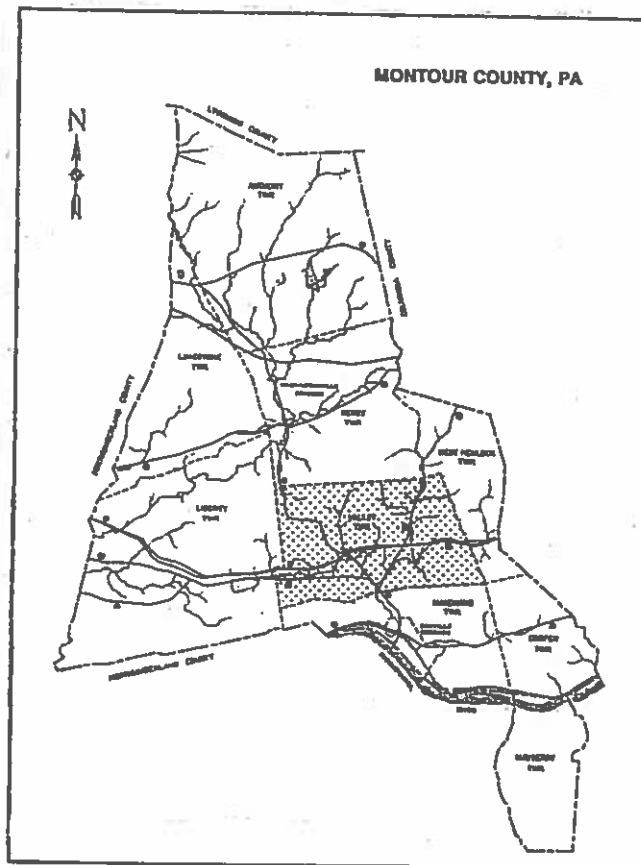


ZONING ORDINANCE

Valley Township Montour County, PA



2015

Valley Township
Montour County, PA

***ZONING
ORDINANCE***

Enacted: June 10, 2015

Effective: July 1, 2015

Prepared by

Valley Township Planning Commission
Valley Township Supervisors
Valley Township Zoning Hearing Board
Valley Township Zoning Officer
and
Valley Township Solicitor

with the Assistance of
LANDPLAN, INC.
Professional Planning & Development Consultant

VALLEY TOWNSHIP ZONING ORDINANCE

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ARTICLE 1

TITLE, AUTHORITY, AND PURPOSE

100 SHORT TITLE

This Ordinance shall be known and may be cited as the Valley Township Zoning Ordinance, enacted June 12, 1991, as amended April 27, 1994, July 28, 1999, April 26, 2000, April 23, 2003, and June 10, 2015.

101 AUTHORITY

A. Township Authority

Section 601 of the PA Municipalities Planning Code (Act 247 of 1968, as amended) provides that the Supervisors of Valley Township may implement comprehensive plans or accomplish any of the purposes of the Planning Code by enacting a zoning ordinance.

B. Applicability

This Ordinance requires that, within the Township of Valley, in the County of Montour and the Commonwealth of PA, no land, body of water, or structure shall hereafter be used or occupied and no structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations and procedures herein specified for the district in which such land, body of water, or structure is located.

102 GENERAL PURPOSES

The zoning regulations and districts herein set forth have been made in accordance with the Valley Township Comprehensive Plan of 1990, with consideration being given to the character of the municipality and its various parts, and the suitability of the various parts for particular uses and structures. As such, the regulations were designed to:

- A. promote, protect and facilitate the public health, safety, morals, general welfare; coordinated and practical community development; and proper density of population; emergency management preparedness and operations, airports and national defense facilities; the provision of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains;

- B. prevent the overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life, or property from fire, flood, panic or other dangers;
- C. preserve prime agriculture and farmland considering topography, soil type and classification, and present use;
- D. provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing;
- E. accommodate reasonable overall community growth and provide opportunities for development of a variety of residential dwelling types and nonresidential uses; and
- F. facilitate appropriate development of the Township, protect the tax base, and encourage economy in public expenditures.

103 COMMUNITY DEVELOPMENT OBJECTIVES

This Ordinance provides a legal basis and framework for future development in Valley Township. Its provisions are guided by the policies and recommendations contained in the Township Comprehensive Plan of 1990, and any subsequent amendments thereto. The following list of goal statements represent the Township Board of Supervisors' legislative finding with respect to land use; density of population; the need for housing, commerce and industry; the location and function of streets and other community facilities and utilities; the need for preserving agricultural land and protecting natural resources, and other factors which the Supervisors' believe relevant in guiding the future development of the municipality.

- A. Development densities and locations should be controlled in order to prevent overcrowding of the Township and to help maintain the character of the community's different segments.
- B. The peaceful, pleasant semi-rural environment and unique scenic qualities of the Township should be preserved for future generations.
- C. Land use policies and regulations should encourage development to locate in the best suited areas of the Township. Development should be required to respect the natural capabilities and limitations of the Township and its environment.
- D. Township land use policies and regulations should respect current Township residents and property owners and avoid creating economic hardship or inequities for them as development occurs.
- E. The Township and region's heritage should be understood, respected, and protected by all Township policies and initiatives.
- F. Environmental hazard areas, including steep slopes, floodplains, wetlands, soils which are inappropriate for the placement of sub-surface sewage disposal systems, and other fragile resource areas should be utilized only in ways which

will not create nor increase problems for the Township, its residents, or surrounding communities.

- G. Water quality in the Township should be protected from inappropriate development. The integrity of the Township's surface streams and groundwater recharge areas should be monitored and preserved.
- H. The capacity of the soils of all proposed development sites to accommodate on-site, sub-surface sewage disposal systems or the availability of community or package sewage treatment facilities should be demonstrated prior to approval of any new subdivision. Regulations requiring such documentation should be included in the Township's land use control regulations.
- I. Agricultural activities within the Township should be encouraged to continue where possible. Prime farm land should be identified and agricultural production should be recognized as a viable, necessary economic activity.
- J. Effective stormwater management controls should be provided within all new developments and, where possible, improvements should be made to existing drainage or stormwater run-off problems throughout the Township.
- K. Suitable, safe residential environments should be maintained and a variety of housing types and styles should be available for Township residents of all ages, family size, and income levels.
- L. Adequate, accessible public facilities, services, and utilities should be provided for all Township residents at a reasonable cost. Land use control regulations should require developers to supply all necessary sewer, water and electric services for and within their proposed developments.
- M. Recreational facilities and programs should be developed for use by Township residents of various ages and interests. Developers should be required to provide adequate space within new developments for appropriate leisure-time activities.
- N. An adequate, safe transportation network should be provided throughout the Township. New developments should be located and designed to maintain the integrity of the existing street system and minimize potential safety hazards for all users.
- O. Commercial, industrial, institutional, and other non-residential uses and activities should be promoted or be encouraged to locate only in areas designated for such uses.
- P. Local and regional planning efforts and public sector expenditures should be coordinated to help maximize the effectiveness of such investments, to provide for orderly growth and development, and to foster pleasant, safe living environments.

104 DISCLAIMER

This Ordinance is not intended to create nor assume liability on the part of Valley

Township or any officer or employee thereof for any fire, flood, or other damage that may result from reliance on this Ordinance or from any administrative decisions lawfully made thereunder. These regulations shall not guarantee a specific level of protection for any construction. The applicant shall in all cases rely on accepted engineering methods or building practices when designing or constructing structures approved pursuant to these regulations.

ARTICLE 2

DESIGNATION OF ZONING DISTRICTS

200 DESIGNATION OF DISTRICTS

For the purpose of implementing the objectives of this Ordinance, Valley Township is hereby divided into the following zoning districts:

R-1	Low Density Residential District
R-2	Moderate Density Residential District
C-1	Neighborhood Commercial District
C-2	Highway Commercial District
I	Industrial District
AR	Agricultural Rural District
OS	Open Space District
FF & FP	Flood Fringe & General Floodplain District (<i>Overlying District</i>)
FW	Floodway District (<i>Overlying District</i>)

201 DISTRICT PURPOSE STATEMENTS

A. R-1 Low Density Residential District

It is the intent of this district to provide an area within the Township where low density, single-family residential development can be situated and a suitable and safe family environment can be promoted. Areas set aside for this zone include sections of the municipality where this type of development already exists and areas where further development of this nature could be located without creating conflicts with other non-compatible land uses. Lot sizes are based upon the need to safeguard the health of the residents and therefore require sufficient space to be provided for the placement of on-site sewage and water facilities. Commercial activities or other uses which would substantially interfere with this purpose are discouraged.

B. R-2 Moderate Density Residential District

This district is intended for application to areas within the Township where higher density residential development could be located. Such uses could include single-family attached or other types of multi-family dwellings or housing developments. Densities may vary throughout the district, but are intended to assure adequate, usable amounts of open space are reserved or provided in all cases and that adequate community or private sewer and water facilities and necessary public utilities are or will be made available. Provisions have also been included to allow for smaller minimum lot sizes or higher densities where community or package sewage treatment facilities and/or community water supplies become available.

C. C-1 Neighborhood Commercial District

The intent of this district is to provide area for the orderly development of small-scale retail sales businesses and to allow such establishments to be located within easy access of residential areas. This district is designed for application to areas of the Township where large commercial operations are undesirable, but where individual or small groups of convenience stores, professional offices, clinics, etc. are necessary to meet the neighborhood's need for goods and services, as well as provide for their social, cultural, and civic needs.

D. C-2 Highway Commercial District

This district is provided for the development of commercial activities and businesses oriented towards the travelling public on Interstate 80. Businesses located in this district generally cater to large volumes of people or can attract customers from sizeable distances. Provisions are included to assure that adequate public or community sewage disposal facilities and water supplies are provided and that sufficient arrangements are made to accommodate the anticipated volumes of traffic entering, exiting and parking on the site. It is not the intent of this district to encourage the extension of "strip" commercial areas, but rather to provide area for the development of concentrated commercial activities.

E. I Industrial District

It is the intent of this district to encourage the development and continued use of existing industrial buildings within this area for light or limited industrial or manufacturing operations. Acreage for this use has been provided in close proximity to Interstate 80 so as to maximize accessibility for distribution or receiving of goods or materials and to avoid creating problems by locating industrial areas in or near established residential neighborhoods. Reasonable standards are provided to minimize air pollution, noise, glare, heat, and fire and safety hazards. In addition, precautions have been included to insure adequate buffer plantings or screening is provided between this zone and all other adjoining zones.

F. AR Agricultural Rural District

This district is established to preserve and protect the semi-rural agricultural characteristics of the Township and to recognize land cultivation and agricultural production as an important economic activity. The intent of such designation is to permit those lands best suited for agriculture to be utilized for that purpose and to discourage incompatible land uses from encroaching into these areas. All types of agricultural activities, including agribusinesses, are permitted, as well as some residential uses. Uses which would substantially interfere with the purposes of this zone are discouraged.

G. OS Open Space District

It is the intent of this district to encourage the conservation of land where the economics of building and supplying public facilities and services is not in the best interest of the public, such as steep slopes, floodplains, wetlands, or other environmentally sensitive areas. The value of conserving land as a natural resource is recognized, as well as the problems which can be created by over-utilization or development of such areas. Problems arise involving soil erosion, stream and drainageway sedimentation, water supply contamination and loss of aesthetic values. The regulations governing this district therefore encourage uses which will enhance these environmental protection objectives.

H. FF & FP Flood Fringe & General Floodplain District (*Overlying District*)

The purpose of these districts is to prevent the loss of property and life; the creation of health and safety hazards; the disruption of commercial and government services; and the extraordinary and unnecessary expenditure of public funds for flood protection and relief. To achieve this end, permitted uses must be floodproofed against flood damage. (See Article 6.) In these floodplain areas, development and/or use of land shall be permitted in accordance with the regulations of the underlying districts, provided that all such uses, activities and/or development shall be undertaken in strict compliance with the floodproofing and related provisions in all other applicable codes and ordinances.

I. FW Floodway District (*Overlying District*)

It is the intent of this district to prevent the loss of property or life; the creation of health and safety hazards; the disruption of commercial or government services; and the extraordinary and unnecessary expenditure of public funds for flood protection and relief. To achieve this end, only those uses which will not cause an increase in flood heights, velocities or frequencies will be permitted. (See Article 6.) In addition, in the Floodway District, no development shall be permitted except where the effects of such development on 100 year flood heights is fully offset by accompanying stream improvements which have been approved by all appropriate local and/or state authorities and notification of such has been given to the Federal Insurance Administration and the PA Department of Community and Economic Development.

