

ORDINANCE NO. 152, 2004

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA AMENDING THE TILDEN TOWNSHIP ZONING ORDINANCE, CHAPTER XXXII OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF TILDEN BY AMENDING AND RESTATING IN ITS ENTIRETY SECTION 105, ENTITLED "DEFINITION OF TERMS" TO ADD AND DELETE DEFINITIONS; AMENDING AND RESTATING IN ITS ENTIRETY PART 7, ENTITLED "C-1 NEIGHBORHOOD COMMERCIAL DISTRICTS" TO ESTABLISH A PURPOSE, USE REGULATIONS, AREA AND BULK REGULATIONS, AND SPECIAL REGULATIONS; AMENDING AND RESTATING IN ITS ENTIRETY PART 8, ENTITLED "C-2 HIGHWAY COMMERCIAL DISTRICTS" TO ESTABLISH PURPOSE, USE REGULATIONS, AREA AND BULK REGULATIONS, AND SPECIAL REGULATIONS; AMENDING AND RESTATING IN ITS ENTIRETY PART 9, ENTITLED "L-1 LIMITED INDUSTRIAL DISTRICTS" TO ESTABLISH PURPOSE, USE REGULATIONS, AREA AND BULK REGULATIONS, AND SPECIAL REGULATIONS; AMENDING AND RESTATING IN ITS ENTIRETY PART 10, ENTITLED "L-2 INDUSTRIAL DISTRICT" TO ESTABLISH PURPOSE, USE REGULATIONS, AREA AND BULK REGULATIONS, AND SPECIAL REGULATIONS; AMENDING AND RESTATING IN ITS ENTIRETY SECTION 1609, ENTITLED "BUFFER YARD" OF PART 16, ENTITLED "GENERAL REGULATIONS" TO ESTABLISH BUFFER YARD REGULATIONS; AMENDING AND RESTATING IN ITS ENTIRETY SECTION 1616, ENTITLED "STANDARDS FOR COMMERCIAL/INDUSTRIAL PARKS" OF PART 16, ENTITLED "GENERAL REGULATIONS" TO ESTABLISH REGULATIONS FOR PERMITTED USES, COMMERCIAL AND INDUSTRIAL PARK MASTER PLANS, SITE REQUIREMENTS, DESIGN REQUIREMENTS, ACCESS, SIGNS, OFF-STREET PARKING, SIDEWALKS, BUFFER YARDS, SEWAGE, WATER, LIGHTING AND SOLID WASTE; ADDING A NEW SECTION 1621, ENTITLED "ENVIRONMENTAL PERFORMANCE STANDARDS TO PART 16, ENTITLED "GENERAL REGULATIONS" TO ESTABLISH ENVIRONMENTAL PERFORMANCE STANDARDS; ADDING A NEW PART 17, ENTITLED "PERFORMANCE STANDARDS" TO ESTABLISH PERFORMANCE STANDARDS FOR ACCESSORY BUILDINGS AND STRUCTURES, ADULT USES, BED AND BREAKFAST INNS, BUILDING MATERIALS SALES YARDS, BUSINESSES, CEMETERIES, CLUBS, LODGES AND SOCIAL BUILDINGS, COMMUNICATION TOWERS AND ANTENNAS, CONVENIENCE STORES, EATING AND DRINKING PLACES WITH DRIVE-IN SERVICE, FAMILY CARE FACILITIES, FORESTRY, GENERAL SERVICE OR CONTRACTOR'S SHOPS, HOSPITALS, JUNKYARDS, METHADONE TREATMENT FACILITIES, MOTELS AND

HOTELS, MOTOR VEHICLE REPAIR FACILITIES, MOTOR VEHICLE SALES ESTABLISHMENTS, MOTOR VEHICLE SERVICE STATIONS, NO-IMPACT HOME-BASED BUSINESSES, OUTDOOR PLACES OF AMUSEMENT, PASSENGER TERMINALS, RETAIL SERVICE SHOPS, RETAIL STORES, SELF-STORAGE FACILITIES, SHOPPING CENTERS, VETERINARIAN OFFICES, AND WHOLESALE BUSINESSES; AMENDING AND RESTATING IN ITS ENTIRETY PART 18 ENTITLED "OFF-STREET PARKING AND LOADING" TO REGULATE REQUIRED OFF-STREET PARKING SPACES, OFF-STREET LOADING SPACES, AND AREA AND DESIGN STANDARDS AND OTHER REQUIREMENTS RELATING TO PARKING AND LOADING SPACES; AMENDING AND RESTATING IN ITS ENTIRETY PART 19, ENTITLED "SIGNS" TO PROVIDE FOR AND ESTABLISH SIGN SIZE AND AREA COMPUTATION, GENERAL SIGN REGULATIONS, SIGNS PERMITTED IN ALL DISTRICTS, SIGNS PROHIBITED IN ALL DISTRICTS, SIGNS PERMITTED IN RESIDENTIAL DISTRICTS BY PERMIT, SIGNS PERMITTED IN RESIDENTIAL DISTRICTS WITHOUT A PERMIT, SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL DISTRICTS BY PERMIT, SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL DISTRICTS WITHOUT A PERMIT, SIGNS PERMITTED IN OS OPEN SPACE DISTRICT WITHOUT A PERMIT, SIGNS PERMITTED IN A AGRICULTURAL DISTRICT BY PERMIT, SIGNS PERMITTED IN A AGRICULTURAL DISTRICT WITHOUT A PERMIT, AND OFF PREMISES SIGNS; ADDING A NEW SECTION TO PART 21, ENTITLED "ZONING HEARING BOARD" TO REQUIRE REFERRAL TO THE BOARD OF SUPERVISORS

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 105, entitled "Definition of Terms", of Part 1, entitled "Objective, Purposes, Interpretation, Short Title, Definition of Terms" of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended and restated in its entirety so as to hereafter read as follows:

"Section 105. Definition of Terms. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Ordinance to have the meanings herein indicated. The singular shall include the plural, and the plural shall include the singular. The word "used" shall include the words "arranged", "designed", or "intended to be used." The word "building" shall include the word "structure." The present tense shall include the future tense. The word "shall" is always mandatory. The masculine shall include the feminine and the neuter. Any word or term not defined herein shall be used with a meaning of standard usage.

