

**ARTICLE XVII**  
**COMMON REGULATIONS**

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**1701 Applicability.**

The provisions of this Article represent regulations and standards which are common to all zoning districts. Unless exempted by applicable provisions or specified limitations, the following Common Regulations shall apply to all uses. In the event that the provisions of this Article conflict with other provisions of this Ordinance, the more restrictive provisions shall apply.

**1702 Federal and State Owned Property.**

Federal and state owned property shall be subject to the provisions of this Ordinance only insofar as permitted by the Constitution and laws of the United States of America and of the Commonwealth of Pennsylvania.

**1703 Modifications to Area and Bulk Regulations.**

- A. Space provided to satisfy the yard and/or lot area requirements for any use, building or structure, either existing or proposed, shall not be used to meet the yard and/or lot area requirements for any other use, building or structure.
- B. Exceptions to maximum height limits.

Except for specific provisions for communication transmission towers, no building or structure shall exceed the height limitations of this Ordinance, except for ventilators, church spires, belfries, cupolas, monuments, observation towers, transmission towers, water towers, silos, chimneys, smoke stacks, flagpoles, masts, windmills, solar panels, silos, and other similar structures not devoted to human occupancy, provided the minimum setback for each structure from any lot line is a distance equal to or greater than the proposed height, unless otherwise provided for in this Ordinance. In addition, the height of these excepted structures shall not exceed sixty-five (65) feet unless otherwise provided for in this Ordinance.

- C. Exceptions to front yard requirements.

The front yard setback of a proposed building in any district may be decreased in depth to the average alignment or setback of any buildings lawfully existing upon the effective date of this section and located within one hundred (100) feet on each side of the proposed building, provided such calculation is limited to the same block, where applicable. Such reduction may occur when the alignment of the existing buildings is less than the front yard setback requirement for the

applicable district, provided that in no case shall a front yard be reduced to less than fifty (50) percent of the required front yard for the applicable zoning district.

D. Permitted projections into required yard areas.

The following projections shall be permitted into required yard areas:

1. Terraces, patios, open balconies and porches, and fire escapes provided that such features are unroofed and unenclosed, may project a maximum of four (4) feet into any side or rear yard. Such features shall not be permitted within five (5) feet of any lot line.
2. Projecting architectural features, including, but not necessarily limited to bay windows, cornices, eaves, fireplaces, chimneys, and window sills, or other architectural features provided that any single feature does not exceed five (5) square feet in area.
3. Awnings or movable canopies may project into any yard a maximum of twelve (12) feet, provided they extend no closer than fifteen (15) feet from the property line.
4. Uncovered stairs and landings which do not exceed forty-two (42) inches in height.
5. Fences and hedges, etc., as specified in Section 1705.
6. A pump, light standard, air tower, water outlet, or similar installation of a gasoline service station, where permitted, may be placed within a required front yard setback, but in no case closer to a right-of-way line than fifteen (15) feet.
7. Accessory uses, as otherwise specified in this Ordinance.

E. Reduced lot width permitted for lots having access to a cul-de-sac turnaround.

1. Except where otherwise specified in the applicable zoning district provisions, where the sole street frontage of a residential lot is along the turnaround of a cul-de-sac, the lot width at street line otherwise required may be reduced to no less than one-quarter (1/4) of the perimeter of the cul-de-sac turnaround, and the lot width at building line may be reduced to not less than two-thirds (2/3) of that otherwise required.
2. This exception may be applied only where the side lot lines of the lot(s) in question radiate from a point at or near the center of the cul-de-sac turnaround.

F. Lots in two districts.

Where a district boundary line divides a lot in single or joint ownership of record at the time such line is established, the regulations for the less restricted portion of such lot shall extend not more than thirty (30) feet into the more restricted portion, provided that the lot in question fronts upon and shall have access by a street in the less restricted zone.

G. Corner Lots

A front yard setback, as provided for in the lot area, bulk, and coverage requirements for the various districts shall be required along each street on which a corner lot abuts. The rear yard shall be opposite the street to which the principal building is generally faced, and the side yard opposite the other street, unless otherwise indicated on an approved subdivision or land development plan. Accessory buildings shall be located behind the setback lines of both streets.

H. Reverse Frontage Lots

For reverse frontage lots, the minimum front yard setback shall be met along the street for which the United States Postal District mailing address is assigned. Accessory buildings shall nevertheless comply with the minimum front yard setback measured from both streets.

I. Flag Lots

Flag lots, as defined in Section 202, shall be governed by the following:

1. Flag lots are permitted only for residential and agricultural uses. Flag lots shall be permitted within the design of a residential development or subdivision only when the applicant can demonstrate to the satisfaction of the Township that conventional design (i.e., where the lot[s] in question have direct access to and full frontage upon a public street) will result in inefficient or potentially hazardous use of land.
2. The number of flag lots permitted in any residential subdivision shall not exceed ten (10) percent of the total number of residential lots proposed within said subdivision.
3. If more than one (1) flag lot is permitted and is proposed for a given residential subdivision, then the access strips connecting the main body of the lots shall under no circumstances be adjacent to each other, but, when located along the same side of a street, shall be separated from each other by a distance equivalent to no less than two (2) times the minimum lot width at street line required for the zoning district in which the subdivision is located.

- 4. The access strips connecting the flag lot to the street shall be no less than twenty-five (25) feet wide and shall be owned in fee simple by the owner of the lot for which it provides access. Easements across adjoining lots shall not be acceptable as a substitute for fee simple ownership of the access strip.
- 5. The access strip may not be used for measuring building setback lines nor may the area of such access strip be included in the calculations of lot area to determine compliance with the minimum lot area requirements of the zoning district wherein such lot is located.
- 6. For purposes of interpretation, the lot width at street line of a flag lot shall be measured at the point where the access strip joins the main body of the lot along that lot line most nearly parallel to the street to which the driveway provides access. The minimum building setback shall be measured from that same lot line. Applicable side and rear yards for the district shall be required for flag lots.

- J. Lot area and lot width for lots not served with public water or public sanitary sewerage.

Where a lot is served by neither public water supply nor public sanitary sewerage; and where municipal regulations, state statute, or federal regulations then in force require a higher standard for lot area or lot width than what is required by this Ordinance, the more restrictive regulations shall apply.

- K. Minimum Habitable Floor Area

The minimum habitable floor area of a dwelling unit shall be one thousand (1000) square feet except for apartments, mobile homes, and accessory dwelling units, in which case the minimum habitable floor area required shall be five hundred (500) square feet.

**1704 Provision for Access and Utility Service.**

- A. Buildings to have access.

Every building hereafter erected or moved shall be on a lot adjacent to a public street or with access to a private street approved by the Township, and all buildings shall be located on lots as to provide safe and convenient access for servicing, fire protection, and required off-street parking.

- B. Utility services.

All utility service for residential, commercial and industrial development, construction or subdivision, and their customary accessory buildings, shall be placed underground, notwithstanding any less restrictive requirements thereto, of the Commonwealth of Pennsylvania, its Commissions, Agencies, or Departments. Primary service shall be underground from the utility company’s last pole on a public right of way.

The specifications and standards for installation of the underground utilities shall be in accordance with those specifications and standards for underground utility service set forth by the utility company having appropriate jurisdiction.

C. Sewage Facilities

All uses shall be served by a sewage system consistent with the policies and recommendations of the current Hereford Township Act 537 Wastewater Facilities Plan, as may be amended, and the requirements of the Subdivision and Land Development Ordinance, as amended. Proposed sewage systems shall be reviewed and approved by the Pennsylvania Department of Environmental Protection and the local sewage enforcement officer, as applicable.

D. Water Supply

Where public water service is available and where extension of service is reasonably feasible, proposed uses shall connect with public water service, in accordance with applicable Township building codes.

E. Stormwater Management and Erosion Control

All uses shall meet the regulations of the Hereford Township Stormwater Management Ordinance and applicable provisions of this and other Township ordinances, as well as federal, state and county provisions or requirements, to control stormwater runoff and mitigate sedimentation and erosion problems.

**1705 Fences, Hedges and Walls.**

A. All fences and walls shall be erected, and hedges, trees, shrubs, and other vegetative growth planted or maintained, in conformance with the sight distance requirements set forth in Section 1709.D of this Ordinance.

B Unless otherwise required in this Ordinance, no fence or wall, except a retaining wall, or a wall of a building permitted under the terms of this Ordinance over six (6) feet in height, shall be erected within any of the yard setbacks required by this Ordinance, unless that portion of the fence or wall which exceeds six (6) feet in height has a ratio of open area to solid area of at least four to one (4:1). In no case shall a fence or wall exceed four (4) feet in height in the front yard setback or eight (8) feet in height within twenty-five (25) feet of any side or rear lot line.

- C. No fence or wall shall be located within the public right-of-way.
- D. Fences or walls that are in conformance with all of the provisions of this and other applicable ordinances may be permitted within required setbacks.
- E. Fences or walls shall not be located in drainage easements or drainage swales that are part of an approved stormwater management plan in a manner that would impede the flow of water in such easements or swales.
- F. Where the foregoing provisions conflict with landscaping, buffer area, planting or screening requirements, the Zoning Officer shall resolve the differences.

**1706 Performance Standards.**

No land, building, structure or premises in any District shall be used, altered or occupied in a manner as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive, radioactive, or other hazard; noise or vibration; smoke, dust, odor, or other form of air pollution; electrical or other disturbance; glare; liquid or solid refuse or wastes; conditions conducive to the breeding of rodents or insects; or other substance, condition or element, in any manner or amount as to adversely affect the surrounding area..

- A. Vibration.
  - 1. No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at or at any point beyond the lot line.
  - 2. No vibration shall be produced exceeding 0.002g peak measured at or beyond the lot line using either seismic or electronic vibration measuring equipment.

- B. Noise.
  - 1. All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency, or shrillness.
  - 2. No person shall operate or cause to be operated on private or public property any source of sound which is static, fluctuating, or intermittent with a recurrence interval of less than fifteen (15) seconds in such a manner as to create a sound level which exceeds the limits set forth in the following table when measured at or within the property of the receiving land use at any time, except as specified herein.

<u>Receiving Land Use</u>	<u>dB(A) Limit</u>
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Residential, Recreational, Agricultural, or Institutional	50
All other uses	65

For any source of sound which emits a pure or continuous tone, the maximum sound level limits established above shall be reduced by 5 dBA.

3. The maximum permissible sound limits listed above shall not apply to any of the following noise sources:
  - a. The emission of sound for the purpose of alerting persons to the existence of an emergency or associated practice drills.
  - b. Emergency work to provide electricity, water, or other public utilities when the public health or safety is at risk.
  - c. Domestic power tools, between the hours of 8:00 a.m. and 8:00 p.m.
  - d. Excavation and construction operations carried on between the hours of 8:00 a.m. and 5:00 p.m.
  - e. Public celebrations authorized by the Township.