202 ZONING MAP

The locations and boundaries of the zoning districts are hereby established as shown on the Official Zoning Map, which is made a part of this Ordinance together with all future notations, references and amendments.

No change of any nature shall be made to the Official Zoning Map, except in conformance with the procedures set forth in Section 1100 of this Ordinance. The final authority as to the current status of zoning districts shall be the Official Zoning Map. Any changes made to the zoning districts shall be made on the Official Zoning

Map promptly after the amendment has been approved by the Township Supervisors, and shall bear the date of the amendment and the signatures of the Chairman of the Township Supervisors and the Township Secretary.

203 INTERPRETATION OF ZONING DISTRICT BOUNDARIES

A. Designation of District Boundaries

The district boundary lines, except for the floodplain districts, are intended to generally follow the centerlines of streets, highways, railroad rights-of-way, existing lot lines, municipal boundary lines, or streams or may be designated as shown on the Official Zoning Map by a specific dimension from a road centerline or other boundary as indicated.

B. Interpretation of District Boundaries

Where uncertainty exists with respect to the actual location of a district boundary line in a particular instance, the Zoning Officer shall request the Zoning Hearing Board to render its interpretation with respect thereto. Provided however, no boundary shall be changed by the Zoning Hearing Board. If the true location of the boundary cannot be determined by interpretation of the Zoning Hearing Board, a request for corrective action shall be filed with the Township Supervisors.

C. Severed Lots

Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the Zoning Hearing Board may permit the extension of the regulations for either zone into the remaining portion of the lot for a distance not to exceed 50 feet beyond the district line, where they find that such extension is consistent with the purposes of this Ordinance.

204 FLOODPLAIN DISTRICT BOUNDARY CHANGES

The delineation of any boundary of the floodplain districts may be revised by the Township Supervisors in accordance with the amendment procedure outlined in Section 1100 of this Ordinance where natural or man-made changes have occurred and more detailed studies have been conducted by a qualified agency or individual, such as the U.S. Army Corps of Engineers. No change in any floodplain boundary shall be made unless the municipality has sought and obtained approval for said change from the Federal Insurance Administration, as per the National Flood Insurance Program regulations and has received a Letter of Map Revision (LOMR) or Letter of Map Amendment (LOMA) from the Federal Emergency Management Agency (FEMA) for the proposed boundary change.

ARTICLE 3

DISTRICT REGULATIONS

300 APPLICATION OF DISTRICT REGULATIONS

The regulations set forth in this Article for each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as may be hereinafter provided.

A. No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

B. No building or other structure shall hereafter be erected or altered:

1. to exceed the height or bulk;
2. to accommodate or house a greater number of persons or families;
3. to occupy a greater percentage of lot area;
4. to have narrower or smaller rear yards, front yards, side yards or other open space;

than herein required, or in any other manner be contrary to this Ordinance.

C. The commencement of any of the uses or activities listed in the District Regulations shall require the issuance of a Zoning Permit from the Township Zoning Officer, except as may be provided otherwise in Section 1202 A. of this Ordinance.

301 USE REGULATIONS AND DIMENSIONAL REQUIREMENTS

The specific use regulations and dimensional requirements pertaining to each district are contained on the charts that follow, namely Sections 302-310.

Permissible USES AND STRUCTURES are presented in the first three columns of the chart for each district. Applications for activities listed in the columns titled Permitted Principal and Permitted Accessory Uses and Structures may be approved by the Zoning Officer upon finding that the proposed use meets the Ordinance requirements. Activities listed in the Conditional Uses and Structures column must be reviewed and approved by the Township Supervisors. (See Appendix C of this Ordinance for an illustration of the Conditional Use procedures, and Section 1101 for specific details of the process.)

Specific LOT, YARD, AND OPEN SPACE REQUIREMENTS are presented in the final three columns of each district chart. Applications for uses which do not meet the dimensional requirements for the district in which they are to be located, may be submitted to the Township Zoning Hearing Board for variance consideration. (See Appendix A of this Ordinance for an illustration of the variance procedure, and Section 1001 C. for specific details of the process.)

Section 302

R-1 LOW DENSITY RESIDENTIAL DISTRICT

USES AND STRUCTURES

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<ol style="list-style-type: none"> 1. Single family detached dwellings. (See 402) 2. Two-family attached dwellings, i.e. duplexes. (See 402) 3. Conversion apartments. (See 404) 4. Forest management activities. (See also Conditional Uses.) 	<ol style="list-style-type: none"> 1. Uses & structures accessory or customarily incidental to a principal use. 2. Public, semi-public or private swimming pools. (See 413) 3. No-impact home-based businesses. (See 410 A.) 4. Outdoor fuel burning appliances. (See Ordinance # 4 of 2008) 	<ol style="list-style-type: none"> 1. Appropriate public uses and essential services. 2. Private parks & playgrounds. (See 417) 3. Day nurseries or day care centers. (See 411) 4. Single-family attached dwelling structures, i.e. townhouses. (See 405) 5. Public swimming pools. 6. Churches & places of worship. 7. Home occupations. (See 410 B.) 8. Residential wind energy systems. (See 430) 9. Commercial timber harvesting operations. (See 422)

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Section 302

R-1 LOW DENSITY RESIDENTIAL DISTRICT

LOT, YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
<ol style="list-style-type: none"> 1. <u>Maximum Lot Area Per Principal Structure or Use:</u> <ol style="list-style-type: none"> a. <u>Single family detached dwellings & other principal uses:</u> 40,000 sq.ft., except as listed below. b. <u>Single-family attached dwelling structures:</u> 40,000 sq.ft. + 2,500 sq.ft. per dwelling unit. c. <u>All lots shall meet the requirements of the PA Sewage Facilities Act, and all other State and municipal sewage regulations.</u> 2. <u>Minimum Lot Width:</u> 150 feet. 3. <u>Maximum Building Coverage:</u> 20%. 	<ol style="list-style-type: none"> 1. <u>Front Yard:</u> 50 feet from edge of road right of-way. 2. <u>Side Yards:</u> <ol style="list-style-type: none"> a. <u>Principal structures</u> - 15 feet each side. b. <u>Accessory structures</u> - 10 feet each side. 3. <u>Rear Yard:</u> <ol style="list-style-type: none"> a. <u>Principal structures</u> - 35 feet. b. <u>Accessory structures</u> - 10 feet. 	<ol style="list-style-type: none"> 1. <u>Principal Structures:</u> 35 feet or 2 1/2 stories. 2. <u>Accessory Structures:</u> 20 feet or 1 1/2 stories.

Section 303

R-2 MODERATE DENSITY RESIDENTIAL DISTRICT

USES AND STRUCTURES

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<ol style="list-style-type: none"> 1. Single family detached dwellings. (See 402) 2. Two-family attached dwellings, i.e. duplexes. (See 402) 3. Conversion apartments. (See 404) 4. Single-family attached dwelling structures, i.e. townhouses. (See 405) 5. Forest management activities. (See also Conditional Uses.) 	<ol style="list-style-type: none"> 1. Uses & structures accessory or customarily incidental to a principal use. 2. Public, semi-public, or private swimming pools. (See 413) 3. No-impact home-based businesses. (See 410 A.) 	<ol style="list-style-type: none"> 1. Appropriate public uses and essential services. 2. Private or semi-public parks & playgrounds. (See 417) 3. Mobile home parks. (See 408) 4. Multi-family dwellings, i.e. apartments. (See 406) 5. Multi-family housing developments. (See 407) 6. Planned residential developments. (See 427) 7. Public or private schools. 8. Group homes. (See 409) 9. Home occupations. (See 410 B.)

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Section 303

R-2 MODERATE DENSITY RESIDENTIAL DISTRICT

LOT, YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
<ol style="list-style-type: none"> 1. <u>Maximum Lot Area Per Principal Structure or Use:</u> <ol style="list-style-type: none"> a. <u>Single family detached dwellings & other principal uses</u> - 20,000 sq.ft., except as listed below. * b. <u>Single-family attached dwelling structures</u> - 30,000 sq.ft. + 2,500 sq.ft. per dwelling unit. c. <u>Multi-family dwelling structures</u> - 30,000 sq.ft. + 1,500 sq.ft. per DU. d. <u>Group homes</u> - 30,000 sq.ft. + 1,000 sq.ft. per bed. e. <u>Mobile home parks</u> - 5 acres. f. <u>Multi-family housing developments</u> - 5 acres g. <u>Planned residential developments</u> - 10 acres. h. <u>All lots</u> shall meet the requirements of the PA Sewage Facilities Act, and all other State and municipal sewage regulations. 2. <u>Minimum Lot Width:</u> 100 feet * 3. <u>Maximum Building Coverage:</u> 20%. 	<ol style="list-style-type: none"> 1. <u>Front Yard:</u> 50 feet from edge of road right-of-way. 2. <u>Side Yards:</u> <ol style="list-style-type: none"> a. <u>On-lot Sewage & Water</u> - <ol style="list-style-type: none"> 1) <u>Principal structures</u> - 15 feet each side. 2) <u>Accessory structures</u> - 10 feet each side. b. <u>Public Sewer OR Water</u> - <ol style="list-style-type: none"> 1) <u>Principal structures</u> - 12 feet each side. 2) <u>Accessory structures</u> - 8 feet each side. c. <u>Public Sewer AND Water</u> - <ol style="list-style-type: none"> 1) <u>Principal structures</u> - 10 feet each side. 2) <u>Accessory structures</u> - 5 feet each side. 3. <u>Rear Yard:</u> <ol style="list-style-type: none"> a. <u>On-lot Sewage & Water</u> - <ol style="list-style-type: none"> 1) <u>Principal structures</u> - 35 feet. 2) <u>Accessory structures</u> - 10 feet. 	<ol style="list-style-type: none"> 1. <u>Principal Structures:</u> 35 feet or 2 1/2 stories. 2. <u>Accessory Structures:</u> 20 feet or 1 1/2 stories.

* **NOTE:** Where either public sewer OR water service is available: Minimum Lot Area: 15,000 sq.ft.; Minimum Lot Width: 85 feet.
Where both public sewer AND water service are available: Minimum Lot Area: 10,000 sq.ft.; Minimum Lot Width: 75 feet.

Section 304

C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

USES AND STRUCTURES

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<ol style="list-style-type: none"> 1. Neighborhood retail business establishments, inc. general stores, convenience markets, variety, gift, & antique shops. (See 419) 2. Personal service shops, inc. barber & beauty shops, and lawn mower shops. 3. Specialty shops for custom work, inc. bakeries, tailors, & printers. 4. Business, professional, or financial offices. 5. Medical & dental clinics; veterinary facilities. 6. Art, music, & dance studios. 7. Clubs, lodges, & social organizations. 8. Municipal or community buildings. 	<ol style="list-style-type: none"> 1. Uses & structures accessory or customarily incidental to a principal use. 2. Roadside stands. (See 415) 3. Warehousing or storage facilities associated with a principal use 4. Residential uses associated with a commercial activity. (See 402) 	<ol style="list-style-type: none"> 1. Appropriate public uses and essential services. 2. Private or semi-public parks, playgrounds, or recreational facilities. (See 417) 3. Day nurseries or day care centers. (See 411) 4. Funeral homes. 5. Nursing or personal care homes. 6. Restaurants & taverns. 7. Automotive service stations and repair shops. (See 420) 8. Recycling drop-off centers. 9. Bed & breakfast establishments. (See 412) 10. Single family detached dwellings. (See 402) 11. Video stores and/or arcades. (See 419)

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Section 304

C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

LOT, YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
<p>1. <u>Maximum Lot Area Per Principal Structure or Use:</u></p> <p>a. <u>Neighborhood retail uses & other principal uses:</u> 30,000 sq.ft., except as listed below.</p> <p>b. <u>Nursing or personal care homes:</u> 30,000 sq.ft. + 1,500 sq.ft. per bed.</p> <p>c. <u>All lots</u> shall meet the requirements of the PA Sewage Facilities Act, and all other State and municipal sewage regulations.</p> <p>2. <u>Minimum Lot Width:</u> 125 feet.</p> <p>3. <u>Maximum Building Coverage:</u> 30%. *</p> <p>* <u>NOTE:</u> Maximum building coverage for multi-use buildings shall be 50%.</p>	<p>1. <u>Front Yard:</u></p> <p>a. <u>Buildings</u> - 50 feet from edge of road right of-way.</p> <p>b. <u>Parking areas</u> - 20 feet from edge of road right of-way.</p> <p>2. <u>Side Yards:</u> 10 feet each side. **</p> <p>3. <u>Rear Yard:</u> 15 feet.</p> <p>** <u>NOTE:</u> No side yard requirement shall apply where fireproof common walls are used.</p>	<p>1. <u>Principal Structures:</u> 35 feet or 2 1/2 stories.</p> <p>2. <u>Accessory Structures:</u> 20 feet or 1 1/2 stories.</p>

