceed five (5) dBA over ambient sound as measured at the closest neighboring inhabited dwelling that exists or is permitted for construction at the time of permit application for the wind energy system.
8. Compliance with Building Codes: Permit applications for wind energy systems shall comply with all applicable state and local building codes.
9. Tower and foundation drawings provided by the manufacturer or the project developer shall be submitted with the application.
10. Applications for roof-mounted (or other non-traditionally mounted) turbines must include a wet stamped structural engineering analysis for the turbine mounting system and for the suitability of the building to which the turbine is to be mounted.
11. Compliance with FAA Regulations: Wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.
12. Decommissioning: A small wind system that has reached the end of its useful life shall be removed within six months of such determination. A wind system is considered to have reached the end of its useful life when it has been inoperable for 12 consecutive months. Time extensions are allowed when good faith efforts to repair the turbine can be demonstrated. Foundations need not be removed.

(Ord. 2015-06, 9/28/2015)

§ 27-665a. Winery, retail.

A. The standards for "Tavern" in this Article shall apply.

- ~~A. Vehicular access to and from a vineyard shall be conducted from an arterial or collector road.~~
- ~~B. Vineyard operations shall be conducted in accordance with all applicable Federal, State, County, and Township laws and regulations governing the production of crops and related operations.~~
- ~~C. No storage or transfer of toxic, corrosive, flammable, carcinogenic, or explosive materials, chemicals, liquids, gases, or solids shall be permitted on the lot(s), with the exception of gasoline, diesel fuel, and oil for the operation and maintenance of motorized vehicles and equipment.~~
- ~~D. A vineyard shall not significantly intensify vehicular or pedestrian traffic, which is normal for residences in the neighborhood.~~

§ 27-665a. Principal Solar Energy Systems ("PSES").

Section edited in its entirety. See next page.

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§ 27-665a. Principal Solar Energy Systems ("PSES").

1. On any lot or portion thereof on which a PSES is located, two (2) principal uses may be permitted, one (1) principal use being the PSES and the other being a principal use reserved unto the owner of the lot. This § 27-665a shall control over any inconsistent regulations in the Dover Township Zoning Ordinance.

2. A PSES shall be a use permitted by Special Exception in the A- Agricultural District, C - Commercial District, I - Industrial District, ~~R-1 Residential Zoning District~~, subject to the following criteria:

A. ~~Definition. A PSES is a solar photovoltaic cell, module/panels, or array on an area of land used for a solar collection system principally to capture solar energy, convert it to electrical energy and supply electrical power primarily for off-site use. Eligible Parcel(s) in the R-1 Zoning District. In order to be eligible for a PSES in a R-1 Zoning District, a parcel or parcels must, at the time of application, be in active agricultural use and must have been in agricultural use, with the exception of a single family residence on the parcel, for a period of at least two (2) years prior to the filing of an application for special exception for a PSES.~~

B. *Minimum Lot Size.* A PSES shall be located on lot or lots with no less than twenty-five (25) acres of contiguous land, provided that a PSES may be located on multiple contiguous parcels, provided that the minimum lot size for any individual parcel shall be five (5) acres.

C. *Setback Requirements.* The following setback requirements shall apply for a PSES:

(1) *Perimeter Fencing* – Twenty-five (25') feet from all property or public street/road right-of-way lines. No setbacks shall be required between contiguous parcels that are included within the PSES footprint.

(2) *Panels/equipment* – Thirty-five (35') from all property lines and Fifty (50') feet from all public street/road right-of-way lines. No setbacks are required between contiguous parcels that are included within the PSES footprint.

(3) In all cases there shall be a minimum distance of seventy-five (75') feet between adjacent non-participating ~~residential structures~~ property lines and any component of the PSES including fences, buildings, panels, and other equipment.

D. *Height.* Except as otherwise provided in this Section, a PSES or any portion thereof, i.e. solar panels and racking systems shall not exceed twenty-five (25') feet in height; provided, however, that substations, transmission lines and infrastructure connecting the PSES to the electrical grid shall not be subject to a height limitation.

E. *Maximum Impervious Coverage.* The total land area of a PSES may be covered by up to 25% of permanent impervious coverage. This requirement shall be calculated as a percentage of the total acreage within the PSES and not on an individual lot basis.

(1) Any area under solar panels or other areas, that are maintained in a grassy or vegetative state shall be considered to be pervious surfaces. Grassy and vegetative areas shall

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Commented [1]: BOS needs to decide where a PSES can be located

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be maintained in compliance with current [PA](#) Department of Environmental Protection Guidelines relating to solar farms.

(2) The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations:

- i. Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.
- ii. All mechanical equipment of PSES including any transformer, substation or structures for batteries or storage cells.
- iii. Gravel or paved access roads and parking areas servicing the PSES.

F. *Screening.* The PSES shall be screened with a Type III screening in accordance with the Subdivision and Land Development Ordinance (SALDO) from non-participating ~~adjoining residences along the line of sight between any wall of the residence and parcels along any portion of~~ the PSES, unless the affected landowner provides a written waiver of such screening. A PSES shall not be required to be screened from residences that are located on a participating parcel/lot of land or accessory buildings on adjoining properties. No buffering shall be required from a participating lot, except as provided herein. To the extent possible, existing trees and vegetation shall be retained and incorporated to satisfy any screening requirements.

(1) Trees planted for such screening shall be of a species specified by the Township Subdivision and Land Development Ordinance or such other species of tree acceptable to the Township Engineer provided that such trees species shall achieve an opaque screen from required viewpoints within five (5) years of planting.

(2) Except as otherwise provided herein, all screening shall be designed and placed in accordance with the Township Subdivision and Land Development Ordinance and shall be included in accordance with the required land development plan.

(3) Where a PSES abuts a public road, Type 3 screening will be required.

(4) Screening that abuts a residential use shall be completed prior to any structures being built.

G. *Access.* At a minimum, a twenty-five (25') foot wide access road or driveway must be provided from a state or township roadway into the site within twenty-five (25') feet of the street right-of-way line. Such access drive or driveway shall be designed and constructed in accordance with applicable Township Ordinances.

(1) *Maintenance access.* Maintenance access shall be required. A ~~ten (10')~~ twenty (20') foot wide area between the fence and all solar panels shall be passable and maintained in an unobstructed condition so as to permit vehicular travel along the interior perimeter of the fence.

H. *Stormwater Management.* Stormwater management shall be designed, constructed and maintained in accordance with the Township Stormwater Management Ordinance.

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I. Design and Construction.

(1) The PSES owner shall comply with the Township subdivision and land development requirements. The installation of PSES shall be in compliance with all applicable permit requirements, codes, and regulations.

(2) *Standards.* The PSES layout, design and installation shall conform to good industry practice. "Good industry practice" shall mean the practices, methods, standards, and acts (engaged in or approved by a significant portion of the solar power industry for similar facilities in similar geographic areas that are similar in size and complexity) as the same may change from time to time. The PSES shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PA Uniform Construction Code as enforced by the Township and with all other applicable Township Ordinances.

i. PSES installers of projects rated at 5 MW or greater must demonstrate that they have installed at least _____ utility scale solar projects in the last _____ years. PSES installers must certify they are listed as a certified installer on the PA Department of Environmental Protection's (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:

a. Is certified by the North American Board of Certified Energy Practitioners (NABCEP).

b. Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPO) accredited PV training program or a PV manufacturer's training program and successfully installed a minimum of three PV systems.

ii. Glint and Glare - a) PSES shall comply with applicable FAA requirements. Solar panels are required to utilize anti-reflective glare coatings and, to the extent possible, should be oriented to avoid potential glare on adjacent properties and roadways. All PSESs shall be situated to prevent concentrated glare onto nearby structures or roadways. Exterior surfaces shall have a non-reflective finish. The Applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation as provided in this ordinance.

iii. A PSES shall comply with the Township's noise regulations in the Code of Ordinances. A noise management plan that addresses noise produced during construction and during the facilities operation, to be approved by the _____, shall be included with the Subdivision and Land Development Ordinance (SALDO) application. The plan, at a minimum, shall separately address noise during construction and facility operations and include mitigation, an assessment of the noise that will emulate at the perimeter fence, and the contact information for the

Commented [5]: The PSES layout and design will occur during the land development process. The phrase "Good industry practice" is vague. Also, what is considered a significant portion of the solar power industry for similar facilities in similar geographic areas that are similar in size and complexity. We already make reference to a number of industry standards.

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Commented [6]: I question if this is needed. If a PSES is listed as a certified installer, then that should be sufficient.

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Commented [7]: Solar panels are engineered to absorb sunlight so very little sunlight is reflected from the surface. Also, panels are oriented towards the sun so any residual sunlight would be above nearby homes and roadways.

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individual(s) who is responsible for implementation and compliance both during construction and operations. The volume of sound inherently and recurrently generated shall be controlled so as not to cause a nuisance to adjacent uses. During operation of the PSES, audible sound shall follow best management practices regarding sound, as measured at the property line on a non-participating landowner's property.

iv. Upon installation, the PSES shall be maintained in good working order in accordance with the standards of the _____ codes under which the PSES was constructed. Failure of the property owner to maintain the PSES in good working order is grounds for appropriate enforcement action by the _____. The _____ may perform the services required and charge the owner appropriate fees. Nonpayment of fees may result in a lien against the property.

v. The PSES owner shall be required to conduct base-line soil testing and additional testing at certain intervals (every 5 to 10 years until removal of the panels) to assure no soil contamination. The PSES shall timely forward a copy of these soil testing reports containing the results to the Township engineer.

vi. All solar panels and solar related equipment used for the PSES should be manufactured in the U.S. so as to promote jobs for the American workforce.