C. Air quality.

1. There shall be no emission of smoke, dirt, fly ash, dust, fumes, vapors, gases or other matter toxic or noxious to air which can cause any damage to human health, to animals or vegetation or to other forms of property or which can cause any soiling or staining of persons or property at any point beyond the lot lines of the use creating the emission or which violates the Pennsylvania Air Pollution Control Laws, including the standards set forth in Chapter 123 (Standards for Contaminants) and Chapter 131 (Ambient Air Quality Standards), Article III, Title 25, Pennsylvania Department of Environmental Protection, Rules and Regulations, as amended.
2. Where toxic materials are not listed in the ambient air quality standards of the Commonwealth of Pennsylvania, the release of such materials shall be in accordance with the fractional quantities of those toxic materials currently listed in the Threshold Limit Values adopted by the American Conference of Governmental Industrial Hygienists. Unless otherwise stated, the measurement of toxic matter shall be at ground level or habitable elevation, and shall be the average of any 24-hours sampling period.

3. In no event shall any person, firm or corporation permit or cause the discharge of particulate matter into the atmosphere from incinerators in excess of 0.1 grain per cubic foot of gas at standard conditions corrected to twelve (12) percent carbon dioxide, except as may be designated under specific contaminants.
  
4. It shall be unlawful for any person to install, alter, enlarge, or make additions to any existing or new facilities, equipment, or operation that may be a source of air contaminants or to install, alter, enlarge, or make additions to any existing or new equipment, devices, or apparatus, the use of which may eliminate, reduce, or control the emission of air contaminants, until an application, including plans and specifications, has been filed with the Township and a permit has been issued following review and approval by the Township Engineer. Should the Township require the services of a professional or consultant for review of submitted plans and specifications, the applicant shall bear all costs for such services.
  - a. Two sets of plans shall be submitted with each application. If the plans are approved, one (1) copy shall be retained by the Township and the second copy shall be kept at the site of construction.
  
  - b. Each application shall be examined by the Township which shall approve or reject the application within thirty (30) days from the date of filing thereof.
  
  - c. Where a permit is also required from the Pennsylvania Department of Environmental Protection, no Township permit shall be issued until the State permit has been obtained and evidence of the same has been given to the Township.
  
  - d. After the completion of any work requiring a permit, the applicant shall apply for a certificate of approval. The Certificate shall be issued by the Township and shall certify that the work has been done in accordance with the approved plans.
  
  - e. The Township may, at its discretion, require tests to be made of any work before it issues a certificate of approval. Such tests shall be made at the expense of the applicant.

D. Electrical, radio, and electromagnetic interference.

No use, activity, or process shall be conducted in a manner which produces electrical, electromagnetic or other interference with normal radio, telephone, or television reception or adversely affects the operation of any equipment off the premises where the activity is conducted.

E. Fire and explosive hazards.

All activities dealing with, and all storage of, flammable and explosive material at any point shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire-suppression equipment and devices as detailed and specified by the laws of the Commonwealth of Pennsylvania. All buildings and structures, within which activities dealing with or storage of flammable or explosive materials occur, and the activities conducted within such buildings and structures, shall conform to any applicable Township Ordinances and any applicable state or federal regulation. Any explosive material shall conform to the requirements of Chapter 211, Title 25, Rules and Regulation, Pennsylvania Department of Environmental Protection, for Storing, Handling and Use of Explosives.

F. Radioactive materials.

There shall be no activities which emit dangerous levels of radioactivity at any point. If any use is proposed which incorporates the use of radioactive material, equipment, or supplies, such use shall be in strict conformity with Chapters 221, 223, 225, 227, and 229 of Title 25, Article V of the Pennsylvania Department of Environmental Protection Rules and Regulations and the regulations of the Atomic Energy Commission, Title 10 CFR Chapter One, Part 20 – “Standards for Protection Against Radiation”, as amended.

G. Heat.

There shall be no emission or transmission of heat or heated air so as to be discernible at the lot line.

H. Liquid and solid waste (non-radioactive).

1. There shall be no discharge at any point into any public or private sewerage system, watercourse, or into the ground of any materials in such a way or of such a nature as will contaminate or otherwise cause the emission of hazardous materials in violation of the laws of the Commonwealth of Pennsylvania, specifically Chapters 73, 75, 95, and 97 of Title 25, Pennsylvania Department of Environmental Protection, Rules and Regulations, as amended.
2. No waste matter shall be stored on any property, other than an approved sanitary landfill or junkyard, for longer than thirty (30) days.

I. Odor.

No use, except for permitted agricultural operations, shall emit odorous gases or other odor in such quantities as to be offensive at any point on or beyond the lot boundary line within which the operation is situated. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system in order that control will be maintained if the primary safeguard system should fail. Odor thresholds shall be measured in accordance with ASTM d-1391-57, "Standard Method for Measurement of Odor in Atmospheres (Dilution Method)."

J. Public health and safety.

No use shall create any other objectionable condition in an adjoining area which will endanger the public health or safety, or impede the permitted uses of the surrounding area.

**1707 Outdoor Storage.**

A. General Requirements

1. Outdoor storage of man-made products shall be screened from view of public rights-of-way and adjacent residential uses. Screening shall be in accordance with Section 1708.
2. Outdoor storage facilities for fuel (with the exception of firewood) and raw materials shall be enclosed with an approved safety fence compatible with the architectural and landscaping style employed on the lot. In addition to a fence, bulk storage tanks shall be enclosed by a moat or berm to contain potential spillage.
3. All organic refuse or garbage shall be stored in tight, vermin-proof containers. In multiple family, commercial and industrial developments, garbage storage shall be centralized to expedite collection and enclosed on three (3) sides by an architectural screen or plantings.
4. No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground, except the following:
  - a. Tanks or drums of fuel connected directly with and located and operated on the same lot as the energy devices or heating appliances they serve.
  - b. Tanks or drums for storage of not more than three hundred (300) gallons of fuel oil (other than that used for home heating) or gasoline or diesel fuel, provided such tanks are located no closer than twenty-five (25) feet to any building or lot line or fifty (50) feet from any right-of-way line.

5. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse, or otherwise render such stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse.
6. Unless otherwise permitted by this Ordinance, no more than one (1) vehicle without a current registration or without proof of current inspection shall be stored outside per lot.

B. Residential Outdoor Storage

1. Recreational Vehicles.
  - a. Recreational vehicles including travel trailers and water craft shall not be parked or stored on any residential property, except in a carport or enclosed building or to the rear of the rear-most wall of the dwelling where screened from view from any public road or neighboring residential property, provided, however, that such equipment may be parked anywhere on residential premises for a period not to exceed forty- eight (48) hours during loading and unloading.
  - b. No such equipment shall be used for dwelling purposes on a residential lot.
2. No storage shall be permitted within the front yard of any residential lot. In the case of a reverse-frontage or corner lot where more than one yard is considered a front yard, storage may be permitted beyond the minimum front yard setback in no more than one such front yard.

C. Non-Residential Outdoor Storage

For all non-residential uses, storage of materials, equipment or vehicles, but not including parking and similar activities, shall be carried on within a building, except that outdoor storage for a permitted industrial or commercial use may be authorized where all of the following conditions are met:

1. The industrial or commercial use involved traditionally employs long-term outdoor storage (e.g., lumber yard).
2. Such storage is needed for the successful operation of the use, and the proposed site is suitable for outdoor storage.

3. The applicant can demonstrate that indoor storage is not practical.
4. The standards described in Section 1709, Access and Traffic Control, herein, shall be met.
5. The storage shall comply with all applicable setback requirements and shall cover only that percentage of total lot area which is deemed practical and feasible in the opinion of the Zoning Officer. Outdoor storage shall be located to the side or rear of the property.
6. The storage area shall be screened from view from any public right-of-way or any Residential District by buildings, walls or an effective screen, as set forth in Section 1708 of this Ordinance.
7. Any establishment which furnishes shopping carts as an adjunct to shopping shall provide definite areas within the building and parking area for storage of said carts. Each designated storage area shall be enclosed by a barrier at least six (6) inches higher than the parking area surface, and shall be clearly marked for storage of shopping carts. All shopping carts shall be stored indoors, or otherwise secured during non-operating hours.
8. Outdoor storage of raw materials and/or finished products shall be permitted only within the buildable area of the lot behind the front building line of the principal buildings, and shall not exceed eight (8) feet in height.

#### **1708 Landscaping, Buffering and Screening.**

- A. Any part of a tract which is not used for buildings or other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas shall be planted and continually maintained with an all-season ground cover, landscaped in accordance with an overall landscape plan prepared in accordance with the requirements of the “Landscape Guide” found in the Appendix of the Hereford Township Subdivision Ordinance.
- B. Wherever possible, the landscape plan shall accommodate and utilize such areas of healthy natural vegetation (such as woodlands and meadows) which may have existed upon a given site prior to development activity.
- C. New planting materials shall be chosen to prevent soil erosion and subsequent sedimentation, and shall be disease-free and suitable for the local climate. All new planting materials shall be healthy nursery stock. Except where otherwise noted, all new trees shall be balled and burlapped and shall have a minimum size of not less than 2-2 ½ inches caliper.

- D. Street trees acceptable to the Township shall be planted by the developer along new public roads. Where such roads are within wooded areas, the existing trees shall be retained in lieu of new street trees. Recommended street tree species are listed in the “Landscape Guide” found in the Appendix of the Hereford Township Subdivision Ordinance. New street trees shall:
  - 1. except where smaller decorative trees are approved, have a minimum size of not less than 3-3 ½ inches caliper and a minimum height of not less than six (6) feet above the root ball;
  - 2. be hardy species (preferably native to the area) with minimal maintenance requirements that are compatible with other features of the site and its environs;
  - 3. be planted on both sides of the street in an alternating pattern; and
  - 4. be spaced not less than thirty (30) feet nor more than fifty (50) feet apart, as measured from center to center.
  
- E. No landscaping other than grass cover shall be permitted within a utility right-of-way or above any underground infrastructure elements such as sewer and water mains and laterals; gas mains and laterals; electric, telephone, and cable television lines; and other similar features.
  
- F. Screen plantings.
  - 1. A screen planting is hereby defined as a landscaped barrier of sufficient height and density as to obstruct casual observation.
    - a. Upon installation, a screen planting shall be not less than five (5) feet tall, achieving a height of not less than eight (8) feet within three (3) years.
    - b. Screen plantings shall be located in a planting strip having a minimum depth of ten (10) feet. No plant shall be closer than five (5) feet to any property line.
    - c. At least fifty (50) percent of the screen planting specimens shall be evergreens, distributed evenly along the length of the barrier.
    - d. All species within the screen planting shall be indigenous or otherwise well-suited to the Township. A list of recommended species is found within the “Landscape Guide” in the Appendix of the Hereford Township Subdivision Ordinance.