Section 305

C-2 HIGHWAY COMMERCIAL DISTRICT

USES AND STRUCTURES

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<ol style="list-style-type: none"> General retail & business operations. (See 419) Personal service establishments. Medical & dental clinics. Restaurants & taverns. Automotive sales, service & repair shops. (See 420) Business, professional, & financial offices. Enclosed warehousing or storage facilities. Lumber yards. 	<ol style="list-style-type: none"> Uses & structures accessory or customarily incidental to a principal use. Parking lots, garages, or other parking facilities. (See Article 8) Warehousing or storage facilities associated with a principal use. Residential uses associated with a commercial activity. (See 402) Building-mounted communications antennas. (See 429) Public or semi-public swimming pools. (See 413) 	<ol style="list-style-type: none"> Appropriate public uses and essential services. Public or semi-public recreational facilities or complexes. (See 417) Boarding or rooming homes. (See 426) Commercial lodging facilities. Public entertainment facilities. (See 418) Transportation terminals or multi-tenant convenience plazas. Shopping centers. Adult entertainment establishments. (See 428) Image-changing sign boards or digital message boards. (See 702F)

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Section 305

C-2 HIGHWAY COMMERCIAL DISTRICT LOT

YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
<ol style="list-style-type: none"> 1. <u>Maximum Lot Area Per Principal Structure or Use:</u> <ol style="list-style-type: none"> a. <u>General retail uses & other principal uses:</u> 1 acre (43,560 sq. ft.). b. <u>All lots</u> shall meet the requirements of the PA Sewage Facilities Act, and all other State and municipal sewage regulations. 2. <u>Minimum Lot Width:</u> 150 feet. 3. <u>Maximum Building Coverage:</u> 30%, and at least 25% of the lot shall also be landscaped. 	<ol style="list-style-type: none"> 1. <u>Front Yard:</u> <ol style="list-style-type: none"> a. <u>Buildings</u> - 50 feet from edge of road right of-way. b. <u>Parking areas</u> - 20 feet from edge of road right of-way. 2. <u>Side Yards:</u> 10 feet each side. * 3. <u>Rear Yard:</u> 15 feet. <p>* <u>NOTE:</u> No side yard requirement shall apply where fireproof common walls are used.</p>	<ol style="list-style-type: none"> 1. <u>Principal Structures:</u> 35 feet or 2 1/2 stories. 2. <u>Accessory Structures:</u> 20 feet or 1 1/2 stories.

Section 306

I INDUSTRIAL DISTRICT

USES AND STRUCTURES

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<ol style="list-style-type: none"> 1. Research, development, & testing facilities. 2. Enclosed manufacturing, assembly, or light industrial operations. 3. Manufacturing of apparel, textiles, & clothing. 4. Pharmaceutical or laboratory facilities. 5. Warehouses or distribution centers. 	<ol style="list-style-type: none"> 1. Uses & structures accessory or customarily incidental to a principal use. 2. Enclosed storage of goods or materials produced in conjunction with a principal use. 3. Administrative offices associated with a principal use. 4. Off-street parking & Loading facilities (See Article 8) 5. Building-mounted communications antennas. (See 429) 	<ol style="list-style-type: none"> 1. Appropriate public uses and essential services. 2. Retail sales or distribution of products produced in a principal use. 3. Transportation terminals or multi-tenant convenience plazas. 4. Recycling drop-off centers. 5. Junk yard or auto salvage operations. (See 425) 6. Image-changing sign boards or digital message boards. (See 702F)

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Section 306

I INDUSTRIAL DISTRICT

LOT, YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
<p>1. <u>Maximum Lot Area Per Principal Structure or Use:</u></p> <p>a. <u>Manufacturing or industrial operations & other principal uses:</u> 2 acres (87,120 sq.ft.,) except as listed below. *</p> <p>b. <u>Junk yard or auto salvage operation -</u> 5 acres.</p> <p>c. All lots shall meet the requirements of the PA Sewage Facilities Act, and all other State and municipal sewage regulations.</p> <p>2. <u>Minimum Lot Width:</u> 200 feet. *</p> <p>3. <u>Maximum Building Coverage:</u> 30%, and at least 25% of the lot shall also be landscaped.</p> <p>* NOTE: Where both public sewer AND water service are available:</p> <p><u>Minimum Lot Area:</u> 1 acre (43,560 sq.ft.)</p> <p><u>Minimum Lot Width:</u> 150 feet.</p>	<p>1. <u>Front Yard:</u></p> <p>a. <u>Buildings</u> - 50 feet from edge of road right of-way.</p> <p>b. <u>Parking areas</u> - 20 feet from edge of road right of-way.</p> <p>2. <u>Side Yards:</u> 20 feet each side. **</p> <p>3. <u>Rear Yard:</u> 40 feet. **</p> <p>** NOTES: Where adjacent to a Residential District, side and rear yard setbacks shall be at least 100 feet.</p> <p>Towers and chimneys shall be set back a distance equal to their height from all property lines.</p>	<p>1. <u>Principal & Accessory Structures:</u> 40 feet</p>

AR AGRICULTURAL RURAL DISTRICT

USES AND STRUCTURES

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<ol style="list-style-type: none"> 1. Agricultural uses, inc.. land cultivation, raising of poultry or livestock, & tree farming. (See 414) 2. Horticultural activities, inc. nurseries or greenhouses 3. Kennels, stables, or riding academies. 4. Grange halls. 5. Single family detached dwellings. (See 402). 6. Mobile homes on individual lots. (See 403) 7. Churches or places of worship. 8. Commercial timber harvesting activities, inc. commercial timber harvesting operations. (See 422) 9. Veterinary clinics, offices, or hospitals. 	<ol style="list-style-type: none"> 1. Uses & structures accessory or customarily incidental to a principal use. 2. Farm-related businesses or temporary roadside stands. (See 415) 3. Home occupations. (See 410 B.) 4. Private or semi-public swimming pools. (See 413) 5. Outdoor fuel burning appliances. (See Ordinance # 4 of 2008.) 6. Residential wind energy systems. (See 430) 	<ol style="list-style-type: none"> 1. Appropriate public uses and essential services. 2. Agri-businesses, inc the sale of farm-related equipment. 3. Feed & grain mills. 4. Lumber yards or sawmills. 5. Private parks & recreational facilities. (See 417) 6. Campgrounds or RV parks (See 416) 7. Bed & breakfast establishments.(See 412) 8. Commercial clean-fill activities. 9. Public or private schools. 10. Cemeteries. 11. State –approved sanitary landfills. 12. Commercial communications antennas, towers, &/or equipment buildings. (See 429) 13. Commercial wind energy facilities. (See 431)

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Section 307

AR AGRICULTURAL RURAL DISTRICT

LOT, YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
<ol style="list-style-type: none"> 1. <u>Maximum Lot Area Per Principal Structure or Use:</u> <ol style="list-style-type: none"> a. <u>Agricultural & other principal uses:</u> <ol style="list-style-type: none"> 1 acre, except as listed below. * b. <u>Sanitary landfills</u> - 100 acres. c. <u>All lots</u> shall meet the requirements of the PA Sewage Facilities Act, and all other State and municipal sewage regulations. 2. <u>Minimum Lot Width:</u> 150 feet. 3. <u>Maximum Building Coverage:</u> 20%. <p>* NOTE: Land cultivation activities and tree farming operations shall be exempt from the minimum lot area requirements of this Ordinance.</p>	<ol style="list-style-type: none"> 1. <u>Front Yard:</u> 50 feet from edge of road right of-way. ** 2. <u>Side Yards:</u> ** <ol style="list-style-type: none"> a. <u>Principal structures</u> - 15 feet each side. b. <u>Accessory structures</u> - 10 feet each side. 3. <u>Rear Yard:</u> ** <ol style="list-style-type: none"> a. <u>Principal structures</u> - 35 feet. b. <u>Accessory structures</u> - 10 feet. <p>** NOTE: Structures housing livestock and/or poultry shall be set back at least 200 feet from all public rights-of-way and 500 feet from all Residential Districts.</p>	<ol style="list-style-type: none"> 1. <u>Principal Structures:</u> 35 feet or 2 1/2 stories. 2. <u>Accessory Structures:</u> 20 feet or 1 1/2 stories. 3. <u>Agricultural Structures:</u> No height limitations.

OS - OPEN SPACE DISTRICT

USES AND STRUCTURES

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<ol style="list-style-type: none"> 1. Land conservation activities, inc. game lands, wildlife preserves, & preservation of natural amenities. 2. Agricultural uses, inc. land cultivation, raising of poultry or livestock, & tree farming. (See 414) 3. Horticultural activities, inc. nurseries & greenhouses. 4. Public, semi-public or private parks, playgrounds, or recreational facilities. (See 417) 5. Kennels, stables, or riding academies. 6. Forest management activities, inc. commercial timber harvesting operations and/or sawmills. (See 422) 7. Single family detached dwellings. (See 402). 8. Cemeteries 9. Earth-sheltered homes. 	<ol style="list-style-type: none"> 1. Uses & structures accessory or customarily incidental to a principal use. 2. Farm-related businesses or temporary roadside stands. (See 415) 3. Home occupations. (See 410 B.) 4. Private or semi-public swimming pools. (See 413) 5. Building-mounted communications antennas. (See 429) 6. Outdoor fuel burning appliances. (See Ordinance # 4 of 2008) <p>(Continued on Next Page)</p>	<ol style="list-style-type: none"> 1. Appropriate public uses and essential services. 2. Campgrounds or RV parks (See 416) 3. Commercial resource extraction operations. (See 423) 4. Commercial communications antennas, towers, &/or equipment buildings. (See 429) 5. Commercial wind energy facilities. (See 431)

Section 308

OS OPEN SPACE DISTRICT

LOT, YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
<p>1. <u>Maximum Lot Area Per Principal Structure or Use:</u></p> <ul style="list-style-type: none"> a. <u>Conservation & other principal uses:</u> 3 acres, except as listed below. * b. <u>Campgrounds or RV parks</u> - 5 acres. c. <u>Resource extraction operations</u> - 10 acres. c. <u>All lots</u> shall meet the requirements of the PA Sewage Facilities Act, and all other State and municipal sewage regulations. <p>2. <u>Minimum Lot Width:</u> 250 feet.</p> <p>3. <u>Maximum Building Coverage:</u> 10%.</p> <p>* NOTE: Land cultivation activities and tree farming operations shall be exempt from the minimum lot area requirements of this Ordinance.</p>	<p>1. <u>Front Yard:</u> 50 feet from edge of road right of-way. **</p> <p>2. <u>Side Yards:</u> **</p> <ul style="list-style-type: none"> a. <u>Principal structures</u> - 50 feet each side. b. <u>Accessory structures</u> - 25 feet each side. <p>3. <u>Rear Yard:</u> **</p> <ul style="list-style-type: none"> a. <u>Principal structures</u> - 50 feet. b. <u>Accessory structures</u> - 25 feet. <p>** NOTE: Structures housing livestock and/or poultry shall be set back at least 200 feet from all public rights-of-way and 500 feet from all Residential Districts.</p>	<p>1. <u>Principal Structures:</u> 35 feet or 2 1/2 stories.</p> <p>2. <u>Accessory Structures:</u> 20 feet or 1 1/2 stories.</p> <p>3. <u>Agricultural Structures:</u> No height limitations.</p>

Section 309

**FF & FP FLOOD FRINGE & GENERAL FLOODPLAIN DISTRICT
(Overlying District)**

USES AND STRUCTURES *

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<p>Same as the underlying district, and in addition:</p> <ol style="list-style-type: none"> 1. Public, semi-public, or private recreational facilities, inc. parks, playgrounds, picnic areas, hiking trails, hunting & fishing areas, etc. (See 417) 2. Agricultural uses, inc. land cultivation, raising of poultry or livestock, and/or horticultural activities. (See 414) 3. Temporary uses, such as carnivals or circuses. (See 424) 	<p>SAME AS THE UNDERLYING DISTRICT</p>	

* **NOTE:** All uses, activities, and/or development in this District shall be undertaken in strict compliance with the floodproofing requirements contained in Article 6 of this Ordinance.