(3) As a condition precedent to the issuance of a certificate of occupancy for the PSES, the owner of a PSES shall provide the Township with a written acknowledgement from the public utility company or the Regional Transmission Operator (RTO) to which the PSES will be connected that they have been informed of the customer's intent to install a grid connected PSES to their facilities.

(4) No portion of the PSES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the PSES provided they comply with the prevailing sign regulations.

(5) *Prohibited Locations.* A PSES shall not be placed within any storm water conveyance system or facility, in any location that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system, provided that collection lines may be placed over or under these features with acceptable vertical clearances or any land subject to an Agricultural Preservation Easement or within an Agricultural Security Area (ASA). ~~If a PSES includes land in the Commercial or Industrial districts, then Solar-Related Equipment and other accessory structures and buildings shall be located in those districts to the extent feasible. Notwithstanding the requirements in Section 27-402 of the Zoning Ordinance, Solar Panels shall be permitted to be located on prime soils. To the extent feasible, Solar-Related Equipment and other accessory structures and buildings shall be placed on lands unsuitable for agricultural use as defined in Section 27-402.~~

i. The PSES development area is equal to the total acres of land subject to lease by the PSES developer. Where the area of land subject to the lease is greater than 75% of the parcel, the entire parcel will be considered to be the PSES development area.

Commented [8]: The Township does have noise regulations. No other use is subject to a noise management plan during construction. If a PSES is allowed in residential districts, then maybe a noise survey should be considered for adjacent residential properties. If a PSES only is allowed in the Industrial district, then a noise survey is not required.

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Commented [9]: I question the need for this provision. The term "good working order" is vague. The Township does have a property maintenance code that can be used to enforce property maintenance violations.

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Commented [10]: This requirement needs more research as to whether a PSES poses a serious risk of soil contamination. The biggest risk seems to be from a broken solar panel, but that is more of a maintenance issue. What would be the parameters of a soil test? How much area would need to be tested? Also, what would be the consequences if some level of contamination is found? I would think the EPA and DEP would get involved.

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Commented [13]: I am not sure what this sentence means. If a landowner has 101 acres and leases 76 acres to a PSES and retains 25 acres, why are the 25 acres considered to be part of the PSES. The PSES has no legal or equitable ownership of the 25 acres.

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ii. Solar Related Equipment Locations.

a. Solar Related Equipment may:

- (i) not be located on prime (Class I, II and III) agricultural soils; OR,
- (ii) only be located on 10 % of the PSES development area containing prime soils; OR,
- (iii) be limited to 10 % of the development area containing prime soils, unless the area will be devoted to Agrivoltaic activities, in which case 5 % of the prime soils may be included in the development area. Agrivoltaic is the co-development of the same area of land for both solar photovoltaic power and Normal Farming Operations, as defined by P.L. 454, No. 133 (1982).

b. For each parcel on which a PSES, or a component of a PSES, is proposed, a map shall be provided by the Applicant detailing the PSES development area, the constrained area of the Class I, II, and III agricultural soils, and the portion of the PSES development that may be devoted to Solar Related Equipment.

c. Solar Related Equipment shall only be placed within that portion of any lot that has a defined PSES development area.

d. Solar Related Equipment shall not be located in:

- (i) Floodways, as identified in the FEMA FIRM mapping.
- (ii) Regulated natural and man-made drainage corridors, extending twenty-five (25) feet from the centerline of any such drainage feature, unless the _____ at time of plan approval determines a lesser setback would create less impacts to the overall project.
- (iii) Wetlands.
- (iv) Riparian buffers extending twenty-five (25) feet from any wetland or body of water, unless the _____ at the time of plan approval determines a lesser setback would create less impacts to the overall project.
- (v) Slopes in excess of fifteen percent (15%), unless the _____ at the time of plan approval determines location in an area in excess of 15% would create less impacts to the overall project.
- (vi) Legal easements and rights-of-way.
- (vii) Setback areas.

e. Woodland areas.

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~~Woodland largely consisting of mature trees are to remain undisturbed and shall not be removed for the purposes of creating PSESs; OR,~~

- (i) ~~An applicant shall locate a Solar Energy System so that tree removal is not required to the extent practical. If the removal of trees is necessary in order to install create a PSES, such removal shall be as limited as possible., then an applicant shall present a plan demonstrating the necessity to remove trees and how they will be replaced. Every mature tree removed shall be replaced by the Applicant at a location approved by the Township at a ratio of two (2) new trees for every one (1) mature tree removed.~~

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J. Fencing/Security/Emergency Management.

(1) All PSES shall be completely enclosed by a minimum eight (8') foot high fence and gates shall have locks. Fencing shall be of ~~a typical chain link variety,~~ an agricultural type such as welded wire or post and rail fencing.

(2) Clearly visible warning signs shall be placed at the base of all pad-mounted transformers and substations and on the fence ~~on the~~ surrounding the PSES informing individuals of potential voltage hazards/danger.

(3) An Emergency Management Plan, consistent with standard operating practices of the industry shall be developed by the PSES owner/ operator and furnished to the Township, the local fire company and the York County Office of Emergency Management prior to the issuance of a building permit.

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K. *Lighting.* Lighting shall not be permitted except to the extent required for security or by applicable federal, state, or local authority. Any lighting shall be directed downward so as to minimize negative impacts to adjacent uses.

L. *Complaints/Contact Information.* The PSES owner and/or operator shall maintain a phone number for the public to contact with inquiries and complaints throughout the life of the project and provide this contact information to the Township. The PSES owner and/or operator may update this contact information from time to time by providing revised contact information to the Township Zoning Officer. The PSES owner and/or operator shall respond to the public's inquiries and complaints within 48 hours of notice of the same.

M. Decommissioning/Removal.

(1) The PSES owner is required to notify the Township immediately upon cessation or abandonment of the operation of the PSES. After the initial commencement of commercial generation of electricity or power, the PSES shall be presumed to be discontinued or abandoned if no electricity or power is generated by such system for a period of six (6) continuous months. However, if the PSES owner notifies the Township of a written plan to bring the PSES back into operation, the Township may toll this six (6) month period and shall notify

the PSES owner of its decision within forty-five (45) business days of receipt of the PSES owner's notice.

(2) ~~At the time of issuance of approval for the construction of the PSES, P~~prior to issuance of a ~~building permit certificate of occupancy~~ for the PSES, the owner shall provide financial security, in the form and amount of a bond, irrevocable letter of credit, or other financial security acceptable to the Township, to secure the expense of decommissioning, dismantling and removing said PSES and restoration of the land to its original condition, in the amount of 110% of the estimated decommissioning cost minus the salvageable value of the solar-related equipment, fencing, buildings, etc. Every five (5) years, a new engineer's estimate of probable cost of decommissioning shall be submitted for approval in the same manner as the initial submission and the bond, letter of credit, or other financial security acceptable to the Township. This financial security shall be adjusted upward or downward as necessary. The owner of the PSES shall pay for all fees associated with the review and approval of each such decommissioning cost estimated by the Township Engineer.

(3) Removal of PSES facilities in decommissioning shall be completed in its entirety prior to the release of any financial security.

i. ~~To the extent possible, the materials shall be re-sold or salvaged. Materials that cannot be re-sold or salvaged shall be disposed of at a facility authorized to dispose of such materials by federal or state law.~~

ii. ~~Any necessary permits, such as Erosion and Sedimentation and NPDES permits, shall be obtained prior to decommissioning activities.~~

iii. Once the PSES is removed, any earth disturbance resulting from the removal shall be graded and seeded in order to re-establish a natural groundcover.

iv. The PSES owner shall have twelve (12) months from the cessation or abandonment of the operation of the PSES in which to dismantle and remove the PSES, including all solar-related equipment or appurtenances related thereto, including but not limited to buildings, aboveground cabling, electrical, components, roads (unless the landowner requests in writing that the access roads are to remain), foundations and other associated facilities from the property. If the owner fails to dismantle and/or remove the PSES within the established timeframes, the Township may complete the decommissioning at the owner's expense, subject to any recovery under the financial security provided in accordance with (b) above. The Township may authorize one twelve (12) month extension of such time for just cause shown by the PSES owner.

v. ~~Prior to final approval of any plans for a PSES, the PSES owner shall enter into a decommissioning agreement with the Township outlining the responsibility of the parties under this agreement as to the decommissioning of the PSES.~~

(Ord. 2021-03, 3/22/2021, §6)

Commented [16]: I question whether this is necessary. The PSES may be operating for 25-30 years so any agreement would be outdated. Further, the state regulates the decommissioning process.

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Part 7
Off-Street Parking and Loading

§ 27-701. Purpose.

The purpose of this Part is to develop standards for the provision of off-street parking and loading facilities for all uses including the size, quantity, location and design of these facilities. Furthermore, the standards in this Chapter complement the design criteria set forth in the Dover Township Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 2015-06, 9/28/2015)

§ 27-702. Minimum Size of Parking Space.