- e. Screen plantings may incorporate earthen berms not exceeding forty-eight (48) inches in height.
- 2. A screen planting shall be provided and continually maintained by the landowner in the following cases.
  - a. In the MU and I districts, the owners shall provide a screen planting along those portions of their perimeters which abut the AP, RC or VP district.
  - b. Along the perimeter of any non-residential use where such use is contiguous to a residential use or any property within the AP, RC or VP district.
  - c. Along the perimeter of any Multiple-residential development and along the perimeter of any mobile home park.
  - d. Where required by the Zoning Hearing Board or where stipulated as a condition of conditional use approval by the Board of Supervisors.
- 3. A screen planting shall not be required between two (2) non-residential uses of the same or like character.
- 4. No screen planting shall be permitted where it may impose a threat to the public safety by obstructing the view of motorists to oncoming traffic or pedestrians.
- 5. Screen plantings shall be maintained as long as the use or uses on the screened lot is/are in operation. Any plant material which does not survive shall be replaced within six (6) months.
- 6. A screen planting shall not be required where the lot abuts an area of existing natural vegetation which effectively screens the lot from casual observation to a height of at least eight (8) feet.
- G. Landscaping shall be required within parking lots in conformance with Section 1711.B.4 of this Ordinance.

**1709 Access and Traffic Control.**

To minimize traffic congestion and hazards, control street access and encourage orderly development of highway frontage, the following regulations shall apply:

- A. Lots Abutting Two or More Streets

Unless clearly impractical or inappropriate due to physical conditions or traffic access management considerations, lots which abut two (2) or more public streets shall have direct access only to the street of lesser functional classification.

B. Vehicular Ingress and Egress to Arterial and Collector Streets

1. Where lots are created having frontage on an arterial or collector street, any proposed development street pattern shall provide reverse frontage to local streets within the subdivision, unless clearly impractical due to lot configuration or topography.
2. Where development within the Mixed Use District abuts arterial or collector street(s), it is the intent of this Ordinance to encourage the installation of coordinated access means for multiple uses in order to minimize the number and proximity of access points onto such arterial or collector street(s).
3. Where any use other than a single family detached dwelling has vehicular access to or from an arterial or collector street, the Township may require that all vehicular entrances and exits be provided with deceleration and acceleration lanes, as may be recommended or required by the Township Engineer and/or the Pennsylvania Department of Transportation. In no event shall vehicles be permitted to back directly into the public street from the off-street parking area.

C. Location of Ingress and Egress

Ingress and egress for off-street parking shall be designed and arranged so that:

1. The edge of any access driveway onto a street shall be at least forty (40) feet from any street intersection, measured from the nearest intersection of right-of-way lines, and in no case, within the curb radius, except for a cul-de-sac turnaround.
2. Any use with less than one hundred (100) feet of street frontage shall not have more than one (1) access driveway to such street, and no use with one hundred (100) feet or more of street frontage shall have more than two (2) access driveways to any one (1) street for each four hundred (400) feet of street frontage. The Township may require common access point(s) for two (2) or more uses, where practical, to minimize vehicular access points along streets other than local streets. All access driveways shall be designed to conform to PennDOT specifications with regard to State roads and the subdivision requirements of the Township for local roads, as applicable.

3. Provisions shall be made for safe and efficient ingress and egress to and from public streets without undue congestion or interference with normal traffic flow within the Township. The Township may require that the developer prepare a traffic impact study, pursuant to the Subdivision and Land Development Ordinance, which documents any necessary traffic control device and/or highway modifications necessary to maintain a minimum level of service ‘D’ at all driveways and intersections, or as otherwise required by the Township and/or the Pennsylvania Department of Transportation (PennDOT).

D. Obstructions to Vision

1. On any lot, no wall, fence, hedge, tree, shrub or other obstruction shall be allowed which dangerously obscures the view of approaching traffic along the street, or at any intersection, including driveways.
2. On a corner lot, nothing shall be erected, placed or allowed to grow which dangerously obscures the view within a clear sight triangle, defined by the following:
  - a. Above the height of two and one-half (2 ½) feet and below the height of twelve (12) feet measured from the centerline grades of the intersecting streets.
  - b. Within the area bounded by the centerline of intersecting streets and a line joining points on these centerlines seventy-five (75) feet from an intersection of the centerlines of such streets.
3. Driveway and street entrances onto public streets shall be maintained in accordance with the requirements of the Township Subdivision and Land Development Ordinance.

E. Dead End and Cul-de-Sac Streets

All dead end and cul-de-sac streets are governed by the requirements set forth in the Township Subdivision and Land Development Ordinance.

**1710 Interior Circulation.**

Interior accessways, driveways, aisles and parking areas in multi-family, multi-use, and non-residential developments shall comply with the following requirements. These standards are not intended to apply to driveways serving individual residences. Off-street parking areas shall further comply with all applicable standards set forth in Section 1711 Off-Street Parking, and Section 1712 Off-Street Loading. Streets to be publicly dedicated or maintained shall comply with the design standards of the Township Subdivision and Land Development Ordinance.

- A. Design of Access Aisles and Driveways
1. Interior driveways shall be designed to prevent blockage of vehicles entering or leaving the site. Driveways may be one-way or two-way. Areas designed for loading and unloading, refuse collection, fuel delivery, and other service vehicles shall be arranged as to prevent blocking or interfering with access driveways or the use of automobile parking facilities or pedestrian ways, and shall have adequate turnaround surface so egress to the street is in a forward direction.
  2. Access driveways, parking areas, and loading areas shall have clearly defined parking bays and traffic circulation lanes, designated by markings, curbs, barriers and/or landscaped islands, so that operators of vehicles intending to patronize such parking areas shall not impede traffic as a result of any confusion as to location of entrances and exits and manner of reaching them.
    - a. To assist in traffic channelization, landscape islands shall be placed at the ends of parking bays so that the end of the bay adjacent to a driving aisle or ring road is clearly delineated. Such islands shall be landscaped and shall be designed so as not to impair visibility needed for traffic flow and turning movements.
    - b. Traffic channelizations shall be planned in such a way that a main driving aisle, from which vehicles can flow off the street and into the site and parking bays, is remote from the primary building(s) so as to avoid traffic conflicts in front of the primary building(s).
    - c. Parking areas shall be designed so that a vehicle within a parking area shall not have to enter a public street to move from one location to any other location within the parking area or lot. Turnaround surface shall be provided so egress to the street is in a forward direction.
  3. All interior driveways and access driveways shall be paved with an approved paved, all-weather surface, and shall be graded, properly drained and maintained in a good condition. Interior driveways shall have a maximum grade of eight (8) percent, measured along the centerline, for a distance of not less than twenty-five (25) feet from the street right-of-way line. Beyond that point, interior roads and driveways shall have a maximum grade of ten (10) percent.
  4. Interior access driveways serving as access aisles within parking areas (with abutting parking spaces) shall conform to the design standards set forth in Section 1711 of this Ordinance.

5. Interior access driveways outside of parking areas (with no abutting parking spaces) shall provide minimum cartway widths as follows:

<b>Use</b>	<b>One Lane One Way Drives</b>	<b>Two Lane Two Way Drive</b>
Residential	10 feet	18 feet
Mixed Use	11 feet	22 feet
Industrial	12 feet	24 feet

6. All driveways, aisles, maneuvering spaces, vehicular service areas or paces between or about buildings, other than those relating to a dwelling, shall be adequately illuminated according to Section 1717 of this Ordinance.

B. Emergency Vehicle Access

1. Criteria for Driveways and Access Roads to Structures

A proposed driveway or access road shall be designed to allow emergency vehicle access to within one hundred (100) feet of a principal building. Where a principal building is located more than one hundred (100) feet from the cartway or where an emergency vehicle would otherwise be prevented from reaching this minimum distance from the structure, the following requirements shall be met by the driveway to ensure access:

- a. Minimum cleared width: Fourteen (14) feet
- b. Minimum all-weather surface width: Ten (10) feet
- c. Minimum curve radii: Thirty-five (35) feet
- d. Minimum overhead clearance: Twelve (12) feet

2. Criteria for Driveways and Access Roads to Water Sources

In order to provide adequate access to designated fire fighting water supplies, such as a river, pond, lake or hydrant, proposed driveways or access drives to such water sources shall meet the minimum criteria of subsection C.1, above, to at least within twenty (20) feet of the designated water source.

3. No institutional, commercial, industrial or residential building, other than single family residences and buildings accessory to residential or agricultural use, shall be located more than one hundred fifty (150) feet

from a duly dedicated, improved and accessible fire lane easement nor more than six hundred (600) feet from a duly dedicated, accessible and improved public street.

4. Fire lane easements shall be provided in accordance with the applicable provisions of the Hereford Township Subdivision & Land Development Ordinance.

C. Pedestrian Circulation

The following standards shall apply to all uses, as applicable:

1. In any subdivision or land development, the developer shall preserve existing trails, install trails and pathways or other pedestrian facilities satisfactory to the Township, as necessary and desirable to achieve the following:
  - a. Logically continue, link or expand existing pedestrian facilities on, across and abutting the site.
  - b. Provide pedestrian access to existing or anticipated public transportation pick up points, public parks, community facilities and commercial areas.
  - c. Provide convenient and logical walkway connections between the entrances of a principal building and its required parking spaces, preferably in conjunction with landscaped planting islands.
2. Except where a reduction to no less than four (4) feet is expressly permitted by the Township, all sidewalks and walkways shall be a minimum of six (6) feet wide.
3. Maximum separation of pedestrian and vehicular routes shall be encouraged for safety and well-being of pedestrians. Separation can be in the form of any one or combination of the following: horizontal distance; vertical distance (level changes, such as overpass, underpasses and embankments); street trees, landscaping, sidewalks and other barriers, such as bollards and fences.

**1711 Off-Street Parking Requirements.**

A. Applicability

1. This Section establishes specific controls for the design, location, size and layout of off-street parking and loading facilities as they relate to land use. In case of conflict between the standards set forth in the Subdivision &

Land Development Ordinance and those herein, the more restrictive shall apply.