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Section 309

FF & FP FLOOD FRINGE & GENERAL FLOODPLAIN DISTRICT
(Overlying District)

LOT, YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
	SAME AS THE UNDERLYING DISTRICT	

Section 310

**FW FLOODWAY DISTRICT
(Overlying District)**

USES AND STRUCTURES

Permitted Principal Uses & Structures (Zoning Officer)	Permitted Accessory Uses & Structures (Zoning Officer)	Conditional Uses (See Section 1101) (Township Supervisors)
<p>Same as the underlying district, and in addition:</p> <ol style="list-style-type: none"> 1. Undeveloped public or private recreational facilities, inc. parks, playgrounds, picnic areas, hiking trails, hunting & fishing areas, etc. (See 417) 2. Agricultural uses, inc. land cultivation, raising of poultry or livestock, and/or horticultural activities. (See 414) 3. Temporary uses, such as carnivals or circuses. (See 424) 	<p>SAME AS THE UNDERLYING DISTRICT</p>	

* **NOTE:** No new construction or development shall be permitted in this District that will increase the elevation of the 100 year flood.

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Section 310

**FW FLOODWAY DISTRICT
(Overlying District)**

LOT, YARD & OPEN SPACE REQUIREMENTS

Minimum Lot Requirements (See Section 501)	Minimum Yard Requirements (See Section 502)	Maximum Height Requirements (See Section 503)
	SAME AS THE UNDERLYING DISTRICT	

ARTICLE 4

SUPPLEMENTARY USE REGULATIONS

400 PURPOSE AND APPLICABILITY

The purpose of this Article is to supplement the District Regulations contained in Article 3 with additional requirements applicable to certain specific uses. Therefore, in addition to those standards outlined in Article 3, the following regulations shall apply to the identified uses.

401 PROHIBITED USES

Any use not otherwise expressly permitted in any district shall be prohibited. If an individual desires to undertake an activity not expressly permitted, he may request the Township Board of Supervisors to consider amending the Ordinance to permit such a use. (See Section 1100 for amendment process.)

402 DWELLING UNITS

All dwelling units, including single-family, two-family and multi-family units shall adhere to the following requirements.

A. General Requirements

1. Building Codes. Every dwelling unit hereafter erected, created or altered shall conform to the applicable requirements of the PA Uniform Construction Code, PA Act 45 of 1999, as amended.
2. Floodplain Development. Every dwelling unit which is located in an identified floodplain area shall comply with all applicable District Regulations set forth in Article 3 and the floodplain management provisions contained in Article 6 of this Ordinance.

B. Foundation Requirements

1. Dwelling Units. Every dwelling unit shall be placed upon and securely anchored to a permanent foundation. (See Sub-Part 2 below for foundation requirements for mobile homes.) Such foundation shall consist of no less than footers or masonry construction set well below the frost line, or other technique or methodology of demonstrated capability approved by the designated Building Code Official. The foundation shall be designed to support the maximum anticipated loads for the intended structure and/or use, and no unnecessary open space shall be left between the dwelling unit and the foundation, except windows and other openings as might be necessary for floodproofing purposes. In no case shall any dwelling unit be placed or erected on jacks, loose blocks or other temporary materials.

2. Mobile Homes. All mobile homes shall be placed upon and anchored to foundations sufficient to meet the requirements of the PA Uniform Construction Code. In addition, all mobile homes shall be installed in accordance with the instructions of the mobile home manufacturer and shall be inspected and approved by the Township Building Code Official prior to being occupied.

C. Habitable Floor Area

In the absence of more restrictive codes, every single-family dwelling unit (whether attached or detached, including mobile homes and manufactured housing) shall contain a minimum of 600 square feet of habitable floor area. In the case of multi-family dwellings (including conversion apartments, accessory residential units, and units located in elderly housing complexes), each unit must contain a minimum of 400 square feet of habitable floor area, except for efficiency apartments, where 250 square feet of habitable floor area must be provided for each unit.

403 MOBILE HOMES ON INDIVIDUAL LOTS

A mobile home may be permitted to be placed on an individual lot as an independent dwelling unit only as outline in Article 3. When reviewing applications for such proposals, the Zoning Officer shall utilize the following criteria and may require additional information to be submitted where it is necessary to adequately protect the health, safety, and welfare of the Township residents.

- A. Every lot to be used for the placement of an individual mobile home shall have a gross area at least equal to the minimum lot size of the district in which it is located. In addition, the unit must be situated on the lot to meet the applicable minimum setback line requirements.
- B. Every mobile home shall be placed upon a foundation. One of the following types of foundations must be utilized. (See also Sections 403 C. and D.)
 1. Permanent Foundation. A permanent foundation shall consist of no less than footers or masonry construction set well below the frost line or other technique or methodology of demonstrated capability.
 2. Temporary Stand or Pad. A temporary pad or stand, properly graded, placed and compacted so as to be durable and adequate to support maximum anticipated loads during all seasons may be utilized in situations where a permanent foundation is not practical or a temporary foundation is desirable. Such temporary facilities may be permitted for a period of one (1) year, and may be renewed annually for two (2) addition-al one (1) year periods.
- C. Every mobile home shall be firmly anchored to its foundation prior to the unit being occupied or used in order to prevent overturning or uplift. The mobile home foundation shall meet all requirements set forth in Section 402B of this Ordinance and shall be installed to meet all requirements of the PA Uniform Construction Code.
- D. Each mobile home shall have a continuous wall around its entire perimeter. The wall shall be constructed in accordance with one of the following methods:

1. Permanent Walls. A permanent wall may be constructed of concrete or masonry and shall extend from the unit floor system to concrete footing below the subgrade frost line; i.e. the extension of a permanent foundation.
 2. Skirting. If a masonry wall is not used, each mobile home shall be encircled with skirting designed to complement its appearance. Skirting shall include materials which have been prefabricated for this specific purpose or other impervious, moisture resistant materials, and shall not include bales of hay, straw, interior plywood, or like materials.
- E. Access to crawl space created by the installation of a wall shall be provided by means of a door(s) or panel(s) capable of being locked.
- F. Every unit to be used as a dwelling unit must contain a minimum of 600 square feet of habitable floor area.
- G. Every unit which is to be placed in the Special Flood Hazard Area of the 100 year floodplain must comply with all applicable provisions contained in Article 6 of this Ordinance.

404 CONVERSION APARTMENTS

- A. Conversions shall not exceed three (3) dwelling units per structure.
- B. Conversions shall be subject to the habitable floor area requirements set forth in Section 402 C.
- C. The lot upon which a conversion apartment is located shall have a gross area at least equal to the minimum lot size for the district in which it is located.
- D. Sewage facilities shall be provided which are capable of treating the volume of effluent anticipated from the conversion. Certification, by the Township Sewage Enforcement Officer, verifying the acceptability and/or suitability of an existing sub-surface sewage disposal system or a sewage permit for the installation of a new system shall be submitted as part of an application for such use.
- E. The yard, height, off-street parking, and other applicable requirements of this Ordinance shall be met.

405 SINGLE-FAMILY ATTACHED DWELLING STRUCTURES

Single-family attached dwelling structures shall be permitted only in those zoning districts and as specified in Article 3; as a Principal Permitted Use in the R-1 District and as a Conditional Use in the R-2 Zone. Every such application shall meet the requirements outlined below as well as the requirements of the Subdivision and Land Development Ordinance in effect in Valley Township.

A. Minimum Lot Area Requirements

1. In the R-1 District, each single-family attached dwelling structure shall have a gross area of 40,000 square feet plus an additional 2,500 square feet for each

dwelling unit in the structure. Where such a structure is to be located in the R-2 District, a gross area of 30,000 square feet shall be provided plus an additional 2,500 square feet per dwelling unit.

2. Where individual dwelling units of a single-family attached dwelling structure are to be conveyed and arrangements can be made for adequate sewage and water treatment, the following dimensional requirements shall apply:

- a. Minimum Lot Area.

- 1) Interior Lots. 7,500 square feet
- 2) Exterior Lots. 10,000 square feet

- b. Minimum Lot Width. 30 feet

- c. Minimum Front Yard Requirement. See applicable District Regulations.

- d. Minimum Side Yard Requirements.

- 1) Interior Lots. None.
- 2) Exterior Lots. 10 feet from edge of structure.

- e. Minimum Rear Yard Requirement. 25 feet.

- B. Traffic Access and Parking Facilities

Each single-family attached dwelling structure must access onto a public street. All new streets or access drives shall be designed and constructed in accordance with the road standards outlined in the Subdivision and Land Development Ordinance in effect in Valley Township. The number of parking spaces available on the site shall equal no less than 2.0 stabilized spaces per dwelling unit.

- C. Sewage and Water Facilities

Adequate sewage and water facilities must be provided by the developer in accordance with the standards of the PA Department of Environmental Protection. Sewage facilities shall also be consistent with the recommendations of the Township's Official Sewage Facilities Plan. The preferred method of sewage disposal shall be by community or package facilities. However, if the developer can produce sufficient permits and/or proof that an on-site disposal system(s) can adequately handle the anticipated effluent, then this means of sewage disposal may be permitted.

- D. Solid Waste Collection and Disposal

The developer shall present information explaining the proposed method of solid waste collection and disposal. If such method is not deemed sufficient, then an alternate means must be presented by the applicant.

E. Drainage Control Requirements

All plans for single-family attached dwelling structures shall include information indicating what types of drainage control facilities will be installed to handle runoff produced by the new structure and the grade of the site. The plans should also indicate where the drainage is to be ultimately channeled. As per the requirements of Act 167 of 1978, the post-development runoff rate shall not exceed the pre-development runoff rate.

F. Grading and Landscaping (Soil Erosion and Sedimentation Control Plans)

Where excavation or site grading is proposed, including where existing trees, shrubs or other vegetative cover is to be removed, plans, meeting the rules and regulations of the Montour County Conservation District, shall be prepared and submitted to the Township showing what steps are to be taken to avoid soil erosion. Buffer yards and screening shall also be provided as set forth in Sections 505 and 506 of this Ordinance.

G. Common Open Space Ownership & Maintenance

Where the conveyance of title to individual dwelling units of a single-family attached dwelling structure does not include the conveyance of any land area or does not include the conveyance of the entire site, the developer shall submit a plan of the arrangements to be made for ultimate ownership of and maintenance responsibilities for the common open space/land area associated with the building as a part of his application for such a use.

406 **MULTI-FAMILY DWELLING STRUCTURES**

Multi-family dwelling structures shall be permitted only in those zoning districts and as specified in Article 3; as a Conditional Use in the R-2 District. Every such structure shall meet the requirements outlined below as well as the provisions of the Subdivision and Land Development Ordinance in effect in Valley Township.

A. Minimum Lot Area Requirements

Each multi-family dwelling structure shall have a gross area of 30,000 square feet plus an additional 1,500 square feet for each dwelling unit in the structure.

B. Traffic Access and Parking Facilities

Each multi-family dwelling structure must access onto a public street. All new streets or access drives shall be designed and constructed in accordance with the road standards outlined in the Subdivision and Land Development Ordinance in effect in Valley Township. The number of parking spaces available on the site shall equal no less than 2.0 stabilized spaces per dwelling unit.

C. Sewage and Water Facilities

Adequate sewage and water facilities must be provided by the developer in

accordance with the standards of the PA Department of Environmental Protection. Sewage facilities shall also be consistent with the recommendations of the Township's Official Sewage Facilities Plan. The preferred method of sewage disposal shall be by community or package facilities. However, if the developer can produce sufficient permits and/or proof that an on-site disposal system(s) can adequately handle all of the anticipated effluent, then this means of sewage disposal may be permitted.

D. Solid Waste Collection and Disposal

The developer shall present information explaining the proposed method of solid waste collection and disposal. If such method is not deemed sufficient, then an alternate means must be presented by the applicant.

E. Drainage Control Requirements

All plans for multi-family dwelling structures shall include information indicating what types of drainage control facilities will be installed to handle runoff produced by the new structure and the grade of the site. The plans should also indicate where the drainage is to be ultimately channeled. As per the requirements of Act 167 of 1978, the post-development runoff rate shall not exceed the pre-development runoff rate.

F. Grading and Landscaping (Soil Erosion and Sedimentation Control Plans)

Where excavation or site grading is proposed, including where existing trees, shrubs or other vegetative cover is to be removed, plans, meeting the rules and regulations of the Montour County Conservation District, shall be prepared and submitted to the Township showing what steps are to be taken to avoid soil erosion. Buffer yards and screening shall also be provided as set forth in Sections 505 and 506 of this Ordinance.