1. Standard Spaces. The parking space shall have an area of not less than 200 square feet, and a minimum of ten feet wide by 20 feet deep.

2. Handicapped Spaces. Handicapped spaces shall meet the minimum requirements of the Americans with Disabilities Act of 1990, as amended.

(Ord. 2015-06, 9/28/2015)

§ 27-703. Schedule of Required Parking Spaces.

1. Off-street parking spaces must be provided for each building erected or enlarged in accordance with the following schedule:

Type of Use	Minimum of One Parking Space for Each
Residential Uses	
Age Restricted Community	
Residential	2 spaces/dwelling unit, <u>not including garage.</u>
Non-residential	See § 27-703.1 for each individual use
Employee/staff	Each employee on the largest shift

Bed and Breakfast Rooming House	Bedroom or guest sleeping room plus the dwelling unit requirements
Dwelling Units	1:2 of a dwelling unit (i.e., 2 spaces for each dwelling unit, <u>not including garage.</u>)
Rooming House/Shared Residence	Resident
Guest Parking for multi-family units; townhouses; multi-unit buildings in an age-restricted community and any other planned multi-unit building	2.5 units
Group Home	5 residents. Plus at least 1 off-street parking space must be provided for each 2 residents over the initial 5. Plus 1 space for each on-site resident staff.
Adult Care Home	Dwelling requirement plus 1 space per client who operates a vehicle
Domiciliary Care Home	Dwelling requirement plus 1 space per client who operates a vehicle
Family Child Care Home	6-person capacity, plus the spaces required for the dwelling unit, plus 1 space for every 2 adult attendants/ caregivers
Group Child Care Home	If in a private dwelling, none, except parking required per dwelling
Commercial Uses	
Adult Care Facility	Employee plus 1 space per 1,000 sq. ft of gross floor area
Amusement Arcade	80 sq. ft. of gross floor area

Billiard Room	1:4 table (i.e., 4 spaces per table) and 1 per each 2 employees
Bowling Alley	1:6 lane (i.e., 6 spaces per lane) plus 1 per each 2 employees
Campgrounds	Campsite, plus 1 per employee, plus 50% of the spaces normally required for any uses accessory to the campgrounds, if applicable
Clubs, Lodges, and Other Similar Facilities	50 sq. ft. of gross floor area plus one for each employee on the largest shift
Child Care Center	Employee, plus 1/10 pupils, plus 1 space designated as a passenger loading space
Drive-Through or Fast Food Restaurants	2 seats plus 1 per each 2 employees
Farmer's Market	100 square feet of <u>floor</u> sales area, <u>whether indoor or outdoor</u> . Minimum of 6 spaces
Food Markets, Grocery Stores, and Convenience Store	200 sq. ft. of floor area for public use plus 1 per each employee on the 2 largest shifts
Funeral Home	100 sq. ft. of gross floor area plus 1 space per each hearse or ambulance
Garden Center/Greenhouse/Nursery	300 square feet of sales area, plus 1 for every 1,000 square feet outdoor sales/display area

Golf Course	1:8 hole (i.e., eight spaces per hole), plus one per employee, plus 50% of spaces for accessory uses
Golf Driving Range	1 per tee plus 1 per employee
Hotel/Motel	Guest sleeping room plus 2 for each 3 employees or part thereof
Kennel/Animal Boarding	Employee on the largest shift, plus 5 additional spaces
Laundromat	3 washing machines
Medical Care Clinic or Facility	Employee plus 1 space per 200 300 sq. ft. of net floor area
Miniature Golf Course	Hole plus 1 per employee
Mini-Storage/Self Storage Facility	5 storage bays, plus 1 per employee. <u>For a wholly enclosed self-storage facility, 1 space per 2,500 sq. ft. of gross floor area.</u>
Office Building	300 sq. ft. of gross floor area
Other Commercial Buildings	400 sq. ft. of gross floor area
Nursing Facility	1 per 2 beds, except institutions providing long-term custodial care need not provide more than 1 per 4 beds; plus 2 per 3 full-time employees of the largest shift plus 1 per staff doctor
Personal Care Facility	Employee plus 1 space per 250 sq. ft of gross floor area
Personal Services	200 square feet of gross floor area

Professional Offices of Physicians, Dentists, Veterinarians, etc.	1:6 physician or dentist (i.e., six spaces per physician or dentist) plus one per employee
Recreation Facility	100 square feet of floor area in largest room and 1/400 square feet of floor area in smaller rooms
Retail Store or Shop	200 300 -sq. ft. of floor area for public use plus one per employee on the two largest shifts
Riding Academy or Horse Stable	4 stalls, plus 1 per every 4 seats of spectator seating
Roadside Stand	6 spaces per establishment
Shopping Center or Mall	180-360 sq. ft. of gross leasable floor area
Sit-Down Restaurant	4 seats plus 1 for each employee on the largest shift
Skating Rink	4 persons based on the designed capacity of the rink
Swimming Pools (other than accessory to residential development)	4 persons based on the designed capacity of the pool
Tennis or Racquetball Clubs	1:4 court (i.e., 4 spaces per court) plus 1 per employee plus 50% of the spaces normally required for accessory uses
Vehicle Repair, Service/Gasoline Station	1: 3-2 service bay (i.e., 3-2 spaces per bay, <u>not to include parking inside the bay itself</u>) plus 1 for each employee or 1 for every 200-300 sq. ft. of

	gross floor area, whichever is greater
Vehicle Sales Lots	20% of lot area devoted to the use to be reserved for customer parking
Industrial Uses	
Industrial & Heavy Commercial	Employee on the largest shift or 1,000 sq. ft. of gross floor area, whichever is greater
Quarry operations	Employee on the largest shift
Warehousing	Employee on the 2 largest shifts
Wholesale establishments	Employee on the largest 2 shifts
Public and Semi-Public Uses	
Athletic Field or Outdoor Recreational Facilities	4 seats of spectator seating; however, if no spectator seating is provided, a temporary parking area shall be provided on the site, which shall be delineated by a temporary barrier for such parking area
Auditorium, House of Worship, Theater and Other Such Places of Public Assembly	200 sq. ft. or 4 seats, whichever is greater, plus 1 per employee
Hospital, Convalescent/Nursing Home	1:2 bed (i.e., 1 space per 2 beds), plus 1 per employee on the largest shift
Municipal Buildings, Facilities and Uses	1 per each employee plus 1 additional for each 2 employees

Other Indoor Recreational Facilities	100 sq. ft. of gross floor area
Picnic Area	1:2 table (i.e., 2 spaces per table)
Public/Semi-Public Facilities and Uses	300 sq. ft. of gross floor area plus one per each employee for the largest shift
Public Utility Building and/or Service Structure	1 per each employee with a minimum of 1 space
Schools, below grade 10	6 students enrolled based on the design capacity plus 1 classroom
Schools 10th grade and above including colleges (public or private)	3 students enrolled based on the design capacity plus 1 for each classroom
Vocational Training and Adult Educational Facilities (Public or Private)	1.5 students enrolled based on the design capacity plus 1 for each classroom

2. Parking required for lots containing multiple principal uses shall be the total of the number of spaces required for each individual use on the lot at issue.

(Ord. 2015-06, 9/28/2015)

§ 27-704. Location of Parking Facilities.

1. Ground-level parking facilities shall be allowed in any yard, unless restricted by other Parts of this Chapter.

2. Joint parking facilities shall be allowed subject to the following requirements.

A. The nearest point of the parking lot shall be no further distance to the nearest point of the property served as provided below:

- (1) Residential use: 100 feet.
- (2) Commercial use: 200 feet.
- (3) Industrial use: 300 feet.

B. The required parking shall be not less than the total required separately for each use with the following exceptions.

(1) Where it shall be demonstrated that the uses are utilizing the lot at different periods of the day, a reduction may be granted to the total number of parking spaces. The required number of spaces shall be based on the use which requires the most spaces.

(2) To encourage joint use of facilities on separate properties in areas of contiguous commercial development fronting on an urban principal arterial, a parking reduction of 20% may be granted to those uses which demonstrate safe and convenient walking distances between uses and meet the criteria in § 27-704.B(1).

(3) The parking area must remain under control of the owner or operator of the use to which the parking area is appurtenant.

3. Parking facility location shall be in conformance with the Dover Township Subdivision and Land Development Ordinance §22. Part 11.

(Ord. 2015-06, 9/28/2015)

§ 27-705. Layout of Parking Facilities.

1. When a parking area abuts the right-of-way line, curbing, permanent guardrail or fencing may be required along the right-of-way line in order to prohibit vehicle encroachment upon the sidewalk or shoulder area.

2. Handicapped parking spaces shall be designed in conformance with the Americans with Disabilities Act of 1990, as amended.

(Ord. 2015-06, 9/28/2015)

§ 27-706. Drainage of Parking Facilities.

All parking lots shall be drained so as to prevent damage to other properties or public streets. All parking lots shall be designed to prevent the collection of standing water on any portion of the parking lot surface. The use of urban BMP's, that is, filter strips and water quality inlets are required in the Wellhead Protection Area.

(Ord. 2015-06, 9/28/2015)

§ 27-707. Lighting of Parking Facilities.

Lighting shall be provided in accordance with § 27-509, "Illumination," of this Chapter.