2. All land uses proposed in Hereford Township subsequent to the adoption of this Ordinance shall be in conformance with the specifications and requirements herein.
3. Uses existing at the time of the adoption of this Ordinance, and subdivision or development plans granted final approval and signed by the Board of Supervisors prior to the adoption of this Ordinance shall not be bound by the requirements herein, except as provided in Subsection 4 below.
4. Parking areas serving existing uses or structures shall be brought into conformance with the requirements of this Ordinance under the following circumstances:
  - a. If the use or structure served by the parking area is substantially improved, including additions to interior floor space, or other construction or restoration activity requiring a Township building permit.
  - b. If the use or function of the structure is changed.
5. The owner(s) or manager(s) of any property shall be responsible for the maintenance of the off-street parking areas serving that property. Maintenance shall include, but shall not be limited to, litter control, plowing of snow, maintenance of landscape elements and lighting, sealing of pavement, repainting of lines and other markings on the pavement, repaving as necessary, and any other work required to maintain the parking area in an attractive, safe and functional condition.

**B. General Requirements**

Off-street parking spaces, with proper and safe access from a street, shall be provided on each lot, either within a structure or in the open, to serve the uses upon that lot.

1. Parking spaces for each vehicle shall be at least ten (10) feet by twenty (20) feet except, that at the discretion of the Township, a portion of the required parking spaces may be reduced to nine (9) by eighteen (18) feet where clearly signed, “compact cars only.” Parking spaces for use by handicapped drivers shall meet ADA standards. Parking spaces shall have an approved all-weather surface. The required parking area shall be measured exclusive of interior drives or maneuvering areas.

2. Aisles providing access to individual parking spaces shall have a minimum width of twenty-four (24) feet for back-to-back double-bay parking. Where the aisle provides access to only a single row of parking, the minimum width of that aisle shall be eighteen (18) feet.
3. If the land between parking areas and the side or rear lot lines or street right-of-way line is landscaped to the satisfaction of Hereford Township, parking may be allowed in front, side and rear yards, but no closer than twenty-five (25) feet from a side or rear lot line or street right-of-way line.
4. Landscaped areas shall be required within the interior parts of all parking lots designed to accommodate twenty (20) or more cars.
  - a. No less than ten (10) percent of the parking lot shall be landscaped and continually maintained, excluding any screen planting which may be required.
  - b. Such landscaped areas shall be configured to promote pedestrian safety by defining walkways, to enhance motorist safety by defining traffic lanes and discouraging cross-lot taxiing, to act as a barrier against wind-borne debris and dust, to provide shade moderating micro-climatic conditions, to reduce the volume and velocity of stormwater runoff, and to enhance the appearance of the parking area.
  - c. The landscaped areas shall not obstruct sight distances for motorists or pedestrians, nor shall such landscaping create any potential hazard to public safety.
  - d. Each individual plot of landscaping within the parking lot shall occupy an area of no less than fifty (50) square feet and shall have no side dimension of less than five (5) feet.
  - e. Landscaped areas shall be protected from the encroachment of vehicles by use of curbing, wheel stops, bollards, fencing, or other approved barriers.
  - f. Landscaping in parking areas shall provide moderately dense shade in summer. Trees with large leaves which could clog storm drains should be avoided. Trees that are brittle, disease-prone, have low, spreading brachiation or shallow root systems, which drop large fruit or much sap, or which are otherwise messy shall also be avoided. New trees shall be healthy nursery stock. Species recommended for use in parking areas are listed in the “Landscape Guide” found in the Appendix of the Hereford Township Subdivision Ordinance.

5. All parking areas shall be designed to be accessible year-round.
6. Required parking areas shall be asphalt, except where an alternative paving material is permitted or required by the Township upon the recommendation of the Township Engineer.
7. Reserve parking areas may be permitted or required to comprise precast porous paver blocks (such as “grasscrete”), gravel, grass or other approved material, depending upon the degree of anticipated use, based upon the recommendation of the Township Engineer.
8. Stormwater Management
  - a. All land development plans with off-street parking areas shall be accompanied by a stormwater management plan for the entire site meeting all applicable regulations regarding stormwater management and erosion control.
  - c. Development plans presented at the preliminary plan stage shall clearly indicate drainage patterns across all surface areas and areas altered by proposed developments.
9. Parking spaces shall be clearly delineated by suitable markings. Short-term visitors parking spaces shall be differentiated from long-term employee spaces by suitable markings.
10. Where required, parking areas shall be provided with outdoor lighting in accordance with Section 1717 and applicable provisions of the Hereford Township Subdivision & Land Development Ordinance.

C. Minimum Number of Spaces Required

The following minimum number of off-street parking spaces per use shall be provided for the uses indicated below. In addition, one (1) space for each company vehicle stored on the premises shall be provided, where applicable. Throughout this Section, “s.f.” shall be interpreted as “square feet” and “GLFA” shall be interpreted as “gross leasable floor area,” as defined in Article II. The term “GLFA” shall include storage areas and other areas used to keep stock and inventory, unless such storage areas are located below grade level in a basement. For any use not specifically provided herein, the parking requirements shall be as specified in the most recent edition of the I.T.E. manual or as recommended by the Township Engineer. Where the I.T.E. manual suggests a standard or standards differing from those set forth herein, the Township at its sole discretion may elect to impose any applicable I.T.E. standard.

## 1. Residential uses.

For residential uses, the following minimum parking requirements shall apply. Individual enclosed garages designed to house two or more cars may be substituted for one off-street parking space.

- a. For all multi-family dwellings except in a CCRC, there shall be provided two and one half (2 ½) off-street parking spaces per dwelling unit;
- b. For all single-family detached and two-family dwellings except in a CCRC, there shall be provided two (2) off-street parking spaces per dwelling unit;
- c. In a CCRC, there shall be 1.5 spaces per independent living residence plus 0.75 spaces per bedroom in assisted living residences, plus 0.2 spaces per bedroom in a nursing facility, plus one(1) space for each employee on the largest shift
- d. For any Group Home, Nursing Home, Hospital, or Convalescent Home there shall be provided one (1) space for each five (5) beds or fraction thereof, plus one (1) space for each employee on the largest shift

## 2. Non-Residential uses.

For all non-residential uses except business, professional, or government offices, there shall be sufficient parking spaces provided for each use so that there is a minimum of one space for each employee on the shift of greatest employment, plus additional parking spaces to be provided by the application of the appropriate formula for each use as listed below. For business, professional, or government offices, the formula below assumes the inclusion of employee parking.

- a. Mixed Use development – for any mixed use development, the number of required parking spaces shall be calculated by adding together the parking required for each use to be included within the development, including any residential component, based on a mix of uses reasonable to project long-term parking needs and acceptable to the Township, and multiplying the sum by 0.75.
- b. Hotel, Motel, Bed & Breakfast or Country Inn - one (1) space for each rental unit. If a restaurant, auditorium, or other related use in connection with such principal use is open to the public, the off-street parking facility for such related uses shall not be less than those required individually for such uses.

- c. Church or other place of worship - one (1) space for each five (5) seats. Places of worship are encouraged to seek shared use of parking with other uses with differing times of peak usage.
- d. Club, Lodge - one (1) space for each two (2) members the facility is designed to accommodate.
- e. Golf course - three (3) parking spaces for each tee.
- f. Park, riding academy, hunting club, or other outdoor recreational use - variable, depending upon proposed intensity of use, subject to approval by the Township.
- g. Theatre, Auditorium - one (1) space for each five (5) seats.
- h. Library, Museum or similar cultural institution - Three (3) parking spaces for each one thousand (1,000) square feet of gross floor area.
- i. Mortuary, Funeral Home - one (1) space for each three (3) visitors the facility is designed to accommodate.
- j. Bowling Alley - five (5) spaces for each bowling alley.
- k. Eating or drinking establishment, except fast-food restaurants - one (1) space for each four (4) seats.
- l. Fast-food restaurants and convenience stores – ten (10) parking spaces for each one thousand (1,000) square feet of floor space.
- m. Retail Stores, General Business, Commercial And Personal Service Establishments – Three and one half (3.5) parking spaces for each one thousand (1,000) square feet of area used for sales and the display of merchandise.
- n. Sale of Gasoline – One (1) parking space per pump plus two (2) stacking spaces for each pump.
- o. Financial service establishment - Three (3) parking spaces for each one thousand (1,000) square feet of floor area, excluding area used exclusively for filing or storage.
- p. Business, professional, or government office - Three (3) parking spaces for each one thousand (1,000) square feet of office space

- q. Medical or dental office or clinic - Three (3) parking spaces for each one thousand (1,000) square feet of office/clinic space.
- r. Veterinary office or clinic, animal hospital - Three (3) parking spaces for each one thousand (1,000) square feet of office/clinic space.
- s. High Schools - one (1) parking space for every four (4) students based on the design capacity of the school.
- t. All other schools, except kindergartens or nursery schools - one (1) parking space for every ten (10) students based on the design capacity of the school.
- u. Kindergarten, adult or child day care or child nursery - two (2) parking spaces for each one thousand (1,000) square feet of floor area, plus adequate space for client drop-off and pick-up, subject to approval by the Township.
- v. Manufacturing, wholesale sales, storage or distribution, including personal storage facility - one (1) parking space for each one thousand (1,000) square feet of floor area.
- w. Vehicular sales, service, and repair; or car wash - two (2) spaces for each two hundred (200) square feet of floor or ground area devoted to repairs, sales, or service facilities. In no case shall the spaces for permitted motor vehicle storage in conjunction with a service station be less than five (5).
- x. Laboratory or research facilities, printing and publishing facilities, kennels, junkyards and any other use not specifically provided herein - sufficient parking to accommodate visitors or clients, subject to approval of the Board of Supervisors.

D. Handicapped Parking

Handicapped parking shall be provided in accordance with the accessibility and means of egress requirements of the adopted building and/or construction code of Hereford Township. At a minimum, the following design parameters shall be met:

1. A minimum of one (1) handicapped accessible parking space shall be provided for each twenty (20) parking spaces or fraction of twenty spaces. Such spaces shall be a minimum of 12.5 feet wide by 20.0 feet long, and shall be located so as to provide the safest and most efficient access to the principal building served by the parking lot.

2. For every eight handicapped accessible parking spaces or fraction of eight handicapped accessible spaces, there shall be at least one (1) such space that is van accessible.
3. Each handicapped space or group of spaces shall be identified with a clearly visible sign displaying the international symbol of access.
4. Where possible, handicapped spaces shall be located so that persons in wheelchairs or using braces or crutches are not compelled to wheel or walk behind parked cars.
5. Where applicable, curb ramps shall be provided to permit handicapped people access from the parking lot to the sidewalk or building entrance.