G. Common Open Space Ownership & Maintenance

Where individual dwelling units of a multi-family dwelling structure are to be conveyed, i.e. as condominiums, the developer shall submit a plan of the arrangements to be made for ultimate ownership of and maintenance responsibilities for the common open space/land area associated with the building as a part of his application for such a use.

407 MULTI-FAMILY HOUSING DEVELOPMENTS

Multi-family housing developments may be permitted only in those zoning districts and as outlined in Article 3; as a Conditional Use in the R-2 District. All such developments shall meet the requirements outlined below as well as the provisions set forth in the Valley Township Subdivision and Land Development Ordinance.

A. Design Standards

1. Minimum Parcel Area and Gross Density. Each multi-family housing development shall have a minimum gross area of at least five (5) contiguous

acres of land suitable for development. The maximum allowable density shall be eight (8) dwelling units per acre.

Where individual dwelling units of a single-family attached dwelling structure are to be conveyed, see dimensional standards established in Section 405 A.2.

2. Traffic Access. All proposed site accessways must be adequate, but not excessive in number; adequate in grade, width, alignment and visibility, and not located too near street corners, entrances to schools or places of public assembly and other similar considerations.
3. Circulation and Parking. The interior traffic circulation system must be adequate, and all required parking spaces must be provided and be easily accessible. No less than 2.0 stabilized spaces per dwelling unit shall be available on the site.
4. Streets and Drainage System Requirements. All structures within a multi-family housing development must access directly onto a public street or onto a street in the internal road system of the development. All new streets and drainage control systems shall be designed and constructed in accordance with the road and drainage control standards outlined in the Subdivision and Land Development Ordinance in effect for Valley Township. As per the requirements of Act 167 of 1978, the post-development runoff rate shall not exceed the pre-development runoff rate.
5. Arrangement of Buildings. Adequate provision must be made for light, air, access and privacy in the arrangement of the buildings to each other. Each dwelling unit shall have a minimum of two (2) exterior exposures.
6. Sewage Treatment and Water Supply. Adequate sewer and water facilities must be available or be provided by the developer in accordance with the standards of the PA Department of Environmental Protection. Sewage facilities must also be consistent with the recommendations of the Township's Official Sewage Facilities Plan. Such service shall be provided utilizing a community or package treatment system. No on-site, sub-surface sewage disposal systems will be permitted. Proper approvals for the proposed system(s) must be provided by the applicant.
7. Grading and Ground Cover (Soil Erosion and Sedimentation Control Plans). Where excavation or grading is proposed, including where existing trees, shrubs or other vegetative cover is to be removed, plans, meeting the rules and regulations of the Montour County Conservation District, shall be prepared and submitted to the Township showing what steps are to be taken to avoid soil erosion.
8. Landscaping. The proposed site must be properly landscaped, the purpose of which is to further enhance the natural qualities of the land. Where adjacent land use dictates, proper screening or buffer yards of 25 feet shall be required. (See also Sections 505 & 506.)

9. Common Open Space/Recreation Area Requirements. A minimum of five (5) percent of the gross area of the development or 500 square feet per dwelling unit, whichever is greater, shall be reserved by the developer as common open space/recreation area for use by all residents. This open space/ recreation area shall be suitable for outdoor recreational activity and shall be easily accessible to all units. Applications for multi-family housing developments shall also include a proposal regarding the ultimate ownership and maintenance responsibilities for such open space/recreation area.
10. Solid Waste Collection and Disposal. The developer shall present information explaining his proposed method of solid waste collection and disposal. If such a method is not deemed sufficient, an alternate method shall be proposed by the applicant.

B. Building Relationships

1. Maximum Length of Rows. The maximum length of any group of attached structures shall not exceed 150 feet. A building group must be arranged in order to be accessible by emergency vehicles.
2. Distance Between Buildings.
 - a. The front or rear of any building shall be no closer to the front or rear of any other building than 40 feet.
 - b. The side of any building shall be no closer to the side, front, or rear of any other building than 30 feet.
3. Distance Between Buildings and Driveways.
 - a. No driveway or parking lot should be closer than 25 feet to the front of any building, nor ten (10) feet to the side or rear of any building.
 - b. In the case of an enclosed garage or carport provided as a portion of the main structure, distance requirements for driveways providing access to these accommodations shall not apply.
4. Setback Requirements. All multi-family dwelling structures situated within a multi-family housing development shall be setback a minimum of 75 feet from all property boundary lines.

408 MOBILE HOME PARKS

Mobile home parks are permitted only in those zoning districts and as specified in Article 3; as a Conditional Use in the R-2 District. Every proposed mobile home park shall meet the following requirements as well as the requirements of the Subdivision and Land Development Ordinance in effect in Valley Township. (Each and every mobile home placed in an approved mobile home park shall secure an Occupancy Permit as required by this Ordinance, prior to its use as living quarters.)

A. Design Standards

1. Minimum Park Area. Each mobile home park shall have a gross area of at least five (5) contiguous acres of land suitable for development.
2. Mobile Home Park Lot Requirements.
 - a. Gross Density. The maximum number of mobile home lots within every mobile home park shall be no more than five (5) lots per acre of gross area of the mobile home park.
 - b. Minimum Lot Sizes. The minimum mobile home lot shall contain no less than 7,500 square feet. The minimum width of any mobile home lot shall be not less than 75 feet. The minimum length of every mobile home lot measured from the edge of the right-of-way line of the mobile home park internal street shall be not less than 100 feet.
 - c. Mobile Home Lot Access. All mobile home lots shall abut on and have frontage on a street of the mobile home park internal street system. (See also Section 408 A.7. below.)
3. Setbacks, Buffer Strips and Screening Requirements.
 - a. Setbacks from Public Roads. All mobile home and auxiliary park buildings shall be located at least 50 feet from the edge of the abutting public road right-of-way or street.
 - b. Park Perimeter Buffer Yard. All mobile homes, auxiliary park buildings and other park structures shall be located at least 50 feet from the mobile home park boundary lines. If a suitable, attractive screening, either man-made or of natural plantings, is provided along the perimeter, this minimum buffer may be reduced to 25 feet.
 - c. Screening Requirements Within the Mobile Home Park. Repair, maintenance, and storage areas or buildings shall be effectively and attractively screened from the mobile home lots, park streets and public roads or streets by man-made screens or natural plant materials.
 - d. Minimum Distances Between Structures Within the Mobile Home Park. All mobile homes shall be located at least 50 feet from any auxiliary park buildings and repair, maintenance, or storage areas or buildings and at least 20 feet from any other mobile home in the mobile home park.
4. Grading and Ground Cover Requirements (Soil Erosion and Sedimentation Control Plans). Where excavation or site grading is proposed, including where existing trees, shrubs or other vegetative cover is to be removed, plans, meeting the rules and regulations of the Montour County Conservation District, shall be prepared and submitted to the Township showing what steps are to be taken to avoid soil erosion. Buffer yards and screening shall also be provided as set forth in Sections 505 & 506 of this Ordinance.

5. Common Open Space/Recreation Area Requirements. A minimum of ten (10) percent of the gross park area or 1,000 square feet per unit, whichever is larger, shall be reserved by the developer as common open space/recreational area for use by all residents of the park. This open space/recreation area shall be suitable for outdoor recreational activity and shall be easily accessible to all mobile home lots. Applications for mobile home parks shall include a proposal regarding the ultimate ownership and maintenance responsibilities for such common open space/recreation area.
6. Parking Space Requirements. A minimum of 2.0 stabilized vehicle parking spaces shall be provided for each mobile home lot within the mobile home park. These parking spaces shall be located on the mobile home lot which they are intended to serve.
7. Mobile Home Park Internal Street and Drainage System Requirements. All mobile home lots within a mobile home park must access onto the mobile home park internal street system. Streets and drainage control systems shall be constructed in accordance with the road standards outlined in the Subdivision and Land Development Ordinance in effect for Valley Township except that street widths shall be as follows:
 - a. Where parking is permitted on both sides, a minimum road cartway width of 36 feet shall be required.
 - b. Where parking is limited to one side, a minimum road cartway width of 28 feet shall be required.
 - c. Where no parking is permitted on either side of the street, a minimum road cartway width of 20 feet shall be required.
8. Mobile Home Lot Improvements. Each mobile home lot within the mobile home park shall be improved by the developer for use by independent mobile homes. This shall include the provision of a durable pad or stand (not less than 12 feet x 60 feet in size) properly graded, placed, compacted and surfaced to provide support for maximum anticipated loads in all seasons; all necessary utility hook-ups; an all-weather patio with a minimum area of 200 square feet; and an enclosed storage shed containing a minimum of 80 square feet of floor space. Sheds shall be durable, constructed of commercially available materials and shall be anchored.

B. Utilities and Park Facilities

1. Water Supply System. An adequate supply of water shall be provided by the developer for all mobile homes, service buildings and other accessory facilities in accordance with the standards and with the approval of the PA Department of Environmental Protection. Where a public water supply system of satisfactory quantity, quality and pressure is available, connection shall be made to it and its supply shall be used exclusively. Where a satisfactory public water supply system is not available, the applicant shall design, install, and maintain a private water supply system.

2. Sewage Disposal System. An adequate and safe sewage system shall be provided by the developer in all mobile home parks for conveying and disposing of sewage from mobile homes, service buildings and other accessory facilities. Such facilities shall be provided in accordance with the standards and with the approval of the PA Department of Environmental Protection. Sewage facilities shall also be consistent with the recommendations of the Township's Official Sewage Facilities Plan. Mobile home parks shall be connected to public sewer systems, where possible. Where a satisfactory public sewage disposal system is not available, the applicant shall design, install and maintain an approved private sewage system.
3. Other Utility Systems. Telephone, electric, television cable, natural or bottled gas, fuel oil or other utilities shall be provided in accordance with plans approved by the Township and the utility company. Underground installation of the utility distribution and service lines is required for approval of the mobile home park proposal.
4. Service and Other Auxiliary Park Buildings. Service, maintenance and management buildings, recreation or community buildings and commercial sales buildings required for the management, servicing and maintenance of the park and well-being of the park residents shall be allowed within the mobile home park boundaries. The entire area of these buildings shall be used exclusively for the management, servicing and maintenance requirements of the park and park residents.
5. Park Management. Each mobile home park shall have a resident manager who shall be responsible for maintaining the park in accordance with the requirements of this Ordinance and the terms and conditions of the park's approval.
6. Solid Waste Collection and Disposal. The developer shall present information explaining the proposed method of solid waste collection and disposal. If such method is not deemed sufficient, an alternate method shall be proposed by the applicant.

C. Rules and Regulations of the Park

The developer shall submit a copy of the proposed rules and regulations to be followed by tenants of the mobile home park as a part of his application for such a use. (See also PA Mobile Home Park Tenants Act.)

1. Each mobile home shall be skirted. (Skirting shall include materials which have been prefabricated for this specific purpose or similar materials, but shall not include bales of hay, straw, interior plywood, or like materials.)
2. Garbage and trash shall be placed in appropriate receptacles.
3. Each mobile home shall be anchored to prevent the structure from being overturned or blown from its foundation or supports. This anchoring shall comply with the specifications outlined in Section 403 C.

409 GROUP HOMES

Group homes may be permitted only in those zoning districts and as specified in Article 3; as a Conditional Use in the R-2 District. All applications for such activities shall indicate that the following standards can be met.

- A. The lot upon which a group home is situated shall have a gross area of 30,000 square feet plus 1,000 square feet for each bed.
- B. Residents of a group home shall remain in residence for a period of at least six (6) months, and a change of residents shall not routinely occur except in case of death, extended illness or disability.
- C. Residents shall maintain a single household unit with shared use of rooms, except bedrooms, and shall share mealtimes and housekeeping duties.
- D. Residents shall not receive regular medical treatment or psychological counseling on the premises nor shall the services provided be of such nature as would render the home an institutional facility.
- E. Accommodations shall be provided for no more than six (6) residents at one time unless the applicant can demonstrate that the facility is of such size that it can adequately accommodate additional occupants.
- F. Adult supervision shall be provided at the facility on a 24 hour basis.
- G. Sewage facilities shall be provided which are capable of treating the volume of effluent anticipated from the facility. Certification, by the Township Sewage Enforcement Officer, verifying the acceptability and/or suitability of an existing sub-surface sewage disposal system or sewage permit for the installation of a new system shall be submitted as part of an application for such a use.
- H. No group home shall be located within 1,000 feet of another similar use.
- I. A minimum of one (1) off-street parking space shall be provided for each employee plus one (1) additional space for each two (2) residents.
- J. Where adjacent land use dictates, adequate screening or buffer yards shall be provided. (See also Sections 505 and 506.)