Accessory Use. A use which (1) is subordinate to and serves a principal building or principal use; (2) is subordinated in area, extent, or purpose to the principal building or principal use served; (3) is located on the same zoning lot as the principal building or use served; (4) is not used for dwelling purposes nor normally occupied by personnel associated with any use; and (5) is not attached to the principal building by covered passageway, has a wall more than three (3) feet high, and shares no wall in common with the principal building.

Adult Bookstore. See Adult-Oriented Use.

Adult-Oriented Use. Any adult bookstore, adult cabaret, or adult motion picture theater, as defined herein, and which, under the Pennsylvania Obscenity Code, must exclude minors or may now knowingly disseminate to minor.

(1) Adult Cabaret. A cabaret, tavern, theater, or club that features strippers, male or female, impersonators or similar entertainers who exhibit, display, or engage in nudity, sexual conduct or sadomasochistic abuse, as defined in the Pennsylvania Obscenity Code.

(2) Massage Establishment. Any establishment or business which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor or professional physical therapist licensed by the State. This definition does not include an athletic club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

Adult-Oriented Retail. See Adult-Oriented Use

Adult Theater. See Adult-Oriented Use

Alteration. Any change, rearrangement in the structural parts, or enlargement, whether by extending on any side, by increasing in height, or moving from one location or position to another.

Basement. A story, partly underground, but having more than one-half (1/2) of its clear height above average level of the adjoining ground.

Bed and Breakfast Inn. An owner-occupied dwelling in which a room or rooms are rented on a nightly basis for periods of not more than thirty (30) days. Meals may or may not be provided.

Bed and Breakfast Unit. A room or group of rooms in a Bed and Breakfast Inn forming a single habitable unit used or intended to be used for living and

sleeping, but not cooking or eating purposes.

Billboard. See Sign, Off-premises.

Bookstore, Adult. See Adult-Oriented Use

Buffer Yard. A strip of required yard space adjacent to the new boundary of a property or district, not less in width than is designated in this Chapter, upon which is placed suitable plantings.

Buildable Area. The area of a lot remaining after the minimum yard areas and open space requirements have been met.

Building. Any structure having a roof supported by columns, piers, or walls and used for the housing or enclosing of persons, animals, or chattels.

Building Area. The aggregate of the maximum horizontal cross-section areas of all buildings on a lot, excluding cornices, eaves, gutters, or chimneys and steps, one story open porches, or chimneys not extending more than one (1) story and not projecting more than five (5) feet, and balconies and terraces.

Building Coverage. The amount of a lot covered by principal and accessory buildings. When this coverage is shown as a maximum allowable figure for any lot, it is usually expressed as a percentage.

Building Line. The line parallel to the street line at a distance therefrom equal to the depth of the front yard required for the district in which the lot is located.

Building Materials Sales Yard. Land and structures that are used for the sale, storage, loading, and unloading of building, lumber, and millwork materials.

Cabaret, Adult. See Adult-Oriented Use

Car Wash. See Motor Vehicle Washing Facility

Care Facility, Extended. A long-term facility or distinct part of a facility licensed or approved as a nursing home, infirmary unit of a home for the aged, or a governmental medical institution.

Care Facility, Intermediate. A facility that provides, on a regular basis, personal care, including dressing and eating and health-related care and services, to individuals who require such assistance but do not require the degree or length of care and treatment that a hospital or a long-term care facility provides.

Care Facility, Long-term. An institution or part of an institution that is licensed or approved to provide health care under medical supervision for twenty-four (24) consecutive hours or to two (2) or more patients.

Cartway. The portion of a street right-of-way, paved and unpaved, intended for vehicular use.

Cellar. A story partly underground and having more than one-half ( $\frac{1}{2}$ ) of its clear height below the average level of the adjoining ground.

Centerline of Street or Road. A line midway between and parallel to the two (2) street or road property lines, or as otherwise defined by the Township Supervisors.

Clinic. An establishment where patients are admitted for examination and treatment on an outpatient basis by one (1) or more physicians, dentists, other medical personnel, psychologists, or social workers and where patients are not lodged overnight.

Club, Lodge or Social Building. A building to house a club or social organization not conducted for private profit and which is not adjunct to or operated by or in connection with a public tavern, cafe or other public place.

Cluster Development. A residential land development which allows for use of smaller lot sizes in conjunction with the preservation of open space and in which smaller lots are grouped together in a specified area of the development.

Commercial Greenhouse. A building whose roof and sides are made largely of glass or similar transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for the subsequent sale.

Commercial/Industrial Park. A tract of land that is planned, developed, and operated as an integrated facility for a number of individual commercial and/or industrial uses, with provisions to accommodate transportation facilities, vehicular and pedestrian circulation, parking and loading, utilities, aesthetics, and compatibility.

Commercial Motor Vehicle. Any vehicle other than a passenger car, station wagon, motorcycle or similar vehicle, and pick-up or other truck less than eighty (80) inches in width, one hundred ninety-six (196) inches in length and gross vehicle weight range of ten thousand (10,000) pounds. Construction or other similar vehicles or equipment not designed and intended for passenger use or for on-the-road hauling shall be deemed commercial motor vehicles.

**Convenience Store.** A retail establishment offering for sale household items, newspapers and magazines, prepackaged food products, drinks, and sandwiches and other freshly prepared foods for off-site consumption, characterized by a rapid turnover of customers and high traffic generation, and having a maximum gross floor area of 5,000 square feet. It may also offer for sale gasoline and motor vehicle accessories but would not include any motor vehicle services or repairs.

**Corner Lot.** See Lot, Corner.

**Cultural Facility.** An establishment that documents the social, religious, intellectual, and artistic characteristics of a society, including museums, art galleries, libraries, and similar facilities of a natural, historic, educational, or cultural interest.

**Density, Overall.** The total number of dwelling units on a given tract divided by the total number of acres in the tract, not including existing dedicated roads, but including all residential streets to be built in conjunction with subdivision development and all land set aside and dedicated for public use.

**Donation or Collection Center.** An open area, usually part of an existing paved surface, which contains one or more donation or collection containers.