E. Reduction in Parking

In order to reduce unnecessary impervious surface and excessive stormwater runoff, the number of required paved parking spaces may be reduced when authorized as a conditional use by the Board of Supervisors in consideration of the following:

1. Evidence shall be submitted satisfactorily demonstrating to the Township that the subject use(s) require(s) less parking spaces than required by Section 1711.
2. Where more than one use is served by the same parking area, and the applicant demonstrates to the satisfaction of the Board that peak parking usage for the subject uses are not simultaneous, the Board may approve or require a reduction in parking such that the greatest extent of simultaneous parking demand shall still be met.
3. A site development plan shall be submitted indicating the location and layout of the required parking area(s), including those parking areas deemed “unnecessary” by the applicant at the time of application. To the extent approved by the Board, all or portions of such “unnecessary” area(s) may be removed from the plan or may be designated as “reserve parking area(s),” designed and constructed in accordance with Subsection 1711.B.7 herein.
4. In no event shall authorized reserve parking area(s) be counted as open space or other pervious surface required by other provisions of this Ordinance. In addition, the reserve parking area shall not be used for storage or structures, whether of a temporary or permanent nature.

F. Location of Parking

1. Except as provided in subsection 2, below, required off-street parking shall be located on the same lot as the uses or activities for which the parking is required.
2. Required parking spaces may be located other than on the same lot when authorized as a conditional use, provided that:
  - a. Some portion of the common off-street parking areas lie within two hundred (200) feet of an entrance regularly used by patrons into the building served thereby, and
  - b. The owners of two (2) or more establishments desiring a common parking area shall submit, with their application for conditional use, a signed agreement and a site plan showing joint use and location of a common off-street parking area.

G. Design of Parking Spaces

1. Parking spaces shall be reasonably level, sloping not more than five (5) percent in any direction, but providing for positive drainage with a slope of at least one (1) percent. A rectangular block of the following dimensions shall be provided for all off-street parking spaces, regardless of pull-in angle, and shall not be occupied by, nor intruded upon by light standards or their foundations, landscape elements, pedestrian walkways, driveways, passageways, or any other feature which results in a reduced area available for occupation by a vehicle.
2. Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space without requiring the moving of any other motor vehicle.
3. In all cases, parking areas and access drives shall be designed to provide for ingress and egress in a manner that does not require or encourage vehicles to back into a public street in order to leave the lot.

H. Parking Access and Lane Dimensions

1. Lanes designed for circulation of motor vehicles within the parking area (abutting parking spaces) shall have a minimum width, as required below:

<b>Angle of Parking (degrees)</b>	<b>Lane Width</b>	
	<b>One-Way (feet)</b>	<b>Two-Way (feet)</b>
90	21	24
60	18	22
45	16	20

2. Access drives shall conform to the setback standards set forth in Section 1711.L below, unless shared between adjoining properties.
3. Access aisles and drives shall conform to the design standards set forth in Section 1710
4. Driveways providing access to the parking area from the street shall be of adequate length to accommodate off-street stacking of vehicles waiting to enter the parking area. The stacking area shall accommodate at least one (1) vehicle, plus one (1) vehicle for every fifty (50) spaces provided in the parking area, for up to twenty (20) stacking spaces.
5. Off-street parking areas shall have separate, marked lanes of ingress and egress. For parking areas with access solely onto a local access road and providing ten (10) or fewer off-street parking spaces, a single lane for both ingress and egress may be permitted upon the recommendation of the Township Engineer.
6. The minimum width of entrance and exit drives shall be as follows:
  - a. One-way access – Fourteen (14) feet.
  - b. Two-way access – Twenty-four (24) feet.
- I. Off-street parking facilities existing at the effective date of this Ordinance shall not subsequently be reduced to an amount less than that required under this Ordinance for the particular district in which the off-street parking facilities are located.
- J. Parking and storage of certain automobile vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any street or on any residentially zoned property other than in completely enclosed buildings.
- K. No repair to or maintenance of vehicles of any kind shall be permitted in any accessory parking facility.
- L. Off-Street Parking In Required Yards

The following standards shall apply except where modified subject to conditional use approval by the Board of Supervisors:

1. Nonresidential parking areas, including access drives, shall be set back a minimum of fifteen (15) feet from any street right-of-way or any property line abutting a residential use or district.

2. In any situation not subject to paragraph 1, above, all parking areas and access drives, whether residential or nonresidential, shall be set back at least five (5) feet from any lot line.
3. No parking lot for off-street parking or for the storage or movement of motor vehicles shall directly abut a public street unless separated from the street line by a minimum of ten (10) feet by a buffer planting strip.

## **1712 Off-Street Loading.**

### **A. General Provisions**

In connection with any building or structure which is erected or substantially altered and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles, there shall be provided a sufficient number of off-street loading and unloading berths not less than the minimum requirements specified in this section. All off-street loading also shall comply with any applicable standards set forth in the Hereford Township Subdivision & Land Development Ordinance. In case of conflict between the standards set forth in the Subdivision & Land Development Ordinance and those herein, the more restrictive shall apply.

1. Location. All required loading areas shall be located on the same lot as the use to be served, and no portion of a vehicle parked for loading or unloading shall project into any accessway or traffic lane. No permitted or required loading area shall be located within fifty (50) feet of a property line.
2. Size. A required off-street loading area shall be at least fourteen (14) feet in width by at least fifty (50) feet in length, exclusive of the aisle and maneuvering space, and shall have vertical clearance of at least sixteen (16) feet.
3. Access. Each required off-street loading area shall be designed with appropriate means of vehicular access to an interior drive in a manner which will least interfere with traffic movements, and shall be subject to the approval of the Township. Such access shall have all-weather surfaces to provide safe and convenient access during all seasons.
4. Repair and Service. No storage of any kind, nor motor vehicle repair work of any kind, except emergency work, shall be permitted within any required loading area.
5. Loading areas shall be restricted to the rear of the building(s), and if necessary, to the side.

- 6. A screen planting shall be provided, in accordance with Section 1708.F herein, between loading areas and the surrounding properties.
- 7. All loading areas shall have a dust-free surface over the entire area customarily used by delivery vehicles for parking and maneuvering. The surface may be asphalt, bituminous concrete, concrete, oil-sealed gravel, compacted gravel, or any other dust-free surfacing material which meets with the approval of the Township.

**B. Required Off-Street Loading Facilities**

The following off-street loading standards shall apply, except where modified subject to conditional use approval by the Board of Supervisors:

- 1. **Commercial and Industrial Uses**  
Loading or unloading berths shall be provided in accordance with the following table for commercial and industrial uses:

<b>Aggregate Gross Floor Area Devoted to Each Use (square feet)</b>	<b>Minimum Required Number of Berths</b>
2,000 to 7,999	1
8,000 to 19,999	2
20,000 to 39,999	3
For each additional 40,000	1 additional

- 2. **Office, Professional and Institutional Uses**  
Loading or unloading berths shall be provided in accordance with the following table for office and professional uses, and institutional uses:

<b>Aggregate Gross Floor Area Devoted to Each Use (square feet)</b>	<b>Minimum Required Number of Berths</b>
5,000 to 9,999	1
10,000 to 24,999	2
25,000 to 49,999	3
For each additional 50,000	1 additional

- 3. All other uses with a total of 5,000 s.f. or more of aggregate gross floor area shall provide loading spaces adequate to accommodate normal

demands of loading and unloading incidental to that type of use, to the satisfaction of the Township.

4. The number of loading or unloading berths may be less than the number of berths required above in the event that both of the following conditions are met:
  - a. Evidence is submitted documenting that the use of the building requires fewer loading berths than required by subsections 1. and 2., above.
  - b. The site development plan shall indicate where such loading berths could be located if, at a future date, they are determined to be needed. Such area shall be designated as “proposed future loading area” on the plan and no permanent structures shall be permitted within this area.

**1713 Sign Regulations.**

A. Applicability

Any sign hereafter erected, altered, or maintained shall conform with the provisions of this Section and any other applicable articles, ordinances, or regulations of the Township of Hereford.

B. General Sign Regulations

The following provisions shall apply to all signs:

1. Permit Required. Except for official street, traffic control, and directional signs erected in accordance with the approval of Hereford Township or the Commonwealth of Pennsylvania, as applicable, and certain temporary signs as set forth in subsection 1713.C below, an application for permit must be submitted to the Zoning Officer for review and approved, as set forth in Subsection 1713.G herein, prior to erecting, affixing, attaching, or installing any sign on or to any building, structure, or property.
2. Construction Standards. Construction, choice of materials and installation of signs shall be in accordance with the standards of the Commonwealth of Pennsylvania Uniform Construction Code (PA UCC).
3. Prohibited Signs. The following types of signs or illumination of signs are prohibited in the Township.
  - a. Flashing, revolving, non-stationary or animated signs, except time and temperature signs.

- b. Festoon lighting or beacon lights.
- c. Roof signs.
- d. Trailer signs.
- e. Illuminated temporary signs.
- f. Vehicular signs which do not meet the requirements for a free-standing sign in the district where the vehicle is parked.
- g. Signs affixed with adhesives.
- h. A sign suspended between poles and lighted by a series of lights.
- i. A sign suspended between poles consisting of either pennants or spinners, except as permitted in Subsection K Temporary Sign Regulations.
- j. Any sign erected, painted, or drawn on a tree or rock or other natural feature.
- k. Any sign attached to a utility pole except in conformance with state and utility regulations and the requirements of this Ordinance.
- l. Any banner sign or sign of any other type across a public street except as provided for temporary signs in Subsection 1713.C.
- m. Any sign containing information which states or implies that a property may be used for any purpose not permitted under the provisions of the Hereford Township Zoning Ordinance.
- n. Any sign which uses the words "stop," "look," "danger," or any other word or character which attempts or appears to attempt to direct the movement of traffic or which interferes with or resembles any official traffic sign, signal, or device within seventy-five (75) feet of a public right-of-way or within two hundred (200) feet of a traffic control device, whichever is greater.
- o. Except for traffic control signals, red or green lights which may be mistaken for official traffic lights are prohibited within seventy-five (75) feet of a public right-of-way or within two hundred (200) feet of a traffic control device, whichever is greater.

4. Location of Signs.
  - a. No sign other than official street, traffic control, or directional signs, shall be erected or maintained within the legal right-of-way of any public street. No sign projecting over a public walkway shall be less than ten (10) feet above the walk level at its lower edge and shall not extend out for more than four (4) feet from the building or structure to which it is attached.
  - b. No sign shall be located so as to interfere with any required Clear Sight Triangle.
  - c. No sign may be located in the side or rear yard or in a required screening or buffer area where adjacent to any residential use.
  - d. No free-standing sign may occupy an area designated for parking, loading, walkways, cartways, driveways, or other areas required to be unobstructed.
  - e. No sign shall be erected or maintained so as to prevent free ingress or egress from any door, window or fire escape. No sign shall be attached to a standpipe or fire escape.
  - f. No sign shall be painted directly on the surface of any window or door of a building or other structure which is not in itself the sign structure.
  - g. All signs shall be located on the premises to which they pertain except for permitted off-premise signs as provided herein.
5. Illumination of Signs.
  - a. Illumination for advertising signs is prohibited between 11:00 p.m. and sunrise, except that such lighting situated on the premises of a commercial establishment may remain illuminated while the establishment is actually open for business, and until one hour after closing.
  - b. Signs may be illuminated, unless otherwise specified herein, only to the extent that is necessary to allow them to be seen and read at night at a distance not to exceed 500 feet for signs of 20 square feet or more in area, and 150 feet for signs less than 20 square feet in area.
  - c. Professional signs of a health care practitioner, dentist, clergyman, justice of the peace, and such other person whose services are

customarily considered essential in an emergency may be illuminated, provided that the illumination is white light not exceeding the equivalent of a 25 watt incandescent light source.