(Ord. 2015-06, 9/28/2015)

§ 27-708. Parking Lot Setbacks.

All parking lots must be set back a minimum of 15 feet from residential properties or residential districts and ten feet from all other property lines and street right-of-way lines.

(Ord. 2015-06, 9/28/2015)

§ 27-709. Surfacing of Parking Facilities.

For commercial, industrial and multi-family uses, all required parking areas and all access drives shall be paved or improved with other hard surface approved by the Township. Agricultural operations that operate a roadside stand, whether permanent or seasonal, may utilize either stone or stabilized grass areas for parking, provided no erosion is created.

(Ord. 2015-06, 9/28/2015)

§ 27-710. Parking and Storage of Motor Vehicles, Recreational Vehicles, Boats, and Trailers.

1. Motor vehicles without current license plates and current inspection stickers shall not be parked or stored in any district other than in a completely enclosed building.

2. Recreational vehicles, boats and trailers may be stored in the yard area of a property in any district, subject to the following requirements.

A. Rear and side yards: The vehicle shall be set no closer than five feet to the rear and side property lines.

B. Front yard: The vehicle may be stored or parked in the front yard on the driveway area only, provided the vehicle is not occupying one of the required parking spaces for the principal use.

3. Tractor and/or trailers; construction equipment, including but not limited to backhoes, dump trucks over ~~1220~~ 20,000 GVW, cranes, forklifts; and school buses, with the exception of vans, shall not be parked or stored in residential districts, except for local delivery.

4. The requirements of this Section shall not be applicable to farm vehicles not normally used as a means of conveyance on a public highway.

(Ord. 2015-06, 9/28/2015)

§ 27-711. Off-Street Loading.

1. Off-street loading berths, open or enclosed, are permitted accessory to any use (except single or two-family residences) subject to the following minimum provisions.

A. Size. The loading space shall not be less than 12 feet wide and 40 feet long, and in the case of tractor-trailers, not less than 12 feet wide and 60 feet long.

B. Surfacing. All off-street loading facilities shall be paved with bituminous or cement paving material.

C. Schedule of Required Spaces. Off-street loading spaces must be provided for each building erected or enlarged in accordance with the following schedule:

Type of Use	Number of Loading Spaces
Manufacturing, Storage, Display or Sale of Goods	One space for a gross floor area of 5, 000 to 25,000 sq. ft. each 10,000 sq. ft. of gross floor area in excess of 25,000 sq. ft.
Offices, Hotels, Theaters, or Similar Uses	One space for a gross floor area from 20,000 to 100,000 sq. ft. One additional space for each 40,000 sq. ft. of gross floor area in excess of 100,000 sq. ft.

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D. Layout of Loading Spaces. The loading area shall be arranged so that there will be no need for motorists to back over public rights-of-way and shall not be located in the front yard area. Off-street loading spaces shall not interfere with off-street parking spaces.

E. Off-Street Loading Facilities. Off-street loading facilities shall be in conformance with the Dover Township Subdivision and Land Development Ordinance §22. Part 11.

(Ord. 2015-06, 9/28/2015)

Part 2
Definitions

Sign - any object, device, display or structure or part thereof which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. This term includes:

- a) lettering, logos, trademarks, and other symbols that are an integral part of the architectural design of a building which are applied to a building or which are located elsewhere on the premises;
- b) signs that are affixed to windows or glass doors or are otherwise internally mounted such that they are obviously intended to be seen and understood by vehicular or pedestrian traffic outside the building;
- c) banners, streamers, pennants, spinners, reflectors, tinsel, and similar objects; and inflatable objects;

This term shall not include:

- a) architectural features that may be identified with a particular business;
- b) backlit awnings that include no lettering, logos, or other symbols;
- c) signs within a building that are obviously intended to be seen primarily from within the building;
- d) outdoor signs intended for use within a property, such as menu signs for fast-food restaurant drive-through lanes, and directional signs;
- e) signs with regulations within a park;
- f) building identification signs within a campus;
- g) flags of governments or government agencies;
- h) decorative seasonal and holiday banners;
- i) display of merchandise either behind store windows or outdoors;
- j) flags and insignia of civic, charitable, religious, fraternal, patriotic, and similar organizations; and
- k) insignia of governments and government agencies;

~~— *Sign, advertising* – a sign whose major purpose is for directing attention to a business commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot, such as billboards.~~

~~— *Sign, attached* – a sign attached, painted or otherwise mounted parallel to the surface of that portion of the building or structure to which it is affixed.~~

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~~—Sign, business—a sign directing attention to a business or profession conducted on the same lot or, as incidental to a business, to products sold upon the same lot.~~

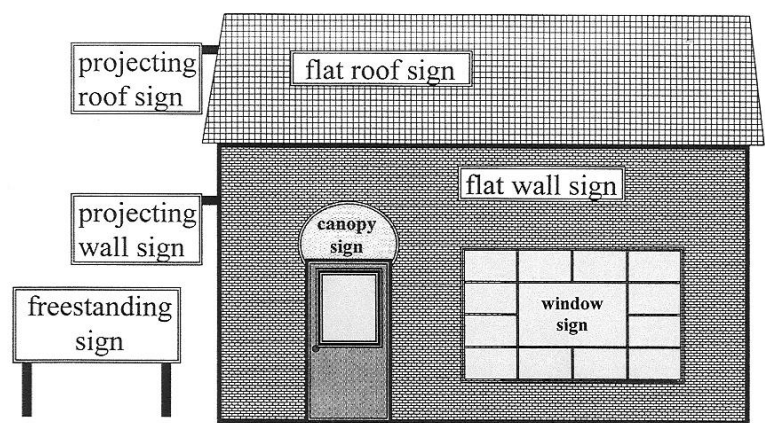
~~—Sign, directional—an off-site sign which directs people to a community, an event of public interest, public uses and buildings, uses and buildings of service and charitable organizations, and uses and buildings of a commercial nature provided that no advertising matter other than identifying name or symbol shall be contained on signs of this type.~~

~~—Sign, freestanding—a sign supported by uprights or braces placed upon or in the ground and not attached to a building. Also includes signs mounted or transported on a vehicle, trailer or similar structure, with or without wheels, and not permanently attached to the ground, often referred to as a portable or mobile sign. Freestanding signs may include but are not limited to: variable message/electronic message signs, advertising signs, billboards, business signs and/or directional and/or street signs.~~

~~—Sign, temporary—a sign that is intended to be used temporarily, as may be evidenced by the materials from which it is constructed, such as cloth, canvas, light fabric, cardboard, wallboard, plastic, or other material. Portable signs or any sign that is not permanently embedded in the ground, including variable message signs, are considered temporary signs.~~

~~—Sign, variable message—a sign that can change the message that it displays, whether manually or electronically.~~

SIGN TYPES DIAGRAM



Billboard: An off-premise sign which directs attention to a product, service, business, or cause,

Canopy Sign: A sign that is incorporated into an awning or canopy that is attached to the building,

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Dynamic Message Display: A sign incorporating LCD, LED, plasma, CRT, pixelized lights, other video- like displays or other means of changing messages.

Flat Roof Sign: A sign that has its longest axis along the same direction as the roof to which it is attached and does not project beyond the outside edges or height of the roof line in any direction.

Flat Wall Sign: A sign that is attached to the wall of a building and whose face runs parallel to the wall to which it is attached and does not extend beyond the outside of the edges of the wall in any direction.

Freestanding Sign: A sign that has a separate support structure and is not physically attached to a building.

Projecting Roof Sign: A sign whose support structure is attached to the roof of a building and whose face either runs generally perpendicular to the roof line or its underlying wall, or extends beyond the outside edges of the roof to which it is attached.

Projecting Wall Sign: A sign whose support structure is attached to the wall of a building and whose face either runs generally perpendicular to the wall, or extends beyond the outside edges of the wall to which it is attached.

Window Sign: A sign that is either located on the inside or outside surface of a window but whose message faces outward.

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Part 8 Signs

§ 27-801. Outdoor Signs.

1. General Regulations for All Signs.

A. Determination of Size. The size of the sign shall refer to the area of the sign facing, including any border framing or decorative attachments. In the case of open signs made up of letters, figures and designs, the space between such letters, figures and designs shall be included. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two such faces are placed back to back and at no point more than three feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal size.

B. Prohibited in Right-of-Way. Signs shall not be erected within or extend into the public right-of-way, which for the purpose of this Part shall be construed to extend to and include, at a minimum, the sidewalks on both sides of every street.

C. Measurement Not to Include Base. The base of any freestanding sign shall not be included in the measurement for determining the area of the sign. However, the base shall not be used for any portion of the message, whether verbal or pictorial, nor shall it be used for the placement of any future signs, whether permanent or temporary.

D. Two-Sided Signs. ~~With the exception of a variable message sign, in~~ computing the total permitted square foot area of a double-faced sign, only one side shall be considered, provided both faces are

~~identical and parallel~~ and not more than 12 inches apart. Otherwise, all sides shall be considered in calculating the total permitted square foot area.

E. Location/Projection of Signs.

(1) Signs must be located so that they do not interfere with proper sight distances.

(2) For all uses, ~~an advertising sign and/or a business sign must be at least 60 feet apart, and no sign exceeding 320~~ square feet in area may be located within 75 feet of a residential ~~zone~~use.