410 HOME OCCUPATIONS

Where not prohibited by deed restrictions or other covenants or agreements restricting the use of land, no-impact home-based businesses and other home occupations may be permitted in accordance with the following requirements.

A. No-Impact Home-Based Businesses

- 1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

2. The business activity shall be conducted entirely within the owner's dwelling and may occupy no more than 25% of the habitable floor area of the residence, not to exceed a total of 400 square feet.
3. The business shall employ no employees other than family members residing in the dwelling.
4. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
5. There shall be no outside appearance of a business use, including but not limited to, parking, signs, or lighting.
6. The business activity shall 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.
7. The business activity shall not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.
8. The business shall not involve any customer, client, or patient traffic, whether vehicular or pedestrian, pick-up, delivery, or removal functions to or from the premises in excess of that normally associated with a residential use.
9. The business shall not involve any illegal activity.

B. Home Occupations (See also Section 415 for farm-related businesses.)

1. The home occupation shall be clearly secondary to the principal residential nature or use of the dwelling where it is to be located.
2. In the R-1 and R-2 Districts, the area devoted to the permitted home occupation shall be located entirely within the owner's residence; no detached, accessory structure(s) may be used. In the AR and OS Districts, the area devoted to the permitted occupation may be located within the owner's dwelling or a single building accessory thereto (including a farm building, i.e. a barn, shed, etc.)
3. A home occupation shall occupy no more than 25% of the gross floor area of the dwelling, and in the R-1 and R-2 Districts, shall not exceed a total of 400 sq.ft. (No maximum gross floor area standards shall be applied for family day care homes.)
4. In the R-1 District, persons engaged in the home occupation shall be limited to the members of the household of the operator residing on the premises; there shall be no non-occupant employees. In all other zones, one (1) non-occupant employee may be engaged in the home occupation.
5. The home occupation shall not in any way alter the residential character of the neighborhood where it is to be located, nor shall it in any way adversely affect

the safe and comfortable enjoyment of individual property rights in that neighborhood.

6. The home occupation shall not create any adverse impact on existing vehicular traffic or pedestrian circulation patterns in the neighborhood. In the R-1 and R-2 Districts, no home occupation shall be permitted where manufactured products or materials are delivered to or distributed from the residence.
7. No offensive or objectionable noise, vibration, smoke, dust, odor, heat or glare shall be produced or detected at or beyond the property line of the lot containing the home occupation.
8. There shall be no exterior display or sign advertising the home occupation, except as may be permitted in Article 7, and no outside or unenclosed storage of materials associated with the activity on the premises.
9. The majority of all goods or products sold on the premises shall be produced on the premises.
10. Home occupations may be permitted as follows, subject to the limitations set forth above:

a. R-1 District.

- 1) Home offices for service-oriented professionals requiring only limited access or office visits by clients, including facilities for real estate or insurance agents, engineers, architects, accountants, clerical or computer personnel, telemarketers, seamstresses, fine artists, tutors, musicians giving lessons, or other similar activities which do not meet the criteria for a no-impact home-based business.
- 2) Single-operator barber or beauty shops.
- 3) Family day care homes.

b. R-2 District.

- 1) All those occupations permitted in the R-1 District, and
- 2) Medical, dental, real estate, insurance or other professional offices.
- 3) Two-person barber or beauty shops.
- 4) Arts and crafts or antique shops.
- 5) Custom baking and catering operations.
- 6) Custom dressmaking facilities.
- 7) Small appliance or small equipment repair facilities.

8) Artists' studios.

c. AR and OS Districts.

- 1) All those occupations permitted in the R-1 and R-2 Districts, and
 - 2) Farm-related businesses.
 - 3) Custom woodworking, furniture or carpentry shops.
11. Other home occupations not specified above may be permitted upon finding of the Board of Supervisors that such use complies with the criteria and intent of this Section, other applicable codes and ordinances, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of the neighborhood where it is to be located. Before making such a determination, the Supervisors shall notify all property owners adjoining the proposed site and indicate the date and time of the meeting at which they intend to consider the request. Notice shall also be placed in a newspaper of general circulation in the municipality one (1) time, at least seven (7) days prior to the Supervisors' consideration.
12. All home occupations shall be permitted via a "Home Occupation Permit" issued by the Township Zoning Officer. The Zoning Officer shall review the specifics of the applicant's proposed home occupation to determine its compliance with this Ordinance, or shall review the application in consultation with the Township Supervisors as outlined in Sub-Section B.11 above. The cost of this Permit shall be a one-time fee of \$25.00. The Permit will remain valid for one (1) year from the date of its issuance and must be renewed annually (without additional fees) by written request to the Zoning Officer. The Zoning Officer retains the right to inspect the site of the home occupation to insure that the endeavor has not evolved to the point where it no longer meets the requirements of this Ordinance.
13. Where the Home Occupation Permit is not granted initially, or is not renewed by the Zoning Officer, the applicant may appeal such denial to the Board of Supervisors. This appeal will be held at the close of one of the regular Supervisors' meetings as the last order of business. The decision of the Supervisors will be final and binding upon the applicant, and will be rendered in writing within 30 working days of the appeal.

411 DAY NURSERIES OR DAY CARE CENTERS

Day care centers, nursery schools, kindergartens, or other agencies or individuals providing care for more than six (6) children outside of a family residence are subject to the following provisions.

- A. Outdoor play areas of at least 100 square feet per child shall be provided. Such play areas shall be located at least 60 feet from any road and shall be fenced.
- B. Outdoor play areas shall be sufficiently screened and sound insulated to protect

the neighborhood from noise and other disturbances.

- C. Sewage and water facilities shall be sufficient to handle the loading created by the proposed use.
- D. All other applicable codes, ordinances or laws (including regulations of the State Departments of Public Welfare, Environmental Protection, and Education), shall be met before issuance of a Zoning Permit.

412 BED AND BREAKFAST ESTABLISHMENTS

The following standards and requirements shall apply to the use of an existing dwelling as a bed and breakfast establishment.

- A. The bed and breakfast services shall remain incidental to the principal residential use of the dwelling.
- B. The operator of the bed and breakfast facility shall reside in the dwelling.
- C. A maximum of four (4) rooms or 1,000 square feet of habitable floor area, whichever is less, shall be devoted to the bed and breakfast use.
- D. Overnight lodging accommodations shall not exceed seven (7) continuous nights per patron.
- E. Exterior and interior alterations shall be limited to those customarily associated with residential uses.
- F. Adequate off-street parking shall be provided in accordance with the requirements of Section 800, TABLE 1, of this Ordinance.
- G. Signs associated with or advertising the facility shall meet the requirements of Article 7 of this Ordinance.

413 SWIMMING POOLS

A. Private Swimming Pools

Private swimming or bathing pools (pools used for by the occupant and his guests) may be permitted as accessory uses in all zoning districts of the Township, but shall be subject to the following requirements.

1. Every outdoor private swimming pool of seasonal or permanent construction, whether above or below ground, shall be installed to meet the requirements of the PA Uniform Construction Code. As part of those requirements, all such pools shall be completely enclosed by a fence or wall not less than four (4) feet in height to prevent uncontrolled access. (No additional enclosure shall be required where a minimum of four (4) feet of the walls of the pool are located above the ground; provided however, that steps, ladders and other means of access to the pool are removed or secured to a minimum of four (4) feet above the surrounding

ground surface when the pool is not in use.) All gates or doors in the enclosure shall have self-latching or automatic locking devices.

2. A dwelling or accessory structure may be used as part of the required enclosure.
3. No pool shall be located within any required front yard, nor be closer to any side or rear property line than is provided in the District Regulations for the district in which the pool is to be located.

B. Public Swimming Pools

Public swimming or bathing pools, including pools owned and operated by municipal governments, private organizations, or pools provided in conjunction with commercial lodging facilities, mobile home parks, residential developments or similar uses, may be permitted only as specified in the District Regulations, Article 3. Such pools shall be subject to all requirements set forth in the PA Uniform Construction Code and those established by the PA Department of Environmental Protection and the PA Department of Health.

414 AGRICULTURAL USES AND ACTIVITIES

- A. Regardless of the specific uses listed or permitted in any of the zoning districts in this Ordinance, existing agricultural programs shall be permitted and encouraged as an interim use until such time as the property owner sells or transfers his property interests to persons, agents or others interested in developing a use in conformance with the District Regulations set forth in Article 3. All agricultural uses and activities initiated after the effective date of this Ordinance shall however be subject to the following safeguards and regulations.
- B. The following general regulations shall apply to all agricultural uses regardless of the zoning district in which they may be located.
 1. Private gardens shall be permitted in all zoning districts.
 2. Commercial animal husbandry may be authorized as a principal and/or accessory use only in the Agriculture Rural and Open Space Zoning Districts. The housing or raising of livestock or poultry as farm pets or for domestic purposes pursuant to the requirements of this Ordinance shall not be considered animal husbandry. Household pets are exempt from these regulations.
 3. Agricultural operations that use or produce manure that are not a CAO or CAFO shall comply with the PA Department of Environmental Protection's requirements applicable to such operations, including the requirements specified in 25 PA Code, Section 91.36 and the manuals and guides referenced in that Section, or as may hereafter be amended.
 4. Buildings in which livestock or poultry are to be housed (temporarily or permanently) shall be set back in accordance with the standards established in the District Regulations, Article 3.

5. Outdoor feedlots, agricultural compost, manure or other similar unenclosed storage shall be located and set back in accordance with the PA Department of Environmental Protection's standards, including the requirements of 25 PA Code, Section 91.36 and the manuals and guides referenced in that Section, or as may hereafter be amended.
6. Nothing contained in this Ordinance shall prohibit a farmer from carrying out normal farming activities, including the spreading of manure in accordance with the requirements of the PA Nutrient Management Act.
7. In the Open Space Zoning District, where a landowner is participating in the "Clean and Green" tax benefit program and/or is part of an approved Agricultural Security Area, that land owner shall be entitled to the subdivision of up to one (1) lot per year with a minimum of two (2) acres.

415 FARM-RELATED BUSINESSES OR TEMPORARY ROADSIDE STANDS

A. Farm-Related Businesses

Farm-related businesses may be permitted as accessory uses in the Agricultural Rural and Open Space Zoning Districts. Every application for such a use shall be subject to the following requirements as well as the most current version of the Valley Township Subdivision and Land Development Ordinance.

1. For the purposes of this Ordinance, a farm-related business shall be defined as an accessory commercial enterprise conducted on a farm parcel which is related to and/or supportive of an on-going agricultural operation located on the same tract of ground. All such operations shall remain secondary to the principal agricultural use of the property.
2. Farm-related businesses shall be conducted entirely within an enclosed building(s) typical of farm buildings, but may not be located within the farm residence. All buildings used for farm-related businesses shall be located in proximity to other farmstead buildings and must remain compatible with the character of the farm and the rural setting in which they are located.
3. The farm-related business must be owned and operated by the individual who is the owner and resident of the farm on which it is located. There shall be no more than two (2) non-resident employees engaged in the business.
4. The area devoted to production, storage and sales associated with the farm-related business shall be limited to a total of 2,500 sq. feet of gross floor area.
5. No outdoor, unenclosed storage associated with a farm-related business shall become a nuisance or create a safety hazard. All such storage shall meet the requirements set forth in Section 507 of this Ordinance.
6. All signs used to advertise such facilities shall meet the requirements of Article 7 of this Ordinance.
7. Off-street parking spaces shall be provided for each farm-related business as set forth in Article 8 of this Ordinance.

8. Farm-related businesses may include, but need not be limited to, any of the following activities:
 - a. Processing, storage, and/or sale of products raised or produced on the premises;
 - b. Dairy stores;
 - c. Custom butcher shops;
 - d. Horticultural nurseries, greenhouses, and/or garden shops;
 - e. Feed or seed sales;
 - f. Tack shops or blacksmithing operations; and
 - g. Livestock or animal grooming services.
9. Requests for other farm-related businesses not specified above may be submitted to the Zoning Hearing Board for consideration. Upon finding of the Board that such use complies with the criteria of this Section, other applicable codes and ordinances in effect in the Township, and that the proposed use would not be detrimental to the health, safety and welfare of the residents of the neighborhood where it is to be located, such use may be approved.

B. Temporary Roadside Stands

Temporary roadside stands or shelters may be erected for the sale of various types of farm, nursery or greenhouse products grown on the premises, in accordance with the following standards.