**Donation or Collection Container.** A structure, usually enclosed on at least three (3) sides, often with a small door or opening providing access to its interior, intended mostly as a receptacle for the depositing of second-hand clothing, household goods, and furnishings.

**Drive-in Service.** An activity whereby patrons are served with food, soft drinks, ice cream and similar confections or whereby patrons are provided with professional or personal services for consumption outside the confines of the principal building or in vehicles parked upon the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided for the patrons.

**Dwelling.**

(1) **Single-Family.** A building, on a lot, designed and occupied exclusively as a residence for one family, excluding trailers or mobile homes.

(2) **Two-Family.** A building, on a lot, designed and occupied exclusively as a residence for two (2) families with one (1) family living wholly or partly over the other.

(3) **Multi-Family.** A building, on a lot, designed and used exclusively as a residence for three (3) or more families.

**Eating and Drinking Place.** A retail establishment selling food and drink for consumption on the premises.

**Facade.** The total wall surface, including door and window area, of a building's principal face. In the case of corner buildings which front on more than one (1) street, only one (1) face shall be used to calculate facade area.

**Family.** One (1) or more persons who are related by blood, marriage, or adoption and who reside together; or no more than four (4) persons who are not related by blood, marriage, or adoption and who live together and share household expenses; who share kitchen facilities and dine together regularly; who may and/or do participate in all activities occurring on the premises; and who have access to all areas of the premises. This does not include, however, family care facilities, group care facilities, or correctional, penal, therapeutic, or other institutional facilities for treatment and/or rehabilitation.

**Family Care Facility.** A facility providing shelter, counseling, and other rehabilitative services in a family-like environment for six (6) or fewer residents, plus such minimum supervisory personnel, as may be required to meet standards of the licensing agency. Residents may not be legally related to the facility operators or supervisors and, by reason of mental or physical disability, chemical or alcohol dependency, or family or school adjustment problems, require a minimal level of supervision but do not require medical or nursing care or general supervision. A family care facility must be licensed and/or approved by the Pennsylvania Department of Public Welfare and may include uses such as foster homes, community residential alternative facilities, or home individual programs.

**Farm.** A tract of land comprised of at least five (5) acres and used for (1) the cultivation of the soil, including nursery, horticulture, and forestry and (2) animal husbandry, poultry farming, and dairy farming, but excluding kennels.

**Farm Building.** Any building used for storing agricultural equipment or farm produce, housing livestock or poultry, and processing dairy products. This term shall not include dwellings.

**Fence.** A natural vegetation or artificially constructed barrier of wood, masonry, stone, wire, metal or other manufactured material or combination of materials erected.

**Financial Institution.** Any bank, savings and loan association, savings bank, credit union, investment company/manager/banker, securities broker/dealer, or other similar use.

**Floor Area, Gross.** The sum of all floor areas of a building or structure, measured from the exterior faces of exterior walls or from the centerline of walls separating buildings, including basement space, interior balconies and mezzanines,

enclosed or roofed porches or terraces or other roofed spaces, and attic spaces, but excluding cellar space, elevator shafts, stairwells, bulkheads, accessory water tanks or cooling towers, terraces, breezeways, uncovered steps, and open space, and any space where the floor to ceiling height is less than six (6) feet.

**Floor Area, Net.** The sum of all floor areas of a building or structure, measured from the exterior faces of exterior walls or from the centerline of walls separating buildings, excluding stairwells, elevator shafts, equipment rooms, interior vehicular parking or loading areas, and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

**Forestry.** The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

**Functional Classification of Streets.** See Streets, Functional Classification of

**General service or contractor's shop.** Any business of a tradesperson, including carpenter, cabinet making, furniture repair, light metalworking, tinsmith, plumbing, or similar shop.

**Governmental Use.** Municipal, County, State, or Federal government building or facility designed and intended to be occupied by the government or designed and intended for public use sponsored by such governments, but not including clinics.

**Group Care Facility.** A facility providing shelter, counseling, and other rehabilitative services in a family-like environment for more than six (6) residents, plus such minimum supervisory personnel, as may be required to meet standards of the licensing agency. Residents may not be legally related to the facility operators or supervisors and, by reason of mental or physical disability, chemical or alcohol dependency, or family or school adjustment problems, require a minimal level of supervision but do not require medical or nursing care or general supervision. A group care facility must be licensed and/or approved by the Pennsylvania Department of Public Welfare.

**Height.** The vertical distance of a structure measured from the average elevation of the ground surrounding the structure to its highest point.

**Height of Building.** The vertical distance measured from the average elevation of the proposed finished grades at the front of the building to the highest point on the roof for flat roofs; to the deck line of mansard roofs; and to the mean height between eaves and ridges for gable, hip, and gambrel roofs; provided that



chimneys, spires, towers, mechanical penthouses, tanks, and similar projections of the building not intended for human occupancy shall not be included in calculating the height. If there are two (2) or more separate roofs on a single building, the height of such building shall be calculated from the highest roof.

Home-based Business, No-impact. See No-Impact Home-Based Business

Home Occupation or Accessory Professional Office Use. An occupation or professional use that is customarily carried on in a dwelling unit, or a structure accessory thereto, clearly secondary and incidental to the dwelling in which the practitioner resides.

Hospital. Any institution providing primary health services and medical, surgical and/or obstetrical care to persons suffering from illness, disease, injury, deformity, and/or other abnormal physical or mental conditions. This shall include general hospitals and institutions in which service is rendered to inpatients, but it shall also include related facilities such as outpatient services, laboratories, education and training, medical offices, administrative offices, and staff housing.

Hotel. A building or group of buildings designed primarily as a transient abiding place containing individual rooms for rent, primarily for transient guests, with common hallways for all rooms on the same floor and where no provision is made for cooking facilities in any room or suite of rooms. Such establishment furnishes to the guests customary hotel amenities such as maid service and the furnishing and laundering of linen. Eating and drinking facilities may be accessory uses. Such establishment may include additional services, such as meeting rooms, recreational facilities, and entertainment.

Impervious Coverage. The amount of a lot that may be covered by impervious surface, usually expressed as a percentage. Such coverage computations usually include building coverage.