(3) No sign may project over a public sidewalk area or over a public highway or street unless specifically authorized by other Township or State regulations.

(4) Projecting signs shall be no less than eight feet high at the lower edge of the sign.

F. Illumination of Signs.

(1) Flashing, rotating, and intermittent lights are not permitted.

(2) A sign may be illuminated only if the lighting is so screened that it is not directed or reflected toward any residence within 100 feet or so it does not obstruct the vision of motorists.

(3) Signs which are illuminated in the colors red, green, or amber, either by colored bulbs or tubing, or in high reflection by the use of special preparations such as fluorescent paint or glass, may not be located within a radius of 200 feet of a highway traffic light or similar safety device or from the center of any street intersection.

(4) Freestanding internally illuminated signs shall be dimmable at night so as not to cause an objectionable glare to adjacent residential uses or motorists along a roadway.

G. Signs Painted on Buildings. Advertising painted upon, or displayed upon, a barn or other building or structure shall be regarded as ~~an advertising wall~~ sign ~~board~~ and the regulations pertaining thereto shall apply.

H. Signs Within a Building. Nothing in these regulations shall be construed as prohibiting signs intended for viewing principally from within a building or signs temporarily attached to the inside face of a display window, announcing a sale or similar feature, provided that the latter shall not occupy more than 33-1/3% of the total display window area for a period not to exceed ten days. Such signs shall be permitted in addition to any of the specific sign types designated on the charts to follow.

I. Construction and Maintenance. Signs must be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated.

J. Termination of Enterprise. Upon termination or abandonment of a commercial or industrial use, all signs pertaining to the enterprise must be removed.

(Ord. 2015-06, 9/28/2015)

§ 27-802. Building Permits Not Required.

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~~§ 27-802. Permitted Permanent Signs.~~

~~Only the types of permanent signs listed on Chart A shall be permitted throughout the Township. Permanent signs must conform to the standards set forth in Chart A as well as satisfy the general regulations of this Part and § 27-1101.1.~~

The following signs shall be permitted in all zones and no permit shall be required to erect such signs:

1. Signs offering the sale or rental of the premises upon which the sign is erected, provided that the area of any such sign shall not exceed 6 square feet for residential properties and 32 square feet for nonresidential properties; and not more than one such sign shall be placed on the property unless such property fronts on more than one street, in which case one sign may be erected on each street frontage. Such signs shall have a maximum height of 6 feet and shall comply with minimum setback requirements and maximum height requirements which would apply to a permanent sign on the same property. Such signs shall be constructed of a painted or printed solid surface material and shall not be changeable copy signs or banner signs.
2. Temporary signs of contractors, developers, architects, engineers, builders and artisans, erected and maintained on the premises where the work is being performed, provided that the area of such sign shall not exceed 6 square feet for residential properties and 32 square feet for nonresidential properties and provided that such sign shall be removed upon completion of the work. Such signs shall have a maximum height of 6 feet and shall comply with the minimum setback requirements and maximum height requirements which would apply to a permanent sign on the same property. Such signs shall be constructed of a painted or printed solid surface material and shall not be changeable copy signs or banner signs.
3. No trespassing signs, signs indicating the private nature of a road, driveway or premises, signs controlling fishing or hunting on the premises, provided that the area of each such sign shall not exceed 4 square feet.
4. Plaques not exceeding 4 square feet in size, which identify the site or the structure as being registered as a Federal or State historic place.
5. Traffic and/or pedestrian safety control signs, such as "Entrance," "Exit," "No Parking," etc., may be located as needed; provided, that they contain only information needed for traffic control and that each sign does not exceed 6 square feet in area and 5 feet in height, and that such signs do not block visibility or create a traffic safety hazard. Interior property directional signs may not exceed 12 square feet in area and 6 feet in height. Such signs shall not be constructed of a painted or printed or solid surface material, and shall not be changeable copy signs or banner signs. Menu-board type signs are also permitted with a maximum area of 50 square feet and a maximum height of 6 feet. Illuminated menu-boards shall be screened from any adjacent residential uses.
6. Political signs are permitted on private property with permission of the property owner, provided that they shall not be placed so as to create a traffic hazard and that they be removed within 15 days after the election for which they were placed.
7. Banners or signs for Township events or promotions, or similar community events, provided the sign is not placed longer than 14 days prior to event and removed within 7 days following

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the event.

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8. Sponsorship signs at athletic fields and similar settings, where the signs are installed to benefit a nonprofit organization, and are located in such a manner as to be viewed primarily by spectators at sporting or similar events, and not from roadway or other locations off the property.

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{Ord. 2015-06, 9/28/2015}

§ 27-803. ~~Permitted~~ Temporary Signs Requiring a Permit.

~~Only the types of temporary signs listed on Chart B shall be permitted throughout the Township. Temporary signs must conform to the standards set forth in Chart B as well as satisfy the general regulations of this Part and § 27-1101.1. Within 30 days of the effective date of this Chapter, all property owners (exceptions listed in § 27-805) utilizing a temporary sign requiring a permit shall either obtain the building permit or remove the sign.~~

1. A single cloth, vinyl, or fabric temporary banner shall be permitted up to four (4) times per year, with each use consisting of consecutive days and no more than an aggregate of sixty (60) days in a calendar year. A banner must be firmly attached to the front façade of the building. No other support structure is permitted. When any banner becomes torn, damaged or disfigured, it must be removed immediately.
2. Total area of temporary signage, not including a banner as permitted in subsection "1" above, shall not exceed fifteen percent (15%) of the area of the building front up to a maximum of sixty (60) square feet. In the case of vacant land, no signage in addition to that provided under "Permanent Signs" shall be permitted.
3. With the exception of a banner as permitted in subsection "1" above, no one sign may be greater than thirty two (32) square feet.
4. With the exception of a banner as permitted in subsection "1" above, no more than four (4) temporary signs are permitted.

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{Ord. 2015-06, 9/28/2015}

§ 27-804. ~~Advertising Signs.~~

~~Advertising signs shall be permitted in the Commercial and Industrial Districts subject to the provisions of this Part and § 27-1101.1 and the following criteria:~~

- ~~A. Only one advertising sign per lot shall be permitted.~~
- ~~B. No advertising sign shall exceed an overall size of 300 square feet in area, nor exceed 35 feet in height.~~
- ~~C. No advertising sign shall be located within 1,000 feet of another advertising sign.~~
- ~~D. All advertising signs shall be a minimum of 50 feet from all side and rear property lines.~~
- ~~E. All advertising signs shall be set back a minimum of 35 feet from any street right-of-way line.~~

~~F. No advertising sign shall obstruct the vision of motorists or adjoining commercial or industrial uses which depend upon visibility for identification.~~

~~(Ord. 2015-06, 9/28/2015)~~

~~§ 27-805. Building Permits Not Required.~~

~~The following signs do not require a building permit (See Chart A and Chart B) P1, T1, T2, and T6.~~

~~(Ord. 2015-06, 9/28/2015)~~

§ 27-8024. Permitted Permanent Signs Requiring a Permit.

1. Permanent Freestanding Signs. Permanent freestanding signs indicating the name and nature of a business on the same lot therewith, subject to the following:
 - a. Number. One such sign for each lot, except on (a) corner lots where a freestanding sign may be erected on each street frontage, and (b) on a lot having a frontage which exceeds the minimum requirement of that district, additional permanent freestanding signs for each 100 feet of excess frontage, but no single business shall be permitted more than one such sign on any one lot or contiguous lots.
 - b. Height. Such signs shall not exceed a height of 15 feet. Properties abutting arterial roads as classified in the Dover Township Comprehensive plan shall not exceed a height of 18 feet.
 - c. Area. Maximum area for a freestanding sign is 50 square feet. Properties abutting arterial roads as classified in the Dover Township Comprehensive plan shall not exceed 80 square feet.
 - d. Setback. All signs shall be setback in accordance with the setbacks contained in Section 801.
 - e. Internally lit illuminated signs shall have the brightness reduced at night to not create an objectionable glare.
2. Banner Signs. Banner signs are permitted only as wall signs or located entirely beneath a permitted permanent building canopy.
3. Wall Signs. There is no maximum number of wall signs. No single flat wall sign exceeding 32 square feet shall be internally lit. The maximum area of any wall sign shall not exceed 5% of the building wall on which it is placed. Total wall signage shall not exceed 240 square feet or 5% of the face of the building wall parallel to the road frontage, or whichever is greater. In the case of a double-frontage lot, the maximum shall be based on the largest building face parallel to one of the road frontages.
4. Roof Signs. No roof sign shall extend beyond the eave of a structure or exceed the height of the principal building's roof line. No roof sign shall be larger than 32 square feet. There shall only be 1 roof sign permitted per lot.
5. Home Occupation Sign. Only 1 sign permitted per approved Home Occupation and shall not exceed 2 square feet.
6. Permanent signs identifying a residential development of 5 lots or more, or an apartment or condominium development. Sign may be located on the property or at the entrance of such development, provided that such sign shall be not more than 32 square feet in area, and not more than 6 feet in height, and shall comply with the applicable setbacks set forth in Section 801. For each development, there shall be no more than one such sign per entrance or street frontage.
7. Aggregate total. No lot shall exceed total signage of 240 square feet or 5% of the building face parallel to the road frontage, whichever is greater. For multiple uses within a singular building, the frontage or face of the building shall be calculated by the frontage of each

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individual use.