- d. In no case shall the illumination cast by a source or sources onto an adjacent residential property exceed 0.1 *vertical* footcandle. The amount of illumination cast onto any non-residential property from another property shall not exceed one (1.0) *vertical* footcandle.
- e. Lighting fixtures for externally illuminated signs and billboards (OADs, as defined in subsection 1713.G below) shall be automatically extinguished between the hours of 11:00 p.m. and dawn except as specifically approved by the Township for sign lighting on the premises of all-night commercial operations. All such fixtures shall be so designed or fitted to concentrate the light output onto and not beyond the sign or billboard. No direct beams of light shall be directed toward adjacent properties or public roads.
- f. Directional fixtures, e.g., floodlights or spotlights, shall be aimed so as not to project their output beyond the objects intended to be illuminated, and shall be extinguished between the hours of 11:00 p.m. and dawn, except for lighting of the American Flag. Such lighting shall not project onto another property.
- g. No revolving or rotating beam or beacon of light that simulates any emergency light device shall be permitted as part of any sign. Flashing devices shall not be permitted upon a sign; however, illuminated signs which indicate customary public information, such a time, date, temperature or other similar information, shall be permitted.
- h. Nuisance Glare and Inadequate Illumination Levels.
  - i. When the Zoning Officer judges-the installation produces unacceptable levels of nuisance glare, direct skyward light, excessive or insufficient illumination levels or otherwise varies from this Ordinance, the Township may cause written notification of the person(s) responsible for the lighting and require appropriate remedial action within a specified time period.
  - ii. If the appropriate corrective action has not been effected within the specified time period, the Township may commence legal action as provided in this Ordinance.

6. Construction and Maintenance of Signs

- a. All signs permitted by this Ordinance shall be constructed of durable materials and kept in good condition and repair.
- b. All signs requiring the use of electricity shall be manufactured in accordance with Underwriter Laboratories specifications.
- c. Where permitted, floodlighting used to illuminate signs shall be aimed as required to ensure light does not spill off sign.

C. Temporary Signs

In addition to other applicable regulations, the following regulations for temporary signs shall be observed in all districts:

1. General Provisions

- a. Temporary signs shall be placed so as not to obstruct access to or from any door, window, fire escape, or ventilating equipment, nor be attached to any stand-pipe or fire escape.
- b. Such signs shall be placed so as not to obstruct vehicular or pedestrian traffic or create a safety hazard.
- c. Unless specified otherwise, temporary signs shall be removed within three (3) days after completion of the event, situation, or circumstance for which it is used.

2. Temporary Signs Not Requiring a Permit

The following **non illuminated** temporary signs shall not require a permit if erected in compliance with the following regulations:

- a. Temporary signs of contractors and artisans, erected and maintained on the premises during the period of their work, one (1) such sign per trade, each having an area of not more than six (6) square feet.
- b. Temporary yard or garage sale signs, provided they do not exceed four (4) square feet in area, are erected no more than two (2) days before the first day of the sale, and are removed within two (2) days after the sale. No more than three (3) temporary off-premises signs shall be permitted and permission shall be obtained from the landowner or utility to post such signs.

- c. A sign, bunting, or pennants announcing the opening of a new business or industry provided they are removed within seven (7) days of the opening day or first day of business.
- d. Temporary window signs announcing a drive or event of civic, philanthropic, educational, or religious organization, less than four (4) square feet, placed in a store or office window. Temporary signs for such events shall be removed within three (3) days after the event. Permission shall be obtained from the landowner or utility to post said temporary signs.
- e. Real estate, open house, and construction /development signs less than six (6) square feet, removed within five (5) days after final settlement or rental agreement is reached or upon completion of construction, as applicable.
- f. Political signs shall be permitted as temporary signs, provided that:
  - i. Signs shall not be erected more than thirty (30) days prior to the election or referendum.
  - ii. Signs shall be removed within seven (7) days after the election or referendum.
  - iii. Any site or building on which the sign was erected shall be restored to its original or better condition upon removal of the sign.

3. Temporary Signs Requiring a Permit

The following temporary signs require a permit and shall be erected in compliance with the following regulations:

- a. Temporary signs announcing special events or the temporary lawful sale of products, goods, and/or services, such as the sale of Christmas trees, shall be permitted, provided that:
  - i. Permits shall run for a one (1) month period or for the duration of a temporary use where otherwise specified in a statement by the applicant accompanying the application for sign permit and approved by the Township. Temporary window signs, as described in subsection B.4, above, shall not require a permit.
  - ii. Signs shall comply with all pertinent regulations applicable to permanent type signs. Sign permits shall be issued only

when the use proposed is permitted by the underlying zoning district.

- iii. No such sign shall be posted earlier than three (3) weeks before the occurrence of the event to which it relates.
  - iv. Signs shall be removed upon expiration of the permit or within one (1) week after the date of the special event or the last day of sales, whichever comes first.
  - v. Any site or building on which the sign was erected shall be restored to its original or better condition upon expiration of the permit.
  - vi. Community Special Event Signs - Where such signs are in the form of banners proposed to be suspended across public roads, the following standards shall apply in addition to those noted above:
    - 1) The sign shall not exceed three (3) feet high by thirty (30) feet wide and the bottom edge of the sign shall be at least fifteen (15) feet above the road surface.
    - 2) The Township shall be notified prior to the erection of such signs.
    - 3) Where the proposed banner spans a state road, the applicant shall also comply with PennDOT's procedural requirements for the placement of signs or banners across state highways. Evidence of such compliance shall be supplied to the Township.
- b. Portable signs shall be allowed only for temporary display and shall be subject to the following provisions:
- i. Portable signs shall only be permitted in districts where commercial uses are permitted as a principal use. Portable signs shall comply with all pertinent regulations applicable to permanent type signs permitted in the underlying district, including maximum area and height requirements for ground signs.
  - ii. Permits shall be issued for a one (1) month period for portable signs. Permits for portable signs shall be issued no more than twice in any one (1) calendar year.

- iii. No more than one (1) portable sign shall be allowed per premises.
- iv. Application for a portable sign permit shall be made to the Township Zoning Officer accompanied by the required permit fee and an escrow deposit, as established by the Township fee schedule, as a guarantee that the portable sign shall be removed at the end of the authorized period. If not removed within ten (10) days of the permit expiration date, the Township shall remove the sign and keep the sum necessary from the escrow amount to cover the expense incurred in removal.

D. Permitted On-Premise Signs:

1. Signs for Development Underway. Temporary non-illuminated sign advertising sale of dwelling units in a development or subdivision, provided that the sign area shall not exceed 16 square feet, and provided that not more than one such sign shall be erected within any such development. Such signs shall be removed when ninety (90) percent of the properties have been developed or eighteen (18) months after the erection of the sign, whichever comes first.
2. Permanent Development Identification Signs. One permanent free-standing sign to identify the name of a subdivision or land development may be located at each intersection of the development's streets with primary or secondary streets, the area of each sign not to exceed 16 square feet in area.
3. Directional Signs. Directional signs, provided that the area of any such sign shall not exceed three square feet.
4. Private Property Signs. Non-illuminated, "No Trespassing" signs, "No Hunting," "Private Property," "Private Drive" and other similar signs indicating private ownership of roadways or property, provided that the sign area shall not exceed two square feet. In such cases, no permit shall be required.
5. Property Identification Sign. Sign identifying a farm, estate, or the name and/or address of the occupant. The area of the sign shall not exceed four (4) square feet.
6. Farm-Related Business Sign. Non-illuminated sign advertising the sale of agricultural products as part of a farm-related business, provided that the sign area shall not exceed eight (8) square feet, and provided that not more than one such sign shall be placed on any one street frontage of any

property in single and separate ownership. Seasonal directional signs located off the premises of the agricultural endeavor(s) being advertised shall not exceed four (4) square feet.

7. Signs Identifying Home Occupations and Bed and Breakfast or Country Inns. Identification and advertising signs, provided that the sign area shall not exceed six (6) square feet, and provided that not more than one such sign shall be erected on any one street frontage of any property in single and separate ownership.
8. Institutional Signs. Signs identifying church, school or institutional uses, provided that the sign area shall not exceed 20 square feet and no more than one such sign is erected on any one property in single and separate ownership.
9. Single-Occupancy Business Signs. Properties in single and separate ownership, with a single business or institutional use, may have a sign or signs within the following limits on sign area:
  - a. Sign Area: 1 square foot per 1 foot of building width, not to exceed a maximum of 50 square feet.
  - b. Number of Signs: A maximum of 2 per building whose combined area shall not exceed 50 square feet.
10. Multiple-Occupancy Business Signs. Properties in single and separate ownership, with multiple business or institutional uses, tenants, or franchise premises, may have a sign or signs in accordance with the following:
  - a. Each multiple-occupancy property may have a single free-standing sign which identifies the business or commercial center as a whole, and/or which is a directory sign for the establishments on the property, with a maximum sign area of 50 square feet.
  - b. In addition, each individual business on the property may have a wall or awning sign of no more than 20 square feet in sign area.
11. Height. The maximum height of any signs permitted under this subsection shall be:
  - a. Free-standing signs for individual uses – ten (10) feet.
  - b. Free-standing shopping center signs and multiple-directory signs – fourteen (14) feet.

- c. Ground signs – four (4) feet.
- d. Wall signs – No portion of any wall sign shall extend above the lowest point of the roof, nor extend horizontally beyond the ends of the wall to which it is attached.

E. Permitted Off-Premise Signs Except Off-Premise Outdoor Advertising Device (OAD).

1. Directional Signs. Businesses not situated on Route 29 or Route 100 may, with the written consent of the owner of the affected property, locate a non-illuminated directional sign at the nearest intersection of one of those major roads. Such sign may not exceed eight (8) square feet in sign area, and may display no more than the name of the subject business and its location, direction, and distance.
2. Temporary Signs as specified below.
3. Special Event Signs. Temporary non-illuminated signs directing attention to temporary exhibits, shows, or special events of a non-commercial nature, provided the sign area does not exceed 16 square feet. Such signs shall not be displayed more than 30 days prior to the advertised event and must be removed no later than seven days following the event.
4. Service Signs. Non-illuminated signs directing patrons, members, or an audience to service clubs, churches, or other nonprofit organizations, provided the area of such signs does not exceed four square feet. Such signs shall indicate only the name of the organization, and the place, date and time of meetings.
5. Official Signs. Memorial or historical markers, official signs directing traffic, signs identifying communities and street names, legal notices and warnings, and other official signs authorized or erected by appropriate governmental authorities.