Impervious Surface. Any material that prevents absorption of stormwater into the ground.

Indoor Theater. Building or part of a building devoted to the showing of motion pictures or for dramatic, dance, musical, or other live performances.

Industrial Park. See Commercial/Industrial Park.

Junk Yard. Any place where discarded materials or articles including, but not limited to, scrap metal, scrapped, abandoned or junked motor vehicles, machinery, equipment, paper, glass containers and structures are stored, disposed of or accumulated.

Laboratory. A building for scientific experimentation or research.

Laundry, Automatic Self-Service. A facility for the laundering of clothing, consisting of equipment that is operated solely by the patrons.

Lot. A piece of land on which a main building and any accessory building are or may be placed, together with the required open spaces. The area of a lot that abuts a street shall be measured to the street line or proposed street line only.

Lot Area. An area of land that is determined by the limits of the property lines bounding that area and expressed in terms of square feet or acres. Any portion of a lot included in a street right-of-way shall not be included in calculating lot area.

Lot, Corner. A lot that has an interior angle of less than one hundred thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at the points beginning with the lot or at the points of intersection of the side lot lines with the street right-of-way lines intersect at an interior angle of less than one hundred thirty-five (135) degrees.

Lot Coverage. That percentage of the lot area that may be covered by one (1) level of a building area.

Lot Depth. The distance along a straight line drawn from the mid-point of the front lot line to the mid-point of the rear lot line.

Lot Frontage. A property line or portion thereof which is co-existent with a street line. In the case of a street of undefined width, said property line shall be assumed to parallel the center line of the street at a distance of not less than twenty-eight and one-half feet (28-1/2') therefrom.

Lot, Interior. A lot other than a corner lot.

Lot Line. A line forming the front, rear or sides of lots or parcels of property as described in the recorded title.

Lot Line, Front. The street line at the front of a lot. In the case of a corner lot, the owner may designate either street line as the front lot line.

Lot Line, Rear. Any lot line which is parallel to or within forty-five (45) degrees of being parallel to a street line, except for a lot line that is itself a street line, and except that only in the case of a corner lot, the owner shall have the option of choosing which of the two (2) lot lines that are not street lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one (1) lot line furthest from any street shall be considered a rear lot line.

Lot Line, Side. Any lot line not a front lot line or a rear lot line.

Lot, Nonconforming. A lot of record existing at the date of passage of this Chapter or, due to subsequent zoning changes, which does not have the minimum width or contain the minimum area for the zone in which it is located.

Lot Width. The distance between straight lines connecting the ends of the front and rear lot lines measured at the required building setback lines.

Manufacturing. The treatment or processing of raw products and the production of articles or finished products from raw or prepared materials by giving them new forms or qualities.

Methadone Treatment Facility. A facility licensed by the PA Department of Health to use the drug methadone in the treatment, maintenance, or detoxification of persons.

Mining. A use involving the excavation and/or removal of minerals, stone, sand, gravel, coal, ore, or similar solid resources.

Mobile Home. A transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly contained in one (1) unit, or in two (2) units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobile Home Lot. A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

Mobile Home Park. A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two (2) or more lots.

Modular Home. A single-family dwelling transported to a site in one (1) or more units and designed to be joined into one (1) integral unit and constructed at the site on a full basement, having a minimum under clearance of seven (7) feet.

Motel. An establishment providing sleeping accommodations for transient guests, with the majority of rooms having direct access to the outside without passing through a main lobby.

**Motor Vehicle.** A self-propelled device, including cars, trucks, and boats, used to transport persons and/or goods over land and water surfaces.

**Motor Vehicle Repair Facility.** Any building or premises in which the primary activity is the maintenance, servicing, or repairing of motor vehicles.

**Motor Vehicle Sales Establishment.** Any building, land area, or other premises used for the display and sale of new and used motor vehicles. It may include any preparation or repair work to such vehicles conducted clearly as an accessory use.

**Motor Vehicle Service Station.** Buildings and premises where gasoline, oil, grease, batteries, tires and accessories, or any combination thereof, are sold at retail and normal mechanical repairs are conducted, but not including body work, painting, spraying or welding or storage of vehicles not in operating condition and not on the premises for normal mechanical repairs.

**Motor Vehicle Washing Facility.** Any building or premises or portions thereof used for washing motor vehicles.

**MPC.** The PA Municipalities Planning Code, Act of July 31, 1968, P.L. 805, No. 247, as amended.

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

**Nonconforming Lot.** A lot the area or dimension of which was lawful prior to the adoption or amendment of this Chapter, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment. See also Lot, Nonconforming.

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

**Nonconforming Use.** A use, whether of land or of structure, which does not comply with the applicable use provisions of this Chapter or amendment theretofore or hereafter enacted, where such use was lawfully in existence prior to

the enactment of this Chapter or amendment, or prior to the application of this Chapter or amendment to its location by reason or annexation.

**Nursery.** A tract of land, which may contain a greenhouse or other similar structures, used to grow flowers and/or plant materials for sale.

**Obscenity Code, Pennsylvania.** §5903, Title 18, Pennsylvania Consolidated Statutes, as amended.

**Off-Street Loading Space.** An on the property space for the standing, loading, and unloading of vehicles to avoid undue interference with the public use of streets and alleys.

**Off-Street Parking Space.** An on the property space for the parking of vehicles.

**Office.** A room, group of rooms, or building in which services are performed involving the functions of a business, profession, service, or industry.

**Open Area.** An unoccupied area open to the sky, usually in a natural state but including squares, plazas, and formal gardens. Also, the unoccupied area open to the sky on the same lot with a principal and/or accessory building.

**Outdoor Place of Amusement.** An outdoor facility that provides various means of entertainment.

**Outdoor Vending Machine.** A coin-operated machine that sells predominantly food and drink, which is located outside of a building.

**PA Municipalities Planning Code.** Act of July 31, 1968, P.L. 805, No. 247, as amended.

**Passenger Terminal.** A place where transfer between modes of transportation takes place.

**Personal Service Establishment.** A business that is engaged primarily in providing services involving the care of a person and his/her personal goods or apparel. These establishments may include but are not limited to laundries, laundromats, dry cleaners, beauty shops, barbershops, nail salons, tanning salons, shoe repair shops, and health and fitness establishments.