1. No building or structure other than a portable stand shall be erected for such use. (Permanent facilities shall be considered as a farm-related business and shall be processed in accordance with the regulations set forth in Sub-part A above.)
2. Such stands shall be removed during the season when not in use for the sale or display of products.
3. The use or activity shall not occur for longer than six (6) months in any calendar year.
4. Roadside stands shall be set back a minimum of 12 feet from the edge of the adjoining street right-of-way and at least 50 feet from any intersection.
5. All signs used to advertise roadside stands or products being offered for sale shall meet the requirements set forth in Article 7 of this Ordinance and shall be removed from the site when the stand is removed.

416 CAMPGROUNDS

Campgrounds are permitted only in those zoning districts as specified in Article 3 and may be open to either tents or recreational vehicles. ALL CAMPGROUND PERMITS SHALL BE RENEWED ANNUALLY. Every such development shall meet the requirements outlined below, as well as the requirements of the Subdivision and Land

Development Ordinance in effect in Valley Township.

A. Design Standards

1. Minimum Campground Area. A campground shall have a gross area of at least five (5) acres.
2. Camping Space Requirements.
 - a. Gross Density. The maximum number of camping spaces within each campground shall be no more than 10 per acre of gross area of the campground.
 - b. Minimum Camping Space Sizes. Each camping space shall contain a minimum of 2,400 square feet. The minimum width shall be not less than 40 feet and the minimum depth not less than 60 feet.
 - c. Camping Space Access. All camping spaces shall abut and have frontage on a street of the campground internal street system.
3. Setbacks, Buffer Strips and Screening Requirements
 - a. Park Perimeter Buffer Yard. All camping spaces and auxiliary park structures shall be located at least 50 feet from the campground boundary lines, including public road rights-of-way. If a suitable, attractive screening of natural plantings is provided along the perimeter, this minimum buffer may be reduced to 25 feet.
 - b. Minimum Distance Between Structures and Camping Space. All camping spaces shall be located at least 30 feet from any auxiliary building.
 - c. Minimum Distance Between Camping Units. Individual camping units shall be separated by a minimum of 20 feet.
4. Grading and Ground Cover Requirements (Soil Erosion & Sedimentation Control Plans). Where excavation or site grading is proposed, including where existing trees, shrubs, or other vegetative cover is to be removed, plans, meeting the rules and regulations of the Montour County Conservation District, shall be prepared and submitted to the Township showing what steps will be taken to avoid soil erosion. Buffer yards and screening shall also be provided as set forth in Sections 505 and 506 of this Ordinance.
5. Parking Space Requirements. A minimum of one (1) vehicle parking space shall be provided for each camping space plus one (1) additional parking space for every five (5) camping spaces.
6. Campground Internal Street System Requirements. All camping spaces within a campground must access onto the campground internal street system. The internal street and drainage system shall consist of private streets designed and constructed according to the right-of-way and construction standards outlined in the Subdivision and Land Development Ordinance for Valley Township. In

addition, at the entrance intersection of the campground, a cartway with a width of 50 feet shall be provided for a distance of 100 feet to accommodate the safe movement of vehicles or units into and out of the facility.

B. Utilities and Park Facilities

1. Water Supply and Sewage Disposal Systems. The standards of the Department of Environmental Protection shall be met. Documents and approvals indicating that these standards can be met along with notations on the campground plan showing the location of water sources and restrooms shall be presented to the appropriate Township officials. Separate restroom facilities shall be provided for men and women.
2. Other Utility Systems. Where electric or other utilities are to be provided, plans shall be provided by the developer and approved by the appropriate Township officials and the utility company.
3. Solid Waste Collection and Disposal. The applicant shall present information to the appropriate Township officials explaining the proposed method of solid waste collection and disposal. If such a method is not deemed sufficient, an alternate method shall be proposed by the applicant.
4. Service and Other Campground Buildings. Service, maintenance and management buildings and commercial sales buildings required for the management, servicing and maintenance of the campground may be allowed provided that such buildings are used exclusively for said purposes. No structures may be located within a Floodway District, but may be located within any other Floodplain District as long as they are adequately floodproofed. (See Article 6.)
5. Campground Management. During times of operation, each campground shall have a resident manager who shall be responsible for maintaining the facility in accordance with the requirements of this Ordinance and the terms and conditions of the campground's approval.

C. Campgrounds in Floodprone Areas

1. Where campgrounds are proposed to be located within a designated Floodway, permits will only be valid from May 1 through October 1 of each year. All units must be removed from the floodplain during the remainder of the year.
2. Where campgrounds are proposed to be located within any designated floodplain area, a workable evacuation plan must be submitted by the developer as a part of his application for a permit. Said plan must insure that all units will be removed from the floodplain during flood events.
3. Anchoring may be required for units being placed permanently in campgrounds located outside of designated floodplain areas. However, units being placed in campgrounds located within a designated floodplain must remain on wheels and be capable of being towed or transported from the site at all times. Such units may not be placed on blocks or similar supports.

417 RECREATION FACILITIES: PARKS OR PLAYGROUNDS

If specific recreational facilities are not regulated elsewhere herein, the following standards shall apply.

- A. The minimum area required for such activities shall be in accordance with the District Regulations.
- B. A plan showing the proposed facilities and/or design of the recreational facility shall be provided.
- C. A statement shall be submitted by the applicant indicating the reasons why the proposed facility is appropriate for the district in which it is located.
- D. Off-street parking facilities shall be provided in accordance with Section 800, TABLE 1, of this Ordinance.
- E. Sewage disposal facilities shall be provided in accordance with the standards of the Department of Environmental Protection. A sewage permit or completed Sewage Planning Module(s) shall be submitted with the application.
- F. Information on the proposed method of solid waste collection and disposal shall be presented by the applicant.
- G. Outdoor security lighting shall be provided for the facility. Such lighting and other outdoor lighting shall however be installed and shielded to eliminate direct glare on adjacent property or upon public streets.
- H. All buildings, structures or active recreation activities shall be screened in accordance with Section 506 of this Ordinance and shall be setback at least 100 feet from all property lines. Where the proposed activity could create a potentially hazardous situation, such as a shooting range, additional precautions shall be taken by the applicant to ensure the safety of the public. In all such instances, the Township shall review the precautions being proposed and shall determine their suitability.
- I. The proposed hours, rules, and security methods for the facility shall be included with the plan submission. Consideration shall be given not only to the convenience of the users, but the convenience, safety and welfare of the neighborhood in which the facility is to be located.

418 PUBLIC ENTERTAINMENT FACILITIES

For the purposes of this Ordinance, public entertainment facilities shall include, but not be limited to, bowling alleys, roller skating rinks, motion picture theaters, health clubs and similar types of establishments, but shall exclude adult entertainment facilities.

- A. Such uses shall be conducted entirely within an enclosed structure.
- B. Off-street parking spaces shall be provided in accordance with Section 800, TABLE 1, of this Ordinance.

- C. Illuminated signs or other outdoor lighting shall be installed and shielded to avoid causing glare on adjacent properties or creating a hazard for passing motorists.
- D. Adequate measures shall be taken to prevent noise or other noxious influences from disturbing nearby residential properties.

419 RETAIL ESTABLISHMENTS

Retail establishments may be permitted as specified in Article 3, the District Regulations. Applications for such activities must include the following information:

- A. A sketch, drawn to scale, showing the tract of ground on which the use is to be located;
- B. An indication that the use will not have a detrimental effect on the character of the area or neighborhood where it is proposed to be located;
- C. An indication that adequate sewage disposal facilities will be provided;
- D. An indication that access to the proposed establishment will be adequate and as required by Section 802 of this Ordinance and that the number of off-street parking spaces required by Section 800, TABLE 1 will be provided;
- E. An indication that a buffer yard or screen planting will be provided as required by Sections 505 & 506 of this Ordinance; and,
- F. An indication of the establishment's proposed hours of operation.

420 AUTOMOTIVE OR MOTOR VEHICLE SERVICE STATIONS AND/OR REPAIR SHOPS

- A. No automotive or motor vehicle service station or repair shop shall have an entrance or exit for vehicles within 300 feet of any school, playground, church, or public place of assembly.
- B. Gasoline pumps shall be no closer than 25 feet to any street or lot line.
- C. All repair work (excluding preventive maintenance and minor adjustments) shall be carried out within a structure.
- D. All fuel, oil, propane gas, or other similar substances shall be stored at least 25 feet from any street or property line. All materials including new and used parts shall be stored within a building. (Additional permits may be necessary to meet State & Federal requirements regarding the location of storage tanks for such purposes.)
- E. Where adjacent land use dictates (i.e. residential home sites, churches or similar uses), screening and/or buffer yards shall be provided as required in Sections 505 and 506 of this Ordinance.
- F. Body work or painting of vehicles may be permitted only in motor vehicle service stations provided that:

1. the sewage system on the site is designed to handle any wastes generated by the body work which are to be flushed into it for disposal; and
 2. the structure within which the body work is to take place meets all the Labor and Industry regulations of the Commonwealth and is designed to contain all noise, vibrations, dust, and odor generated by the body work on-site.
- G. No vehicular sales shall be permitted to be associated with automotive or motor vehicle service stations or repair shops. Automotive sales facilities shall be independent, free-standing land uses.

421 INDUSTRIAL OPERATIONS

For the purposes of this Ordinance, industrial uses shall include, but need not be limited to, light manufacturing and assembly operations, warehousing and storage facilities, research and testing laboratories, transportation terminals and recycling centers. Such operations may be permitted only in the Industrial District and shall be subject to the dimensional requirements of the District Regulations, all applicable requirements of the PA Department of Environmental Protection, as well as the following additional standards.

- A. Industrial operations shall abut on or provide direct access to an arterial street capable of accommodating all anticipated types and levels of traffic.
- B. Industrial operations shall be served by municipal or package sewage and water systems.
- C. Every industrial operations shall be conducted within an enclosed structure(s). All storage associated with such uses shall be contained within an enclosed building or shall be shielded or screened from view by a fence and shall not be located within any required yard area.
- D. All processing associated with recycling and transfer facilities for solid waste shall be located within an enclosed structure. In addition, all such activities shall meet the requirements of the PA Department of Environmental Protection for the recycling and processing of solid waste. The storage and disposal of hazardous wastes shall comply with all State and Federal laws and regulations.
- E. No property adjacent to the proposed use shall be adversely affected by the industrial activity.
- F. Accessory retail sales or distribution of products produced by the industrial operation may be permitted by the Board of Supervisors as a Conditional Use, but must be demonstrated to be clearly incidental to the primary industrial use.
- G. An adequate buffer yard and/or screen planting shall be provided along all property lines of the site as required by Sections 505 and 506 of this Ordinance.
- H. The Township Supervisors may require the applicant to post a highway performance bond in order to assure the maintenance of local municipal roads used for access to the industrial site and transportation of materials and products from the operation. The amount of the bond shall be set by the Township

Supervisors and shall be valid for one (1) year. Where necessary however, the life of the bond may be extended for a longer period of time. The bond shall be administered in accordance with the provisions of Article 5 of the PA Municipalities Planning Code, as amended, relating to improvement guarantees.

422 **COMMERCIAL TIMBER HARVESTING OPERATIONS**

- A. Commercial timber harvesting operations may be permitted only as outlined in the District Regulations. Applications for such harvesting activities shall include the following information:
1. A sketch plan, drawn to scale, showing the outline of the tract from which the timber is to be harvested and the portion of the tract where the logging is to occur;
 2. An indication where access to public roads, including Township roads, will be made;
 3. An indication of where staging and loading areas will be located;
 4. A soil erosion and sedimentation control plan, where required;
 5. An indication of the length of time anticipated to complete the harvesting activity and the time of year when the activity is scheduled; and,
 6. A site restoration plan.
- B. The applicant shall identify all Township roads to be used to transport equipment into and harvested products from the site as part of his application for the use. The Township Engineer, or other identified municipal official, shall document the condition of all affected roads prior to the initiation of the operation and again within 30 days after completion of the harvesting operation. (All road and bridge postings and bonding requirements established by Valley Township shall also apply.) Any damage caused by the applicant or his contractor shall be promptly repaired at the applicant's expense.
- C. Zoning Permits issued for timber harvesting operations shall be valid for six (6) months unless otherwise extended by the Township Supervisors.