F. Permitted Off-Premise Outdoor Advertising Devices (OAD), e.g., Billboards

Off-premise outdoor advertising devices including signs commonly referred to a billboards, are permitted only after a permit has been issued by the Pennsylvania Department of Transportation under the Outdoor Advertising Control Act of 1971, Act of December 15, 1971, P.L. 596, No. 160, as amended [36 P.S. §2718.101 et seq], and by Hereford Township.

1. Location of OADs.

- a. OADs which conform with the provisions of this Section shall be permitted only within one hundred feet (100') of the right-of-way of either PA Route 29 or PA Route 100 and only in the MU or I Zoning Districts.
  - b. In no event shall any portion of any OAD be erected within one hundred feet (100') of the boundary of any other zoning district or within one hundred feet (100') of any existing residential property.
  - c. OAD sign faces shall be oriented only toward traffic traveling on PA Route 29 or PA Route 100.
3. Size of OADs. The maximum area of the sign face of any OAD shall be three hundred (300) square feet, which shall include any temporary embellishment, with maximum length of twenty-five feet (25').
4. Spacing of OADs.
- a. V-type or back-to-back OADs shall be considered one (1) sign. Sign faces in any other arrangement shall be considered more than one (1) sign.
  - b. No portion of the sign face of any OAD shall be located closer than one thousand five hundred feet (1,500') to any portion of the sign face of another OAD on the same side of PA Route 29 or PA Route 100, as applicable, within the bounds of Hereford Township.
  - c. No OAD shall be located in such a manner as to obscure, or otherwise physically interfere with the effectiveness of, and official traffic sign, signal or device, or obstruct or physically interfere with a driver's view of approaching or intersecting traffic.
  - d. No OAD shall be located within a school zone.
  - e. No OAD shall be located within 500 feet of a street intersection utilizing a traffic light.
5. Height of OADs. OADs shall not exceed an overall height of twenty-five feet (25') above the adjacent ground elevation or forty feet (40') above the surface of the road it faces, whichever is lesser in height. OADs shall not be closer than twenty-five feet (25') to the nearest right-of-way or property line.
6. Prohibited OADs. The following OADs shall not be permitted to remain or to be erected:

- a. Signs which attempt or appear to attempt to regulate, warn or direct the movement of traffic or which interfere with, imitate or resemble any official traffic sign, signal or device.
  - b. Signs that prevent free ingress or egress from any doors, window or fire escape; or that are attached to a standpipe or fire escape.
7. Construction Standards. All OADs shall be constructed in accordance with the adopted PA UCC. The structural elements of all off-premise signs shall be of wood construction. All signs shall meet industry-wide standards as established by the Outdoor Advertising Association of America, Institute of Outdoor Advertising, and other similar industry-wide organizations.
  8. Maintenance. All OADs shall be maintained in safe structural condition. All sign faces shall be maintained in a neat, clean, freshly painted or posted condition. The general area of all off-premise signs shall be kept clear of debris.
  9. Maintenance or Replacement of Existing OADs. The maintenance or replacement of OADs existing prior to this Section shall be permitted, provided upgrades are in accordance with the PA UCC and in compliance with this Ordinance.
  10. Abandonment. Any OAD which does not have bona fide advertising for 12 consecutive months shall be deemed abandoned and shall be removed by the owner thereof within 30 days after written notice from the Township.
  11. Replacement. Any non-conforming OAD, when abandoned or removed, may only be replaced with a sign that conforms to this Ordinance.
- G. Procedure for Sign Permit.
1. Application for any sign requiring a permit shall be made in writing to the Zoning Officer on a form specified for such purpose and shall contain and include the following:
    - a. A site plan showing the dimensions of the lot and the proposed location of the sign in relation to buildings, structures, property lines, and public or private rights-of-way. The width of street frontage at the legal right-of-way line on the subject property shall be shown.
    - b. A sketch elevation, drawn to scale [drawing] of the proposed sign showing the specific dimensions of all elements of the sign, the

- specific copy, lettering, words, symbols, and designs to be displayed including a description of the shape, color, material, supports, anchoring, weight and height of the sign, along with a written explanation of any illumination or unusual features of the sign.
- c. The signature of the applicant and, when the applicant is not the record owner(s) of the premises on which the sign will be erected, both the applicant and the record owner(s) of the premises shall sign the application.
  - d. The application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected for Township officials to enter said premises to inspect the sign.
  - e. All sign permit applications shall be accompanied by the required fee as set forth in Subsection 1713.H herein.
  - f. Any other lawful information which may be required of the applicant by the Zoning Officer.
- 2. In determining the appropriateness of the proposed sign, the Zoning Officer shall determine the following:
    - a. That the sign meets all restrictions, standards, and sign area requirements of this Ordinance.
    - b. That the sign has a reasonable location, scale, and proportion in relation to buildings, doors, windows, and pedestrian and vehicular access.
  - 3. The Zoning Officer shall inspect and approve the installation of the sign and shall make periodic inspections to determine conformity of signs to these regulations.
  - 4. The Zoning Officer shall approve or deny the application in writing within thirty (30) days from the date the application and fees are received.
  - 5. Failure of the Zoning Officer to act upon the application within thirty (30) days shall be deemed to be an approval of the application.
  - 6. Sign permits shall expire six (6) months after the date of issue, unless the sign allowed by the permit is completed.
  - 7. The following changes to a sign shall not require a permit:

- a. Changing of only the advertising message;
  - b. Regular maintenance of the sign, including electrical, repainting, or cleaning of a sign;
  - c. The repair of an existing, lawful sign.
8. Exceptions from the necessity of securing a permit shall not be construed to relieve the owner of the exempted sign from responsibility for its construction and installation in a safe manner and in accordance with the provisions of this Ordinance.

H. Fees.

- 1. All applications for sign permits shall be accompanied by the appropriate fee established by the Board of Supervisors from time to time by Resolution. Any application not accompanied by the required fee shall be considered incomplete and will not be accepted by the Zoning Officer, and the thirty (30) day time within which action must be taken upon the application shall not commence until the application package is complete, including the application, required fees, and other information specified by the Zoning Officer.
- 2. Any appeal to the Zoning Hearing Board from determination of the Zoning Officer relating to an application for sign permit shall be accompanied by a fee equal to the amount established by the Board of Supervisors for a request for variance to the Zoning Hearing Board.

I. Notice of Violation and Stop Order.

- 1. If the Zoning Officer determines that any activity regulated by this Ordinance is undertaken without a valid sign permit; or if an activity undertaken under a sign permit deviates from the approved application either during or after completion of the work; or if a sign is located, erected, rebuilt, illuminated, altered, relocated, enlarged, repaired, maintained, or operated in a manner which is in violation of this Ordinance or is determined by the Township to be a nuisance or a potential safety hazard; or if a sign permit has expired before completion of the work allowed by the permit; or if required fees are not paid, the Zoning Officer shall issue a notice of violation and a stop order pursuant to the procedures set forth in Article XV of this Ordinance.
- 2. The Township may remove or cause to be removed any sign at the expense of the owner or lessee in the event the owner or the person or firm maintaining the sign has not complied with the terms of notice of violation within fourteen (14) days of the date of notice. However, in the event of

immediate danger, the Township may remove any sign immediately upon the issuance of notice to the owner, person, or firm maintaining said sign.

3. Any person, partnership, or corporation who shall continue in violation of a stop order shall be in violation of this Ordinance, and shall be subject to the penalties set forth in this Ordinance.

K. Abandoned Signs

1. Abandoned signs, as defined by this Ordinance, shall be removed by the landowner or person controlling the property within ten (10) days of the abandonment.
2. The Township may remove or cause to be removed said sign at the expense of the owner or lessee in the event the owner or the person or firm maintaining said sign has not complied with the terms of said notice within thirty (30) days of the notice.

L. Non-Conforming Signs.

Any nonconforming sign legally existing at the effective date of this Ordinance shall be bound by following regulations:

1. Relocation. A nonconforming sign may be relocated provided that moving such a sign would eliminate the nonconformity. A nonconforming sign shall not be moved to a position where such sign remains nonconforming unless permitted by special exception.
2. Area. The total area of all such signs relating to a single use at the effective date of this Ordinance, or at the effective date of any amendment of this Ordinance by which any sign shall be made nonconforming, shall not be increased.
3. Repair or Replacement. Nonconforming signs, once removed or damaged more than sixty (60) percent, including structural framing or bracing, shall be replaced only with conforming signs. Nonconforming signs with damage of sixty (60) percent or less may be repainted or repaired, provided that such repainted or repaired sign does not exceed the dimensions of the existing sign.
4. Discontinuance. Whenever any nonconforming use of building, structure, or land, or of a combination of buildings, structures, and land is discontinued, all signs accessory to such use shall be deemed to become nonconforming and shall be removed within thirty (30) days from the date such use terminates.

**1714 Traffic Impact Study.**

A Traffic Impact Study shall be submitted with all requests for change of zoning, curative amendment, conditional use (if determined to be necessary by the Supervisors), and as part of the preliminary plan application for all subdivision and/or land developments and/or planned residential developments when the proposed use would generate more than 400 trips per day. The traffic impact study shall be performed in accordance with Section 412 of the Subdivision Ordinance.

**1715 Keeping Of Wild Or Dangerous Animals.**

Wild, dangerous, or poisonous animals, including, but not limited to: deer, skunks, raccoons, wolves, “wolf-dog hybrids”, constricting or venomous snakes, alligators, crocodiles, bears, bobcats, tigers, lions, or coyotes, shall not be kept within Hereford Township for any purpose except when adequately confined in a facility operated by a licensed veterinarian for the purposes of treatment.

**1716 Display For Sale Of Motor Vehicles.**

A. Display for Sale on Public Property

No person shall park or display for any length of time a motor vehicle for the purpose of offering said vehicle for sale to the public on any public street or public property of the Township.

B. Display for Sale on Private Property

No person shall park or display for any length of time a motor vehicle for the purpose of offering said vehicle for sale to the public on private property in the Township except in accordance with all applicable regulation.

**1717 Lighting.**

A. Purposes

1. To require and set minimum standards for outdoor lighting to provide lighting in outdoor public places where public health, safety and welfare are potential concerns.
2. To protect drivers and pedestrians from the glare of non-vehicular light sources that shine into their eyes and thereby impair safe traverse.
3. To protect neighbors and the night sky from nuisance glare and stray light from poorly aimed, placed, applied, maintained or shielded light sources.
4. To provide for outdoor lighting in a manner consistent with Township objectives to protect and retain rural character.