**Pervious Surface.** Any material that permits full or partial absorption of stormwater into the ground.

**Place of Worship.** A building or group of buildings, including customary accessory buildings, designed or intended for the conducting of formal religious

services. This shall include churches, synagogues, chapels, cathedrals, temples, mosques, and similar designations, as well as parish houses, convents, and related accessory uses, but does not include schools, recreation facilities, or dormitories.

**Principal Building.** A building in which is conducted, or is intended to be conducted, the principal use of the lot on which it is located.

**Private Garage.** An accessory building used for the parking and storage of motor vehicles and farm equipment owned and operated by the residents thereof. This does not include a separate commercial facility available to the general public.

**Professional.** A doctor, surgeon, dentist, psychiatrist, psychologist, chiropractor or licensed professional person offering similar medical care; optician, architect, artist, accountant, insurance agent, real estate broker, teacher, engineer, lawyer, musician, surveyor, landscape architect, land planner, systems analyst, computer programmer or other similar uses as determined by the Zoning Officer.

**Public Garage:** A building, other than a private garage, used primarily for the parking and storage of vehicles and available to the general public.

**Public Grounds.** Includes (1) parks, playgrounds, trails, paths and other recreational areas and other public areas; (2) sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and (3) publicly owned or operated scenic and historic sites.

**Public Sewer.** Any municipally or privately owned sewer system in which sewage is collected and piped to an approved sewage disposal plant or central septic tank disposal system and which is approved by the PA Department of Environmental Protection.

**Public Utility Installation.** Hydroelectric and electric lines, power plants and electric substations, pumping and boating stations, pipelines, sewage treatment plants, water plants and other similar facilities necessary to serve demonstrated public needs.

**Public Water.** Any municipally or privately-owned water system for the distribution and sale of water, in accordance with the laws of the Commonwealth of Pennsylvania.

**Recreational Vehicle or Unit.** A vehicle or piece of equipment, whether self-powered or designed to be pulled or carried, intended primarily for leisure time or recreational use. "Recreational vehicles or units" include travel trailers, truck-mounted campers, motor homes, folding tent campers and autos, buses or trucks adapted for vacation use and other vehicles not suitable for daily conventional family transportation. Snowmobiles, mini-bikes, all-terrain vehicles, go-carts and

boat trailers are also deemed to be "recreational vehicles."

Restaurant. (See Eating and Drinking Place.)

Retail Business. Any establishment that engages in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Retail Service Shop. Any establishment that primarily renders services incidental to any retail sales and may include a bakery, ice cream or similar shop, custom tailoring or millinery shop, clock, watch or jewelry shop, or household appliance repair shop.

Right-of-Way. The total width of any land reserved or dedicated as a street, alley, or crosswalk or for any other public or semi-public purpose.

Sanitary Landfill. A lot or parcel of land used primarily for the disposal of waste.

School. Any building or part thereof designed, constructed, or used for education or instruction in any branch of knowledge.

School, Vocational. A secondary or higher education facility teaching usable skills that prepare students for employment in a trade or business and meeting the State requirements for schools.

Seats. The seating capacity of a particular building or use. In the event individual seats are not provided, each twenty (20) inches of benches or similar seating accommodations shall be considered as one (1) seat for the purposes of this Chapter.

Self-Storage Facility. A structure or group of structures containing separate, secure, and private storage spaces of varying sizes that are leased or rented.

Setback Line. A line that, between it and the street or lot line, no building or other structure, or portion thereof, except as provided in this Chapter, may be erected above the grade level. The setback line is considered to be a vertical surface intersecting the ground on such line.

Shopping Center. A shopping area of integrated design and development including, but not limited to, such uses as retail shops, personal service establishments, professional and business offices, banks, post offices, restaurants, theaters and auditoriums, and housed in an enclosed building or buildings and utilizing such common facilities as customer parking, pedestrian walks, loading and unloading spaces, utilities and sanitary facilities.

Sign. Any object, device, display, or structure that is used to advertise, identify, display, direct, or attract attention, including structural elements, bases, sign faces, trim and borders.

Sign, Animated. A sign that uses movement or change of lighting to depict action or to create a visual effect or scene.

Sign, Banner. A sign of lightweight fabric or similar material that is attached at one or more edges or corners to a pole or building. A banner that acts as a business identification, informational, or promotional sign is considered a temporary sign.

Sign, Business Identification. A sign which contains elements which identify the official name of a business and which may contain minimal references to products or services that help to clarify the type of business being conducted on the premises.

Sign, Changeable Copy. A sign or portion thereof with characters or illustrations that can be changed or rearranged without altering the face or surface of the sign. A sign upon which the message changes more than eight (8) times per day shall be considered an animated sign. A sign that shows the date, time, and/or temperature shall not be considered a changeable copy sign.

Sign, Directional. An advertising sign or device intended to direct or point toward a place or object or that points out the way to a place or object that obviously could not be easily found without such a sign or device.

Sign Face. That portion of a sign, including the display area, border and trim, but excluding the base, supports and other structural members, facing traffic moving in one direction.

Sign, Flashing. A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked change in lighting effects. Illuminated signs that indicate the date, time, and/or temperature, or other similar information, shall not be considered a flashing sign.

Sign, Free-standing. A permanent in-ground or surface-mounted sign which is constructed to be independent of all adjoining structures or which is supported or suspended from a free-standing column or other support located in or upon the ground surface.

Sign, Illuminated. A sign that is lighted by or exposed to artificial lighting from a light source on or inside the sign or directed toward the sign.



Sign, Nonconforming. A sign that does not conform to the provisions of this Chapter that regulate signs.

Sign, Off-premises. Any outdoor sign, display, figure, painting, drawing, message, billboard or any other thing which is designed, intended or used to advertise or inform, any part of which advertising or information content is visible from any place on the main traveled way of the interstate system or any thoroughfare in the Township; but does not include on-premise signs advertising or identifying activities conducted on or products sold on the property upon which they are located.

Sign, On-premises. A sign that directs attention to a person, business, profession, product, home occupation, or activity conducted on the same lot.