423 **COMMERCIAL RESOURCE EXTRACTION OPERATIONS**

Resource extraction operations, including the commercial excavation of sand, gravel, clay, shale, rock or other natural mineral deposit as may be defined by State or Federal regulations, may be permitted only where specified in the District Regulations, Article 3. All such operations shall comply with PA Department of Environmental Protection and applicable Federal permit requirements and evidence of such compliance must be submitted with any application for an extraction operation. In addition, the following standards shall be met. ***(Where however, the requirements of this Ordinance conflict with any state or federal law or regulation, such state or federal regulation shall prevail.)***

- A. Resource extraction operations shall abut on or provide direct access to a street or

highway capable of accommodating heavy trucks and employee traffic. Truck access to any excavation site shall be arranged to minimize danger to traffic and nuisance to surrounding properties. Where access to a state highway is proposed, a copy of the applicant's PennDOT-issued Highway Occupancy Permit shall be provided to the Township as a part of the extraction plan submission.

The applicant shall identify all Township roads to be used to transport equipment into and extracted products from the site as part of his application for the use. The Township Engineer, or other identified municipal official, shall document the condition of all affected roads prior to the initiation of the operation and again within 30 days after completion of the extraction operation. (All road and bridge posting and bonding requirements established by Valley Township shall also be applied.) Any damage caused by the applicant or his contractor shall be promptly repaired at the applicant's expense.

- B. A copy of the applicant's Soil Erosion and Sedimentation Control Plan, reviewed and approved by the County Conservation District, or other designated agency, shall be submitted to the Township to indicate what precautions are to be taken to avoid erosion and sedimentation problems where excavation is proposed. All exposed ground surfaces shall be stabilized or protected with a vegetative cover to prevent erosion, unless other erosion control techniques are approved as part of the above-referenced Plan.
- C. Screen plantings, buffering, and/or fencing shall be provided along the perimeter of the excavation site as may be required by State or Federal regulations. Where not specifically regulated by State or Federal standards, a buffer yard of 150 feet and screening in accordance with Section 506 of this Ordinance shall be provided. In addition, in the case of open excavation, a fence, at least eight (8) feet in height, shall completely surround the excavated area, except at approved points of ingress and egress. Points of ingress and egress shall have a gate(s) which shall be locked to prevent unauthorized access when the facility is not in operation.
- D. Where not specifically regulated by State or Federal standards, no extraction activities, stockpiling or storage of extracted material shall be located within the required buffer area (see Section C. above), nor less than 500 feet from a Residential District or residential use or 300 feet from any stream, body of water or designated wetland area. Further, no stockpiles may exceed 50 feet in height above the original ground surface. All reasonable precautions shall be taken to prevent any materials deposited on stockpiles from being washed, blown, or otherwise transported off the site by natural forces.
- E. Where permitted, rock crushers, batching or mixing plants, or other grinding, polishing or cutting machinery shall be setback a minimum of 150 feet from all property lines and public rights-of-way. Such facilities shall not exceed 65 feet in height and shall be subject to such additional conditions and safeguards deemed necessary by the Township to protect the public health, safety and welfare.
- F. Any blasting required for extraction operations shall be conducted only by persons having a current license issued by the PA Department of Labor and Industry or other appropriate agency. Blasting, handling and storage of explosives shall be carried out in accordance with the most current rules and regulations of the PA Department of Labor and Industry. The applicant and/or operator of any excavation involving blasting

shall carry insurance to cover such operations in an amount determined sufficient by the Township Supervisors.

- G. The applicant shall submit a copy of the state or federally mandated post-closure site restoration plans to the Township as a part of the application for an extraction operation.
- H. The applicant shall provide evidence that all required governmental approvals have been granted prior to the issuance of a Zoning Permit. In the event the mining operation is found to be in violation of any governmental regulations which require the operation of the facility to cease, such action shall cause the Zoning Permit to be forfeited. In this case, no resumption of facility operations shall take place unless and until the applicant obtains approval of a new Zoning Permit application.

424 TEMPORARY USES IN FLOODPLAIN AREAS (SUCH AS CARNIVALS AND CIRCUSES)

- A. A temporary Zoning Permit may be issued by the Zoning Officer for a temporary use such as a carnival or circus in any floodplain district. Such temporary permit shall be valid for 14 days and shall be issued only after the applicant agrees to or provides the following information.
 - 1. If there is a threat of flood, all wagons, tents, temporary structures, animals and other materials shall be removed completely from of the 100 year floodplain. This shall be done promptly before the threat of flood becomes a reality.
 - 2. The site of such temporary use shall not be left unattended by the applicant or agents working for him at any time during which the use is located on the site.
 - 3. Assurance shall be given by the applicant to guarantee that there is adequate space to satisfy the parking demands that will be generated by the use and that adequate traffic control precautions are to be taken.
 - 4. Information concerning the temporary sewage disposal facilities to be used shall be presented by the applicant with assurance from the Department of Environmental Protection that they are adequate.
 - 5. If the temporary use is to take place on land not owned by the applicant, the applicant shall present a written agreement to the Zoning Officer in which the owner of the property agrees to the temporary use of his property.
 - 6. Any solid waste generated by the temporary use shall be collected and disposed of properly by the applicant.
 - 7. All wagons, tents, temporary structures, animals and any other materials brought in shall be removed from the site within the time limit stated on the Temporary Permit.

- B. The Zoning Officer shall note on the temporary Zoning Permit or attach to the Permit all information that demonstrates the applicant has agreed to or complied with items 1. through 7. of Sub-Section A. The Zoning Officer shall check at the site as needed to see that the provisions of the Permit are carried out.

425 JUNK YARDS OR AUTO SALVAGE OPERATIONS

All junk yards or auto salvage operations existing at the effective date of this Ordinance or all new junk yards or auto salvage operations which are created hereafter shall comply with the following provisions.

- A. Such uses shall be conducted within a building or entirely enclosed by a fence or wall not less than eight (8) feet in height, constructed of a permanent material. In addition to the fence, a buffer yard and screen planting as set forth in Section 505 and 506 of this Ordinance shall be provided.
- B. No junk material, appurtenant structure, related activity or other enclosure shall be stored, placed, located or conducted within 25 feet of any adjoining property line or public street right-of-way. No weeds or scrub-growth over eight (8) inches in height shall be permitted to grow within this setback area.
- C. All junk shall be stored or arranged so as to permit access by fire-fighting equipment and to prevent the accumulation of water. No junk shall be piled to a height exceeding six (6) feet.
- D. No oil, grease, tires, gasoline or other similar material or substances shall be burned at any time, and all other burning shall be attended and controlled at all times.
- E. All junk yards shall be maintained in such a manner to avoid causing public or private nuisances; causing any offensive or noxious odors; or causing the breeding or harboring of rats, flies, or other vectors that could be hazardous to public health.

426 BOARDING OR ROOMING HOMES

Boarding or rooming homes may be permitted only in those zoning districts and as specified in Article 3; as a Conditional Use in the C-2 District. All applications for such activities shall indicate that the following standards can be met.

- A. Boarding, rooming or lodging facilities shall be accessory to a single-family dwelling unit and may or may not include common eating arrangements.
- B. Accommodations shall be for no more than six (6) additional persons and shall be for periods of one (1) week or more.
- C. Sewage facilities shall be provided which are capable of treating the volume of effluent anticipated from the use. Certification, by the Township Sewage Enforcement Officer, verifying the acceptability and/or suitability of an existing sub-surface sewage disposal system or a sewage permit for the

installation of a new system shall be submitted as part of the application for such a use.

- D. The lot upon which the boarding or rooming home is situated shall have a gross area of at least one (1) acre.
- E. The off-street parking requirements set forth in Section 800, Table 1) and other applicable standards of this Ordinance shall be met.
- F. Where adjacent land use dictates, adequate buffer yards and/or screen planting shall be provided in accordance with Sections 505 and 506 of this Ordinance.

427 PLANNED RESIDENTIAL DEVELOPMENTS

Planned residential developments may be permitted only in those zoning districts and as specified in Article 3; as a Conditional Use in the R-2 District. All applications for such uses shall be processed in accordance with the procedures set forth in Article VII of the PA Municipalities Planning Code, as amended. Applications for planned residential developments shall meet the requirements outlined below as well as the standards established in Section 407 of this Ordinance relating to overall design, layout, building relationships, access and circulation patterns. In addition, the provisions contained in the Subdivision and Land Development Ordinance in effect in Valley Township shall also apply.

A. Minimum Area Requirements

A minimum of ten (10) contiguous acres of land suitable for development shall be required for such a development.

B. Types of Uses Permitted

The following types of uses shall be permitted to be included in planned residential developments.

1. Single family detached and attached residential uses, two-family residential units, and multi-family residential uses.
2. Commercial and recreational uses or activities appropriate for incorporation into the proposed development and which are designed to serve primarily the occupants of the proposed development.

C. Maximum Residential Densities

The following maximum gross densities shall apply to all residential units within the proposed development.

1. Single-family Detached Units - six (6) dwelling units per acre.
2. Two-family Units - ten (10) dwelling units per acre.
3. Single-family Attached Units - 15 dwelling units per acre.

4. Multi-family Units - 25 dwelling units per acre.

D. Common Open Space

A minimum of 40% of the total development area shall be set aside for and shall remain common open space. Such open space shall include areas of land and water, but shall exclude all roads, parking areas, structures, or service lanes. The developer shall submit a proposal which provides for the ultimate ownership and maintenance of all such open areas.

428 ADULT ENTERTAINMENT ESTABLISHMENTS

Adult entertainment establishments or facilities may be permitted only in those zoning districts and as specified in Article 3, the District Regulations. In addition, all applications for adult entertainment establishments shall meet the criteria set forth for retail uses in Section 419 of this Ordinance as well as the standards outlined below, and any applicable State or local requirements.

- A. No building or structure housing an adult entertainment establishment may be situated or located within:
 1. 500 feet of the boundary of any Residential District; and
 2. 500 feet of the property line of any church, school, theater, park, playground, or other areas where minors congregate; and
 3. 500 feet of the property line of any establishment licensed by the PA Liquor Control Board to dispense alcoholic beverages; and
 4. 300 feet of the property line of any restaurant, eating establishment, or grocery store; nor within
 5. 300 feet of the property line of any other adult entertainment establishment.
- B. All building openings, entries, exits or windows for adult entertainment establishments shall be located, covered or screened in such a manner so as to prevent a view into the interior from any street, sidewalk or other public place. In the case of any adult drive-in or motion picture theater, viewing screens shall be situated so as to prevent observation from any street, sidewalk or other public area.
- C. Advertisements, displays, or other promotional materials for adult entertainment establishments shall not be shown or exhibited so as to be visible to the public from any street, sidewalk or other public place.
- D. Signs identifying adult entertainment establishments shall bear NO promotional advertisements or displays of a sexual nature.
- E. No person under 18 years of age shall be permitted within an adult entertainment establishment, nor be permitted to purchase or rent any

adult entertainment materials.

429 **COMMUNICATIONS ANTENNAS, TOWERS, AND/OR EQUIPMENT BUILDINGS**

Communications antennas, towers, and/or equipment buildings may be permitted only in those zoning districts and as specified in Article 3, the District Regulations. Applications for new antennas and towers shall also be subject to the standards outlined below, as well as all other applicable State or Federal regulations. ***Privately owned and operated communications antennas, including ham and citizen band radio antennas and equipment, may be located in any zoning district as an accessory use and shall not be subject to further regulation by this Ordinance.***

A. **General Requirements**

1. **Permit Requirements.** No person or entity shall construct, install or otherwise operate a commercial communications antenna or erect a communications tower or equipment building without first securing a Zoning Permit from the Township Zoning Officer, except as may be provided otherwise in this Section.
2. **State and Federal Documentation.** The applicant shall provide sufficient documentation that it is licensed by the Federal Communications Commission (FCC) to operate a communications tower and/or antennas. The applicant shall also demonstrate that all antennas proposed to be mounted on such existing buildings or towers will comply with the applicable standards established by the FCC governing human exposure to electro- magnetic radiation, and that any proposed tower will comply with all Federal Aviation Administration (FAA), Commonwealth Bureau of Aviation, and all applicable Airport Zoning regulations.
3. **Interference.** The applicant shall also demonstrate that the proposed antennas will not cause interference with other communications facilities located in the Township.
4. **Change of Ownership.** Within 30 days after a change of ownership of any communications antenna, tower or equipment building, the new owner shall notify the Township in writing of such ownership change.
5. **Relief from Standards.** No provision of this Section is intended to unduly restrict or impair communications activities conducted by any FCC-licensed individual or entity. In the event that it is determined that any provision of this Section would unlawfully restrict the exercise of a license issued by the FCC, the Supervisors of Valley Township shall have the power and authority to modify the terms of this Section as they apply to such license holder. Relief under this Section shall however be authorized on a case-by-case basis, and any such application shall be considered as a conditional use.