B. Applicability

1. Outdoor lighting shall be required for all uses where necessary to provide for public safety and personal security during hours of darkness where there is public assembly and traverse, including but not limited to the following uses: multi-family residential, commercial, industrial, public-recreational and institutional.
2. The glare-control requirements contained herein shall apply to lighting in all above-mentioned uses as well as, but not limited to, signs, architectural lighting, landscape lighting, and residential lighting.

C. Criteria.

1. Illumination Levels.

Lighting, where required by this Ordinance, shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook, as amended from time to time, including but not limited to the following examples:

Maintained Use/Task	Uniformity, Foot-candles Average/Minimum	
a. Streets:		
- Local Commercial	0.9 Avg.	6:1
- Residential	0.4 Avg.	6:1
b. Parking - Multi-Family:		
- Low vehicular/pedestrian activity	0.2 Min.	4:1
- Medium vehicular/pedestrian activity	0.6 Min.	4:1
c. Parking: Industrial/Commercial/Institutional/Municipal		
- <u>High activity</u> , e.g., regional shopping, fast food, major event venues	0.9 Min.	4:1
- <u>Medium activity</u> , e.g. community shopping, office parks, hospitals, commuter lots, cultural/civic/recreational events	0.6 Min.	4:1
- <u>Low activity</u> , e.g., neighborhood shopping, industrial employment, schools, churches	0.2 Min.	4:1

d.	Sidewalks	0.5 Avg.	5:1
e.	Building Entrances, commercial, industrial, institutional	5.0 Avg.	NA

Notes: 1) Illumination levels are maintained horizontal foot-candles on the task, e.g., pavement or area surface.; 2) Uniformity ratios dictate that average illuminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio. e.g., for commercial parking high activity, the average foot-candles shall not be in excess of 3.6 (0.9 x 4).

2. Lighting Fixture Design.

- a. Fixtures shall be of a type and design appropriate to the specific lighting application.
- b. For lighting horizontal tasks such as roadways, sidewalks, entrances and parking areas. fixtures shall met IESNA "full cutoff" criteria (no light output emitted above 90 degrees at any lateral angle around the fixture).
- c. The use of floodlighting, spotlighting, wall-mounted fixtures, decorative globes and spheres and other fixtures not meeting IESNA "full cutoff" criteria, shall be permitted only with the approval of the Township, based upon applicability in retaining the rural character of the Township and achievement of acceptable glare control.
- d. Where requested by the Township, all fixtures shall be equipped with or be modified to incorporate light directing and/or shielding devices such as shields, visors, starts or hoods to redirect offending light distribution and/or reduce direct or reflected glare.
- e. For residential applications, omni-directional fixtures, e.g., post top, wall bracket, wall pack, globe and sphere, shall be rendered "full cutoff" or their cumulative light output per fixture limited to that of a 60 watt incandescent bulb, i.e., no greater than 1,000 lumens.
- f. NEMA-head fixtures, a.k.a. "barn lights" or "dusk-to-dawn lights," shall not be permitted where they are visible from other uses, unless fitted with a reflector to render them full cutoff.

3. Control of Glare.

- a. All outdoor lighting, whether or not required by this ordinance, on private, residential, commercial, industrial, municipal, recreational or institutional property; shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
- b. All outdoor lighting fixtures shall be shielded in such a manner that the edge of the shield shall be level with or below the light source, so that direct light emitted above the horizontal is eliminated. Outdoor residential lighting may be exempted from this requirement at the discretion of the Township.
- c. Floodlights and spotlights shall be so installed or aimed that they do not project their output into the windows of neighboring residences, adjacent uses, skyward or onto a public roadway.
- d. Unless otherwise permitted by the Township, e.g., for safety or security or all-night operations, lighting for commercial, industrial, public recreational and institutional applications shall be controlled by automatic switching devices such as time clocks or combination motion detectors and photocells, to permit extinguishing outdoor lighting fixtures between 11 p.m. and dawn, to mitigate glare and sky-lighting consequences.
- e. Lighting proposed for use after 11 p.m., or after the normal hours of operation for commercial, industrial, institutional or municipal applications, shall be reduced by 75% from then until dawn, unless supporting a specific purpose and approved by the Township.
- f. All illumination for advertising signs, buildings and/or surrounding landscapes for decorative, advertising or aesthetic purposes is prohibited between 11:00 p.m. and sunrise, except as follows:
  - i. Where such lighting is situated on the premises of a non-residential establishment, it may remain illuminated while the establishment is actually open for business or public use, and until one hour after closing
  - ii. Where such lighting is situated on residential premises, it may remain illuminated where the Township is satisfied that it is necessary for security purposes.

- g. Light output for flagpole lighting may not cumulatively exceed 10,000 lumens, measured at the source(s) of light.
  - h. Vegetative screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as full cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
  - i. The intensity of illumination projected onto any use from any other property shall not exceed 0.1 vertical foot-candle, measured at the property line.
  - j. Externally illuminated signs and billboards, where permitted, shall be lighted by fixtures mounted at the top of the sign and aimed downward. Such fixtures shall be automatically extinguished between the hours of 11 p.m. and dawn except as specifically approved by the Township to illuminate necessary directional information.
  - k. Except as specifically approved by the Township, fixtures meeting IESNA "full cutoff" criteria shall not be mounted in excess of twenty (20) feet above finished grade and fixtures not meeting IESNA "full cutoff" criteria shall not be mounted in excess of sixteen (16) feet above grade.
  - l. Directional fixtures for such applications as facade, fountain feature and landscape illumination shall be aimed so as not to project their output beyond the objects intended to be illuminated.
  - m. Service-station canopy lighting shall be accomplished using flat-lens full cutoff downlighting fixtures, shielded in such a manner that the edge of the fixture shield shall be level with or below the light source envelope.
  - n. The use of white strobe lighting for tall structures such as smokestacks, chimneys and radio/communications/television towers is prohibited, except as otherwise required under Federal Aviation Administration regulations.
4. Installation.
- a. For new installations, electrical feeds for fixtures mounted on poles shall be run underground, not overhead.

- b. Poles supporting lighting fixtures for the illumination of parking areas and located directly behind parking spaces, shall be placed a minimum of five (5) feet outside paved area, or on concrete pedestals at least thirty (30) inches high above the pavement, or suitably protected from potential vehicular impact by other approved means.
  - c. Lighting fixtures shall not be mounted in excess of 20 feet above grade. Artificial elevation of the grade at the base of the light fixture shall be prohibited.
5. Maintenance.
- Lighting fixtures and ancillary equipment shall be maintained so as always to meet the requirements of this Ordinance.

D. Plan Submission.

- 1. Lighting Plans shall be submitted to the Township for review and approval with any preliminary or final subdivision/land-development plan submission and with any conditional use, special exception, or variance application where applicable, and shall include:
  - a. A site plan, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and adjacent use that might be adversely impacted by the lighting, containing a layout of all proposed fixtures by location and type.
  - b. Isofoot-candle plots for individual fixture installations, or 10' x 10' illuminance-grid plots for multi-fixture installations, which demonstrate compliance with the intensity and uniformity requirements as set forth in this Ordinance.
  - c. Description of the proposed equipment, including fixture catalog cuts, photometrics, glare reduction devices, lamps, on/off control devices, mounting heights, pole foundation details and mounting methods.
- 2. Applicant shall demonstrate that appropriate steps have been taken to mitigate on-site and off- site glare and to retain the rural character of the Township.
- 3. The following note shall be placed on all Lighting Plans:

“Post-approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the Township for review and approval prior to making such substitution or alteration.”

E. Post Installation Inspection.

The following note shall be placed on all Lighting Plans:

“The Township reserves the right to conduct post-installation nighttime inspections to verify compliance with the requirements of this Ordinance, and if appropriate, to require remedial action at no expense to the Township.”

F. Compliance Monitoring.

1. Safety Hazards.

If a lighting installation creates safety or personal-security hazard(s), the person(s) responsible for the lighting shall be notified in writing and required to take remedial action. The Zoning Officer shall follow the enforcement provisions of this Ordinance.

2. Glare and Inadequate Illumination Levels.

When a lighting installation produces unacceptable levels of glare, excessive skyward light, or insufficient illumination levels, or otherwise varies from the provisions of this Ordinance, the Township may notify the person(s) responsible for the lighting and require appropriate remedial action. The Zoning Officer shall follow the enforcement provisions of this Ordinance.

G. Nonconforming Lighting.

Any lighting fixture or lighting installation existing on the effective date of this Ordinance that does not conform with the requirements of this Ordinance, shall be considered as a lawful nonconformance. Unless other action is approved by the Township as an acceptable alternative, a nonconforming lighting fixture or lighting installation shall be made to conform with the applicable requirements of this Ordinance when:

1. It creates a safety hazard.
2. It is replaced, abandoned or relocated.
3. There is a change in use.

H. Residential Development Fixture Placement.

Where required, street lighting fixtures in residential developments shall be placed at the following locations:

- 1. At the intersection of public roads with entrance roads to the proposed development.
- 2. Intersections involving proposed public or non-public major-thoroughfare road within the proposed development.

I. General Standards for Recreational Lighting

- 1. When facilities for outdoor recreational activities such as, but not limited to, baseball, tennis, football and miniature golf are specifically permitted by the Board of Supervisors for operation during hours of darkness, and where deemed necessary by the Board of Supervisors, the following requirements shall apply:
  - a. Lighting shall be accomplished only through the use of “full cutoff” fixtures or as otherwise approved by the Board of Supervisors.
  - b. Except as otherwise permitted by the Board of Supervisors, sporting events shall be timed so that all area lighting in the sports facility, except as required for safe spectator exit, is extinguished by 11:00 p.m.
  - c. Trap shooting facilities and golf driving ranges and golf courses, except miniature golf and chip and putt facilities, shall not be artificially lit and shall not be permitted to operate in the Township during the hours of darkness.

2. Mounting Heights

Maximum mounting heights for outdoor recreational lighting shall be generally in accordance with the following:

SPORT	MOUNTING HEIGHT
Basketball	20'
Football and other field sports	50'

Organized Baseball and Softball*	
200' Radius	60'
300' Radius	70'
Miniature Golf	20'
Tennis	30'

(\*Minimum mounting heights in accordance with league regulations shall prevail)

J. Approval of Alternatives

When any provision of this section allows for modification of the standards stated upon approval of the Township, such approval shall be by way of special exception in accordance with the provisions of Article XVI of this Ordinance. If the use or development subject to request for modification of standards also is the subject of an application for conditional use approval, then such modification may be approved as part of such conditional use approval in lieu of special exception.