Sign, Outdoor Advertising. See Off-Premises Sign.

Sign, Portable. A sign designed to be transported, including but not limited to signs transported by wheels, signs converted to A-frames, menu or sandwich board signs, balloons used as signs, and signs attached to or painted on vehicles that are parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of a business.

Sign, Projecting. A sign which is attached directly to a building wall and which extends at least twelve (12) inches but no more than four (4) feet from the face of such wall, but not canopy signs.

Sign, Promotional. A temporary sign that advertises or describes sales events, products or service promotions, or new products or service introductions related to the business being conducted on the premises.

Sign, Roof. A sign erected and constructed on the roof of the building on which it is located and extending vertically no higher than the highest point of the roof.

Sign, Temporary. A sign which is not permanently mounted or affixed to the ground, building, or display window and which is displayed for a specific period of time.

Sign, Real Estate. A sign relating to the property on which it is located, offering such property for sale, lease, or rent, and includes open house signs.

Sign, Wall. A sign that is attached parallel to a building wall with the face of said sign extending no more than twelve (12) inches from the face of the wall.

**Single and Separate Ownership.** The ownership of a lot by one (1) or more persons, partnerships, or corporations, which ownership is separate and distinct from that of any adjoining lot.

**Story.** That part of a building located between a floor and the floor or roof next above. The first story of a building is the lowest floor having seventy five (75) percent or more of its wall area above grade level.

**Street.** A public thoroughfare that is legally open or officially plotted by the Township, or a private thoroughfare over which the owners or tenants of two (2) or more lots held in single and separate ownership have the right of way.

**Structure.** Anything constructed or erected with a fixed location on or below the ground or attached to something having a fixed location on the ground. A building shall be construed as a structure.

**Studio.** The working place of a painter, sculptor, photographer, or similar artist, or the place for the study of an art, such as dancing, singing, musical instrument playing, or similar artistic endeavor.

**Swimming Pool.** Any container, above or below ground level, designed to hold twelve (12) inches or more of water, located on a lot as an accessory use, and intended or adapted for the purposes of immersion or partial immersion of persons therein.

**Telecommunications.** Communication over a distance greater than one (1) mile by signal carried by electronic, electromagnetic, optical, or like means.

**Telephone Central Office.** A building or part of a building or a structure or part of a structure used for the transmission, exchange, receipt, or processing of telecommunications or radio signals. In residential districts, such use shall not include the transaction of business with the public, storage of materials outside of a building, storage of vehicles, repair facilities, or housing of repair crews. A telephone central office includes telecommunications signal facilities but does not include private, non commercial facilities for recreational telecommunication or radio use, such as HAM radio or similar facilities.

**Township.** Tilden Township, Berks County, Pennsylvania.

**Township Specifications.** Specifications duly adopted by the Board of Supervisors by formal resolution for a specific purpose.

**Trucking Terminal.** An area or building where trucks load and unload cargo and freight that may be broken down or aggregated into smaller or larger loads for transfer to other vehicles. Any related storage facilities are to be clearly incidental to

the principal use.

Use. Any purpose for which a lot or structure may be designed, arranged, intended, maintained, or occupied, or any activity, occupation, business, or operation carried on in a structure on a lot.

Use, Accessory. See Accessory Use.

Use, Conditional. See Conditional Use.

Use, Nonconforming. See Nonconforming Use.

Use Permitted by Right. Any use within a given zoning district that is specifically allowed as a matter of "right".

Use, Principal. The primary use or purpose of which a building, structure, and/or land, or major portion thereof, is designed, arranged or intended, or for which it may be occupied or maintained, under this Chapter.

Use, Prohibited. A use of land or structures that is not permitted within a particular zoning district.

Use, Special Exception. A use permitted in a particular zoning district pursuant to the provisions of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §§10601, et seq., 10901, et seq.

Utility Substation. See Public Utility Installation.

Variance. Relief granted pursuant to the provisions of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101, et seq.

Veterinary Office. Any building used for the treatment and limited temporary boarding of small domestic animals such as dogs, cats, goats, rabbits and birds or fowl by a veterinarian. Such use shall not be construed as a professional office under the definitions and terms of this Chapter.

Warehouse. A building used primarily for the storage of goods and materials.

Waste. Garbage, refuse, and other discarded materials including, but not limited to, solid and liquid waste material resulting from industrial, commercial, agricultural, and residential activities.

**Wholesale Business.** An establishment which sells merchandise to retailers, other wholesalers, and industrial, commercial, institutional, or professional business users.

**Yards, Front.** The required open space, the full width of the lot, extending from the street line to the nearest structure on the lot, exclusive of overhanging eaves, gutters, or cornices.

**Yard, Side.** The required open space, the full depth of the lot, extending from the side line of the lot to the nearest structure on the lot, exclusive of steps, overhanging eaves, gutters, or cornices.

**Yard, Rear.** The required open space, the full width of the lot, extending from the rear property line of the lot to the nearest structure on the lot, exclusive of steps, overhanging eaves, gutters, or cornices.

**Yard, Interior.** The open space separating any buildings situated on a lot held in single and separate ownership.

**Zoning Hearing Board.** A body appointed by the Board of Supervisors to examine and decide appeals for relief from strict conformance to this Chapter or relief from a decision of the Zoning Officer and to hear testimony regarding the validity of any regulations upon development in the Township.

**Zoning Map.** The official plan of zoning districts in the Township showing precisely the boundaries and titles of each zoning district, which map is part of this Chapter.

**Zoning Officer.** A person retained by the Township to enforce the regulations of this Chapter, with power to issue permits, to halt illegal construction, and to interpret literally the meaning of the various sections of this Chapter subject to appeal of the Zoning Hearing Board."

SECTION 2. Part 7, entitled "C-1 Neighborhood Commercial Districts", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended as restated in its entirety so as to hereafter read as follows:

"Part 7

#### C-1 NEIGHBORHOOD COMMERCIAL DISTRICTS

Section 701. Purpose. The C-1 Neighborhood Commercial District is established to provide for the special requirements of retail, convenience-type commercial establishments that serve primarily the day-to-day needs of the immediately surrounding neighborhood, and to encourage attractive, compact retail commercial development in locations that are

close to the individuals served.