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§ 27-80~~56~~. ~~Off Premises Advertising Signs~~/Billboard Sign.

1. Signs shall be permitted along Principal Arterial Roads consistent with the Dover Borough/Dover Township Joint Comprehensive Plan subject to the provisions of this Part and § 27-1101.1 and the following criteria:

A. Signs are permitted a minimum of 1,000 linear feet, measured from the roadway centerline, from another off-premises advertising signs/billboard signs.

B. No sign shall exceed 700 square feet.

C. Signs shall be set back a minimum of 50 feet from a Principal Arterial Road right-of-way line.

D. No sign shall obstruct the vision of motorists or adjoining commercial or industrial use which depend upon visibility for identification.

E. An off-premises advertising sign/billboard sign shall have adequate site distance in accordance with the Dover Township Subdivision and Land Development Ordinance Chapter 22, § 22-709.

F. Permit approval is contingent upon a certified lease agreement between the landowner and sign company (lessee). Such lease shall be provided to the Township. The applicant shall provide a sketch plan that includes the sign lease area. The lease area topographical boundaries shall be shown on the sketch plan.

G. The maximum height from natural grade to the highest point of the sign shall be 35 feet.

H. Signs containing digital displays (changeable message technology) must be readily available for timely public service announcements.

I. Digital display signs must have static messages and are not permitted to contain content that flashes, or intermittent/moving lights. Digital display billboard signs shall not contain animation or full-motion videos.

J. Digital display signs must maintain their images for a minimum of 30 seconds. The sign shall be static between midnight and 5:00 a.m.

K. All signs shall be in strict compliance with the 1965 Highway Beautification Act and corresponding state laws.

(Ord. 2015-06, 9/28/2015)

§ 27-80~~67~~. Business Signs Are Permitted to Have Digital Displays (Changeable Message Technology).

1. Must be readily available for timely public service announcements.

2. Digital display signs must have static messages and are not permitted to contain content that clashes or intermittent/moving lights. Display only.

3. Digital display signs must maintain their images for a minimum of ~~30-15~~ seconds. ~~The sign shall be static between midnight and 5:00 a.m.~~

4. All signs shall be in strict compliance with the 1965 Highway Beautification Act and Corresponding State Laws.

(Ord. 2015-06, 9/28/2015)

**(CHART A
PERMITTED PERMANENT SIGNS)**

Sign Type	Maximum Number Permitted	Maximum Area Permitted	Maximum Height Attached	Maximum Height Freestand	Maximum Projection From Bldg. (Att. Sign)	Zones Permitted
Sign Type	Maximum Number Permitted	Maximum Area Permitted	Maximum Height Attached	Maximum Height Freestand	Maximum Projection From Bldg. (Att. Sign)	Zones Permitted
P-1: All traffic signs & signals operated by the Township	-	-	-	-	-	All
P-2: Identification and information for public and semi-public facilities such as	1 free-standing and/or 1 attached	32 sq. ft. per lot (total)	Height of building	10 ft.	12 in.	Where use is permitted
P-3: Directional signs	1 per lot	2 sq. ft. per sign	Height of building	3 ft.	12 in.	All*
P-4: Identification sign for residential subdivision or multi-family development	1 per development entrance or 1 per 1,000 ft. of road frontage and 1 per farmstead located along a road frontage	Residential Developments 20 sq. ft. and farmsteads—32 sq. ft.	-	10 ft.	-	Where use is permitted
P-5: Business signs for the purpose of identification of a permitted use on the property on which the use exists (excludes complexes such	1 freestanding sign; unlimited number of attached signs	One square foot per linear foot of lot frontage, not to exceed 80 square feet for freestanding signs within the I, BP, and C (for properties	-	18 feet in the C (for properties abutting State Route 74 only), I, and BP Districts. 15 feet in the C	-	Where use is permitted

as shopping centers, malls, multi-use buildings, industrial parks and individual stores or businesses within such complexes)

abutting State Route 74 only). Districts and not to exceed 50 square feet for freestanding signs within the C-District (properties not abutting Route 74). 30 square feet for each attached sign. 140 square feet aggregate for the lot.

District (properties not abutting Route 74).

P-5A: Freestanding business sign

1 per lot

1 sq. ft. per 2 lineal ft. of frontage; not to exceed 20 sq. ft. All residential zones max. 16 sq. ft.

-

15 ft.

-

Where use is permitted

P-5B: Freestanding business sign to include home occupation sign (attached or freestanding) and the other regulations relating thereto, currently identified as P-5C

1 per lot

1 sq. ft. per lineal ft. of lot frontage; not to exceed 40 sq. ft.

-

15 ft.

-

C, I, BP

P-5C: Home occupation sign (attached or freestanding)

1 per approved use

2 sq. ft.

-

3 ft.

-

Where use is permitted

P-6: Business signs for shopping center, malls, multi-use buildings and industrial parks (complexes)

P-6A: Freestanding

1 per street frontage

1 sq. ft. per lineal foot of lot

-

18 ft.

-

C, I, BP

business sign for complex. Note: Individual stores or businesses are prohibited from having individual freestanding signs.		frontage, not to exceed 100 sq. ft.				
P-6B: Attached business signs for complex	1 per street frontage of attached principal structure	1/2 sq. ft. per lineal ft. of wall onto which sign is to be affixed, not to exceed 40 sq. ft.	Height of building	-	12 in.	C, I, BP
P-6C: Attached business signs for individual stores or businesses within complex	Unlimited	1.5 sq. ft. per lineal foot of building frontage, not to exceed 30 square feet maximum cumulative area for all signs.	Height of building	-	12 in.	C, I, BP
P-7: Advertising sign—see § 27-804						
P-8: Billboard sign—see § 27-806 Off-Premises Advertising Signs/Billboard Signs						

-

*With permission of landowner on which sign is places. Not on traffic or utility poles.

CHART B
PERMITTED TEMPORARY SIGNS

Sign Type	Maximum Number Permitted	Maximum Area Permitted	Maximum Height Attached	Maximum Height Freestand	Maximum Projection From Bldg. (Att. Sign)	Zones Permitted
Sign Type	Maximum Number Permitted	Maximum Area Permitted	Maximum Height Attached	Maximum Height Freestand	Maximum Projection From	Zones Permitted

					Bldg. (Att. Sign)	
T-1: Signs identifying architects, engineers, contractors, or others engaged in construction work on the premises where their work is processing, except that where a permit for a T-3 sign has been issued, T-1 signs shall not be permitted—Sign to be removed upon completion of the work.	1 per each separate firm involved in work on the site	6 sq. ft. per sign	Height of building	10 ft.	12 in.	All
T-2: Real estate signs on individual properties that are for sale, rent, or lease—Sign to be removed within 1 week of sale, rent, or lease agreement.	1 per street frontage of the lot	6 sq. ft. per sign for residences, 32 sq. ft. per sign for commercial or industrial properties or vacant land.	Height of building	10 ft.	12 in.	All
T-3: Signs announcing proposed housing developments, apartment complexes, or commercial, industrial, or other nonresidential development and including information identifying architects, engineers, contractors, financing companies, or others involved in	1 per street frontage	32 sq. ft. per sign	Height of building	10 ft.	12 in.	Where use is permitted and development approved

the creation of the development. Contrary to the definition of temporary signs, these signs shall be embedded in the real estate—Sign to be removed after 2 years unless the permit is renewed.

T-4: Business signs—Not to exceed 90 days aggregate in a calendar year and 30 days per use.

1 per lot (attached or freestanding)

20 sq. ft. per sign, except attached banners which shall not exceed 32 sq. ft.

Height of building

10 ft.

12 in.

All where use is permitted

T-5: Temporary signs announcing a special event not normally associated with a location or a location's use (does not include promotions or prices affiliated with services or merchandise normally offered for sale on premises)

T-5A: On the site of the event—Not to exceed 30 days and sign shall be removed within 7 days following the conclusion of the event. No lot shall have a sign more than 4 consecutive times during any 12 consecutive months

1 per frontage

32 sq. ft.

Height of building

10 ft.

12 in.

All

T-5B: On a location away from the site of the event. NOT TO EXCEED 7

-

6 sq. ft. per sign

Height of building

10 ft.

12 in.

All, with the permission of the landowner

DAYS PLACEMENT
AND MUST BE
REMOVED
IMMEDIATELY
FOLLOWING THE
EVENT

T-6: Signs for a
political election—
Signs shall be
removed by the
political party or
the candidate
within 10 days
following the
primary or general
election to which
they refer

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{Ord. 2015-06, 9/28/2015}

on which
the sign is
placed. Not
on traffic or
utility poles

All, with the
permission
of the
landowner
on which
the sign is
placed. Not
on traffic or
utility poles

Part 11
Administration and Enactment

§ 27-1101. Permits.

1. Building Permits. For the erection, enlargement, repair, alteration, moving or demolition of any structure, a building permit shall be obtained from the Zoning Officer. This shall be in accordance with the Uniform Construction Code. A building permit expires one year from the date of issuance.

2. Use Certificates. A use certificate shall be issued by the Zoning Officer only after the applicant demonstrates compliance with all applicable municipal, State, and Federal requirements.