Section 702. Use Regulations. A detached or semi-detached building may be erected or used and a lot may be used or occupied for any one or a combination of the following purposes. Such uses shall be in conformity with the Special Regulations set forth in Section 704 of this Part, with the Environmental Performance Standards set forth in Section 1621, and with the applicable provisions of Part 17, Performance Standards.

(a) The following uses are permitted by right:

- (1) Retail store, but not including adult-oriented uses or tattoo parlors.
- (2) Eating and drinking place, but not including drive-in service.
- (3) Personal service shop, but not including laundry, dry cleaning, or clothes pressing establishment.
- (4) Retail service shop.
- (5) Office.
- (6) Studio.
- (7) Financial institution.
- (8) Single-family detached dwelling unit.
- (9) Forestry.
- (10) Governmental use.

(b) The following accessory uses are permitted by right:

- (1) Accessory use on the same lot and customarily incidental to the above permitted uses.
- (2) No-impact home-based business.

(c) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board:

- (1) Passenger terminal.
- (2) Utility substation.

(3) Bed and breakfast inn.

(d) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board, provided that public sewer and water service is available:

(1) Automatic self-service laundry.

Section 703. Area and Bulk Regulations.

(a) Lot Area. Every lot shall have a lot area of not less than forty thousand (40,000) square feet or twenty thousand (20,000) square feet if off-lot water and sewer is provided.

(b) Lot Width. Every lot shall not be less than one hundred (100) feet in width at the building line.

(c) Building Area. Not more than forty-five (45) percent of the area of each lot may be occupied by buildings.

(d) Impervious Coverage. Not more than sixty-five (65) percent of the area of each lot may be occupied by impervious surface.

(e) Front Yard. There shall be a setback on each street on which a lot abuts which shall not be less than fifty (50) feet in depth on lots of 40,000 square feet in area or larger nor less than thirty-five (35) feet on lots of 20,000 to 40,000 square feet in area.

(f) Side Yards. There shall be two (2) side yards on each lot that shall be not less than twenty-five (25) feet.

(g) Rear Yard. There shall be a rear yard on each lot that shall be not less than fifty (50) feet in depth.

(h) Height. No building shall exceed two (2) stories or thirty-five (35) feet in height.

Section 704. Special Regulations. In order to encourage sound and attractive development, the following special requirements shall apply to all uses permitted in the C-1 District:

(a) Every use other than a parking lot shall be completely enclosed within a building.

(b) A buffer yard is required, in accordance with Section 1609, along each side or rear property line that directly abuts a residential district.

(c) No permanent storage of merchandise, articles, or equipment shall be permitted outside a building, and no goods, articles, or equipment shall be stored displayed or offered for sale beyond the front building line.

(d) No outdoor vending machine or similar use shall be allowed in any required yard abutting a street or on a public sidewalk.

(e) Off-street parking and loading zones shall be in accordance with Part 18.”

SECTION 3. Part 8, entitled “C-2 Highway Commercial Districts”, of Chapter XXXII, entitled “Zoning” of the Code of Ordinances of the Township of Tilden, is hereby amended as restated in its entirety so as to hereafter read as follows:

#### “PART 8

#### C-2 HIGHWAY COMMERCIAL DISTRICTS

Section 801. Purpose. The C-2 Highway Commercial District is established to provide for a wide range of highway-oriented retail, motor vehicle, and heavier service-type commercial activities, which generally require main highway locations and cater to transient as well as to local customers. Among the purposes of this District are (a) to encourage the sound and appropriate commercial development of compact segments of major highway frontage, (b) to provide locations for important highway-oriented type business, and (c) to protect major highways as thoroughfares.

Section 802. Use Regulations. A detached building may be erected or used and a lot may be used or occupied for any of the following purposes. Such uses shall be in conformity with the Special Regulations set forth in Section 804 of this Part, with the Environmental Performance Standards set forth in Section 1621, and with the applicable provisions of Part 17, Performance Standards.

- (a) The following uses are permitted by right:
- (1) Retail store.
  - (2) Personal service shop, but not including laundry, dry cleaning, or clothes pressing establishment.
  - (3) Retail service shop.
  - (4) Office.

- (5) Studio.
- (6) Financial institution.
- (7) Forestry.
- (8) Cultural facility.
- (9) Governmental use.
- (10) General service or contractor's shop.
- (11) Research, testing, or experimental laboratory.
- (12) Dwelling quarters for watchman or caretaker employed on the premises.

(b) The following uses are permitted by right, provided that public sewer and water service is available:

- (1) Eating and drinking place, including drive-in service.
- (2) Laundry, dry cleaning or clothes pressing establishment.

(c) The following accessory uses are permitted by right:

- (1) Accessory use on the same lot and customarily incidental to the above permitted uses.
- (2) No-impact home-based business.

(d) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board:

- (1) Building materials sales yard.
- (2) Telephone central office.
- (3) Utility substation.
- (4) Outdoor place of amusement, recreation or assembly.
- (5) Self-storage facility.



- (6) Passenger terminal.
- (7) Motor vehicle service station.
- (8) Motor vehicle sales establishment.
- (9) Motor vehicle repair facility.

(e) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board, provided that public sewer and water service is available:

- (1) Automatic self-service laundry.
- (2) Motor vehicle wash establishment.
- (3) Commercial greenhouse.
- (4) Care facility, extended.
- (5) Care facility, intermediate.
- (6) Care facility, long-term.
- (7) Shopping center.
- (8) Nursery.
- (9) Motel or hotel.
- (10) Wholesale business establishment including wholesale bakery.
- (11) Vocational school.
- (12) Community recreation building.
- (13) Place of worship.
- (14) Funeral home.
- (15) Club, lodge, or social building.
- (16) Veterinarian office.
- (17) Clinic.

(18) Medical/dental office.

(19) Commercial/Industrial park.

Section 803. Area and Bulk Regulations.

(a) Lot Area. Every lot shall have a lot area of not less than sixty-five thousand (65,000) square feet.

(b) Lot Width. Every lot shall not be less than one hundred fifty (150) feet in width at the building line.