A. The use certificate shall be obtained for any new structure as set forth below or for any change of use of a structure or land as set forth below before such new structure or use or change of use is occupied or established:

(1) Use of structure erected, structurally altered or extended, or moved after the effective date of this Chapter.

(2) Use of vacant land except for agricultural purposes.

(3) Any change in a conforming use of a structure or land.

(4) Any change from a nonconforming use of a structure or land to a conforming use.

(5) Any change in the use of a structure or land from that permitted by any variance of the Zoning Hearing Board.

B. Before any such use or change of use is occupied or established, the applicant shall have the intended use certified by the Zoning Officer as being in compliance with this Chapter.

C. The application for a use certificate shall include a statement of the intended use and any existing use of the structure or land.

D. The certificate continues in effect as long as the use of the structure or land for which it is granted conforms with this Chapter.

3. Occupancy Permits. An occupancy permit shall be issued by the Zoning Officer only after the applicant demonstrates compliance with all applicable municipal, State, and Federal requirements and any other conditions placed on the original building permit, before any building is occupied or established.

4. Temporary occupancy permits may be issued by the Zoning Officer during the months December, January, February, March and April if bituminous (black top) driveways cannot

be installed and under extreme weather conditions only at the discretion of both the Zoning Officer and the Codes Enforcement Officer.

(Ord. 2015-06, 9/28/2015)

§ 27-1102. Enforcement.

1. Appointment and Powers. For the administration of this Chapter, a Zoning Officer, who shall not hold any elective office in the Township, shall be appointed by the Board of Supervisors.

A. The Zoning Officer shall meet qualifications established by the Township and shall be able to demonstrate, to the satisfaction of the Township, a working knowledge of municipal zoning.

B. The Zoning Officer shall administer this Chapter in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this Chapter 27.

C. The Zoning Officer is the enforcement officer for this Chapter. He/she issues all building permits, use certificates, occupancy permits and, at the direction of the Zoning Hearing Board, special exceptions and variances. The Zoning Officer may conduct inspections and surveys to determine compliance or noncompliance with the terms of this Chapter.

2. Forms. The Zoning Officer shall provide a form or forms approved by the Township Supervisors for:

- A. Building permits.
- B. Special exceptions.
- C. Use certificates.
- D. Appeals.
- E. Variances.
- F. Demolition permits.

3. Action on Building Permits. Within 15 working days, except for holidays, after receipt of an application for a building permit, the Zoning Officer shall grant or refuse the permit. If the application conforms to the applicable requirements of the Uniform Construction Code and this Chapter, the Zoning Officer shall grant a permit. If the permit is not granted, he/she shall state in writing the grounds for the refusal.

4. Action on Use Certificates. Within 15 working days, except for holidays, after receipt of an application for a use certificate, the Zoning Officer shall grant or refuse the certificate. If the specifications and intended use conform in all respects with the provisions of this

Chapter, he/she shall issue a certificate to that effect. If the certificate is not granted, he/she shall state in writing the grounds for the refusal.

5. Revoking Permits/Approvals. The Zoning Officer shall revoke a permit or approval issued under the provisions of this Chapter in the case of any false statement or misrepresentation of fact in an application or on the plans on which the permit or approval was based. Any permit issued in error shall in no case be construed as waiving any provision of this Chapter and such permit may be revoked.

6. Registration of Nonconformities. As of the effective date of this Chapter the Zoning Officer's responsibilities include the following:

A. The Zoning Officer may register and identify all new nonconforming uses, structures and lots, together with the reasons why the use, structure or lot is considered a nonconformity.

B. The Zoning Officer may register nonconformities in existence prior to this date as stated in § 27-1102.6.A above.

7. Enforcement. Upon determining that a violation of any of the provisions of this Chapter exists, the Zoning Officer shall send an enforcement notice to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record. An enforcement notice shall state at least the following:

A. The name of the owner of record and any other person against whom the Township intends to take action.

B. The location of the property in violation.

C. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the Chapter.

D. The date before which the steps for compliance shall be commenced, and the date before which the steps shall be completed.

E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board said notice in accordance with procedures set forth in § 27-1108.

F. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation in accordance with § 27-1109 of this Chapter.

8. Records.

A. The Zoning Officer shall keep a record of:

(1) All applications for building permits, use certificates, special exceptions and variances and all actions taken on them, together with any conditions imposed by the Zoning Hearing Board.

(2) All complaints of violations of provisions of this Chapter and the action taken on them.

(3) All plans submitted.

B. All records and plans shall be available for public inspection.

C. Once a year, the Zoning Officer shall report to the Township Supervisors:

(1) The number of building permits and use certificates issued.

(2) The number of complaints or violations received and the action taken on these complaints or violations.

(Ord. 2015-06, 9/28/2015)

§ 27-1103. Amendments.

The Board of Supervisors may from time to time amend, supplement, or repeal any of the regulations and provisions of this Chapter, including the official zoning map.

A. Public Hearing(s). Before voting on the enactment of an amendment, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice.

(1) In the case of an amendment other than that prepared by the Township Planning Commission, the Board of Supervisors shall submit each such amendment to the Township Planning Commission at least 30 days prior to the hearing on such proposed amendment to provide the Planning Commission an opportunity to submit recommendations.

(2) If after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

B. County Planning Commission Review. At least 30 days prior to the Board of Supervisors' public hearing on any amendment, the Township shall submit the proposed amendment to the York County Planning Commission for recommendations.

C. Amendments Involving Zoning Map Changes. If the proposed amendment involves a zoning map change, notice of the required public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.

D. Enactment of Amendments. Proposed amendments shall not be enacted unless notice of proposed enactment is given in the manner set forth in this Section, and shall include the time and place of the meeting at which passage will be considered, and a reference to a place within the Township where copies of the proposed amendment may be examined without charge or obtained for a charge not greater than the cost thereof.

(1) The Board of Supervisors shall publish the proposed amendment once in one newspaper of general circulation in the Township not more than 60 days nor less than seven days prior to passage.

(2) Publication of the proposed amendment shall include either the full text thereof or the title and a brief summary, prepared by the Township Solicitor and setting forth all the provisions in reasonable detail. If the full text is not advertised, then:

(a) A copy thereof shall be supplied to the newspaper in general circulation in the Township at the time the public notice is published.

(b) An attested copy of the proposed ordinance shall be filed in the County Law Library or other County offices designated by the County Commissioners, who may impose a fee no greater than that necessary to cover the actual costs of storing the ordinance.

(3) In the event substantial amendments are made to the proposed amendment, before voting upon enactment, the Board of Supervisors shall, at least ten days prior to enactment, re-advertise in one newspaper of general circulation in the Township a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

(4) Within 30 days after enactment of any amendment to this Chapter, a copy of the amendment shall be forwarded to the York County Planning Commission.

(Ord. 2015-06, 9/28/2015)

§ 27-1104. Landowner Curative Amendments.

1. A landowner, who desires to challenge on substantive grounds the validity of this Chapter or map or any provision thereof, which prohibits or restricts the use or development of land in which the owner has an interest, may submit a curative amendment to the Board of Supervisors with a written request that the challenge and a proposed amendment be heard and decided as provided in § 916.1 of the Pennsylvania Municipalities Planning Code, as amended, 53 P.S. § 10916.1. The Board of Supervisors shall commence a hearing thereon within 60 days of the request as provided in § 916.1 referenced above. The curative amendment and challenge shall be referred to the planning agency or agencies as provided in §609 of the MPC and notice of the hearing thereon shall be given as provided in §§610 and 916.1 of the MPC, 53 P.S. §§10610, 10916.1.

2. The hearing shall be conducted in accordance with §908 of the MPC, 53 P.C. §10908 and all references therein to the Zoning Hearing Board shall, for purposes of this Section be references to the Board of Supervisors. If the Township does not accept a landowner's curative amendment brought in accordance with this subsection and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity for the entire Chapter and map, but only for those provisions which specifically relate to the landowner's curative amendment and challenge.

3. The governing body of a municipality which has determined that a validity challenge has merit may accept a landowner's curative amendment, with or without revision, or may adopt an alternative amendment which will cure the challenged defects. The Board of Supervisors shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:

A. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.

B. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of this Chapter or Map.

C. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, flood plains, aquifers, natural resources and other natural features.

D. The impact of the proposed use on the site's soils, slopes, woodlands, wet-lands, flood plains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.

E. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

(Ord. 2015-06, 9/28/2015)

§ 27-1105. Municipal Curative Amendments.

If the Township determines that this Chapter or any portion thereof is substantially invalid, the Township shall take the following actions:

A. A Township shall declare by formal action this Chapter or portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within 30 days following such declaration and proposal the Board of Supervisors of the Township shall:

(1) Make specific findings by resolution setting forth the declared invalidity of this Chapter which may include:

(a) References to specific uses which are either not permitted or not permitted in sufficient quantity.

(b) References to a class of use or uses which require revision.

(c) Reference to the entire Chapter which requires revisions.

(2) Begin to prepare and consider a curative amendment to this Chapter to correct the declared invalidity.

B. Within 180 days from the date of the declaration and proposal, the Township Board of Supervisors shall enact a curative amendment to validate, or reaffirm the validity of this Chapter pursuant to the provisions required by §609 of the MPC, 53 P.S. §10609, in order to cure the declared invalidity of this Chapter.

C. Upon the initiation of the procedures, the Board of Supervisors shall not be required to entertain or consider any landowner's curative amendment filed under § 27-1103 nor shall the Zoning Hearing Board be required to give a report. Upon completion of the procedures, no rights to a cure pursuant to the provisions of §§609.1 and 916.1 of the MPC, 53 P.S. §§10609.1, 10916.1, shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended Chapter for which there has been a curative amendment pursuant to this Section.

D. The Township having utilized the procedures as set forth in subsections .A and .B above may not again utilize said procedure for a 36-month period following the date of the enactment of a curative amendment or reaffirmation of the validity of this Chapter; provided, however, if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon the Township by virtue of a change in statute or by virtue of a Pennsylvania appellate court decision, the Township may utilize the provisions of this Section to prepare a curative amendment to this Chapter to fulfill said duty or obligation.

(Ord. 2015-06, 9/28/2015)

§ 27-1106. Mediation Option.

1. Parties to proceedings authorized in this Chapter may utilize mediation as an aid in completing such proceedings. In proceedings before the Zoning Hearing Board, in no case shall the Zoning Hearing Board initiate mediation or participate as a mediating party. Mediation shall supplement, not replace, those procedures in this Chapter once they have been formally initiated. Nothing in this Section shall be interpreted as expanding or limiting municipal police powers or as modifying any principles of substantive law.

2. Participation in mediation shall be wholly voluntary. The appropriateness of mediation shall be determined by the particulars of each case and the willingness of the parties to negotiate. In each case, the mediating parties, assisted by the mediator as appropriate, shall develop terms and conditions for:

A. Funding mediation.

B. Selecting a mediator who, at a minimum, shall have a working knowledge of municipal zoning and subdivision procedures and demonstrated skills in mediation.

C. Completing mediation, including time limits for such completion.

D. Suspending time limits otherwise authorized in this Chapter, provided there is written consent by the mediating parties, and by an applicant or Board of Supervisors if either is not a party to the mediation.

E. Identifying all parties and affording them the opportunity to participate.

F. Subject to legal restraints, determining whether some or all of the mediation sessions shall be open or closed to the public.

G. Assuring that mediated solutions are in writing and signed by the parties, and become subject to review and approval by the appropriate decision making body pursuant to the authorized procedures set forth in the Municipalities Planning Code, 53 P.S. §10101 et seq.

3. No offers or statements made in the mediation sessions, excluding the final written mediated agreement, shall be admissible as evidence in any subsequent judicial or administrative proceedings.

(Ord. 2015-06, 9/28/2015)

§ 27-1107. Fees.

The Board of Supervisors shall by resolution establish fees for all applications, permits, or appeals provided by this Chapter to defray the costs of advertising, mailing notices, processing, inspecting, and copying applications, permits, and use certificates. The fee schedule shall be made available at the Township office for inspection. Alterations shall not be considered an amendment to this Chapter and may be adopted at any public meeting of the Board of Supervisors.

(Ord. 2015-06, 9/28/2015)

§ 27-1108. Appeals.

Any person aggrieved or affected by provision of this Chapter, or decision of the Zoning Officer, Township Engineer, Zoning Hearing Board or Board of Supervisors, may appeal in the appropriate manner as set forth in either Article IX or X-A of the Pennsylvania Municipalities Planning Code, 53 P.S. §§10901 et seq., 11001-A et seq., as amended, whichever is applicable.

(Ord. 2015-06, 9/28/2015)

§ 27-1109. Violations.

In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Chapter, the Board of Supervisors, or, with the approval of the Board of Supervisors, an officer of the Township, or any aggrieved owner or tenant of real property who shows that his/her property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent,

restrain, correct, or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township at least 30 days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors of the Township. No such action may be maintained until such notice has been given.

(Ord. 2015-06, 9/28/2015)

§ 27-1110. Penalties.

Any person, partnership or corporation who or which has violated or permitted the violation of the provision of this Chapter, shall upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not less than \$100 nor more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the magisterial district judge. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day the violation continues is considered a separate violation, unless the magisterial district judge determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Chapter to have believed that there was not such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of the violation by the magisterial district judge and thereafter each day that a violation continues is considered a separate violation.

(Ord. 2015-06, 9/28/2015)

§ 27-1111. Interpretation.

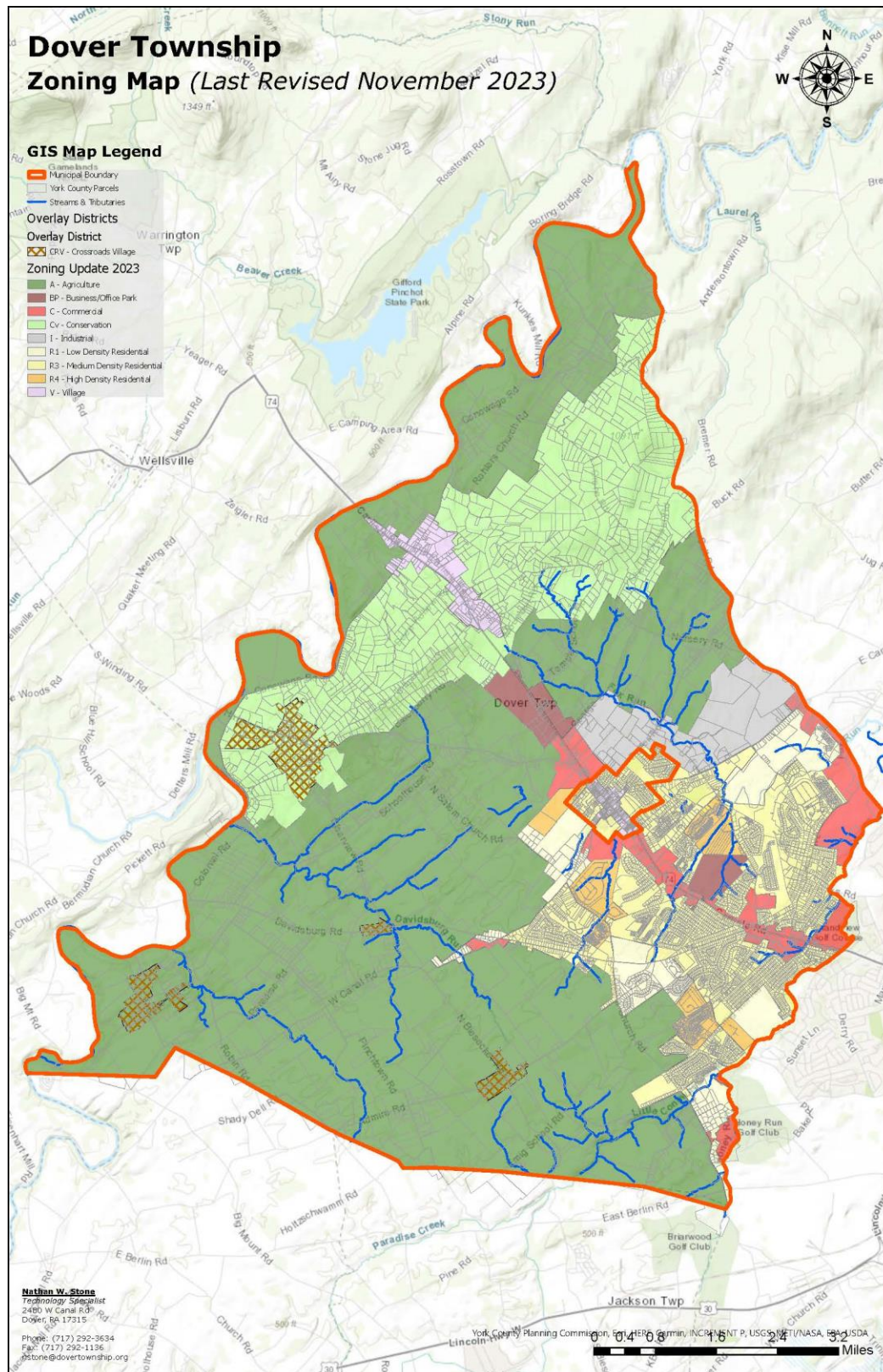
In their interpretation and application the provisions of this Chapter shall be held to be minimum requirements, adopted to meet the purposes of this Chapter. Wherever the requirements of this Chapter are at variance with the requirements of any other lawfully adopted rules, regulations, and ordinances; the most restrictive or that imposing the higher standards shall govern.

(Ord. 2015-06, 9/28/2015)

Zoning Map Amendments

Ord./Res.	Date	Subject
2006-05, §2	9/25/2006	Establishing the SRR Overlay District as containing all of those tracts or parcels of land located within the following area: A. Bounded on the north by Schoolhouse Road. B. Bounded on the south by Canal Road and Davidsburg Road. C. Bounded, on the east by North Salem Church Road. D. Bounded on the west by Clearview Road. As shown on the SRR District Overlay Map attached as an appendix the ordinance.
2006-06	9/25/2006	Rezoning a tract known as the Dover Quarry, a tract known as the Binder Quarry and a tract known as the Lamparter tract from Conservation District to Industrial District to provide for the reasonable development of minerals in the Township.

Dover Township
Zoning Map (Last Revised January 2013)



Dover Township - Environmentally Sensitive Area Overlay District Floodplain Overlay District