(c) Building Area. Not more than fifty (50) percent of the area of each lot may be occupied by buildings.

(d) Impervious Coverage. Not more than seventy-five (75) percent of the area of each lot may be covered by impervious surface.

(e) Front Yard. There shall be a setback on each street on which a lot abuts which shall not be less than fifty (50) feet in depth.

(f) Side Yards. There shall be two (2) side yards, neither of which shall be less than twenty-five (25) feet in width.

(g) Rear Yard. There shall be a rear yard on each lot which shall be not less than fifty (50) feet in depth.

(h) Height Regulations. No building shall exceed thirty-five (35) feet or 2½ stories in height.

Section 804. Special Regulations. In order to encourage sound and attractive development, the following special requirements shall apply to all uses permitted in the C-2 District:

(a) A buffer yard is required along each side or rear property line that directly abuts a residential district, in accordance with Section 1609.

(b) No goods, articles, or equipment shall be stored, displayed or offered for sale beyond the front lines of a building, except for the display of motor vehicles not less than ten (10) feet from the street line. This restriction shall not apply to nursery, greenhouse, building materials sales yard, or motor vehicle repair facility uses.

(c) Off-Street Parking in accordance with Part 18."

SECTION 4. Part 9, entitled "L-1 Limited Industrial Districts", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended as restated in its entirety so as to hereafter read as follows:

"PART 9

L-1 LIMITED INDUSTRIAL DISTRICTS

Section 901. Purpose. The purpose of the L-1 Limited Industrial District is to permit and encourage certain commercial uses and light industrial development that will be harmonious with the overall pattern of physical development of the Township and that will contribute to the soundness of the economic base of the Township.

Section 902. Use Regulations. A building may be erected or used and a lot may be used or occupied for any of the following uses and no other, provided that any use permitted in the District shall conform with the Environmental Performance Standards set forth in Section 1621 of this Chapter, and with the applicable provisions of Part 17, Performance Standards:

- (a) The following uses are permitted by right:
- (1) Governmental use.
  - (2) Motor vehicle service station.
  - (3) Motor vehicle repair facility.
  - (4) Forestry.
  - (5) General service or contractor's shop.
  - (6) Research, testing, or experimental laboratory.
  - (7) Dwelling quarters for watchman or caretaker employed on the premises.

(b) The following uses are permitted by right, provided that public sewer and water service is available:

- (1) Laundry, dry cleaning or clothes pressing establishment.
- (2) Wholesale business establishment including wholesale bakery.

(c) The following accessory uses are permitted by right:

(1) Accessory use on the same lot with and customarily incidental to any of the above permitted uses.

(d) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board:

- (1) Telephone central office.
- (2) Utility substation.
- (3) Outdoor place of amusement.
- (4) Passenger terminal.

(e) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board, provided that sewer and water service is available:

(1) Manufacturing of products from the following previously processed and prepared materials: bone, ceramics, cork, feathers, felt, fur, glass, hair, horn, leather, metal, paper, plaster, plastics, precious and semiprecious stones, rubber, shells, textiles and tobacco.

(2) Manufacturing of electrical appliances and supplies; small or hand tools; hardware; toys; jewelry; clocks and watches; musical, professional and scientific instruments; optical goods; machinery and machine tools; electric equipment; motors; iron and steel products, including fabrication and assembly.

- (3) Compounding of pharmaceutical products.
- (4) Hospital.

#### Section 903. Area and Bulk Regulations.

(a) Lot Area. Every lot shall have a lot area of not less than three (3) acres.

(b) Lot Width. Every lot shall not be less than two hundred (200) feet in width at the building line.

(c) Floor-Area Ratio. The total floor area of the principal and accessory buildings, excluding any cellar area, shall not exceed fifty (50) percent of the lot area.

(d) Lot Area Ratio. Principal and accessory buildings shall not occupy more than twenty-five (25) percent of the lot area, except for such buildings located within approved industrial parks, in which case principal and accessory buildings shall not occupy more than forty (40) percent of the lot area.

(e) Impervious Coverage. Not more than seventy-five (75) percent of the area of each lot may be occupied by impervious surface.

(f) Front Yard. There shall be a front yard along each street or proposed street on which a lot abuts of no less than seventy-five (75) feet in depth.

(g) Side Yards. There shall be two (2) side yards on each lot, neither of which shall be less than forty (40) feet in width, with an aggregate of no less than one hundred (100) feet.

(h) Rear Yard. There shall be a rear yard on each lot that shall be not less than fifty (50) feet in depth.

Section 904. Special Regulations. In order to encourage sound and attractive development, the following special requirements shall apply to all uses permitted in the L-1 District:

(a) Along Residential District boundary lines, a buffer yard shall be provided which shall be not less than one hundred (100) feet in width, measured from such boundary line or from the street line, where such street constitutes the district boundary line, and shall be in accordance with the provisions of Section 1609. Such buffer yard may be conterminous with any required yard in this District, and in case of any conflict, the larger yard requirement shall apply.

(b) Off-street parking and loading facilities shall be provided in accordance with Part 18."

SECTION 5. Part 10 entitled "L-2 Industrial Districts", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended as restated in its entirety so as to hereafter read as follows:

#### "PART 10

#### L-2 INDUSTRIAL DISTRICT

Section 1001. Purpose. The purpose of the L-2 Industrial District is to permit and encourage light and heavier industrial development that will be harmonious with the overall pattern of physical development of the Township and that will contribute to the soundness of the economic base of the Township.

Section 1002. Use Regulations. A building may be erected or used and a lot may be used or occupied for any of the following uses and no other, provided that any use permitted in the District shall conform with the Environmental Performance Standards set forth in Section 1621 of this Chapter, and with the applicable provisions of Part 17, Performance Standards:

(a) The following uses are permitted by right:

- (1) Research, testing, or experimental laboratory.
- (2) Office.
- (3) Building materials sales yard.
- (4) Forestry.
- (5) Governmental use.
- (6) Motor vehicle service station.
- (7) Motor vehicle repair facility.
- (8) General service or contractor's shop.
- (9) Dwelling quarters for watchman or caretaker employed on the premises.

(b) The following uses are permitted by right, provided that public sewer and water service is available:

- (1) Wholesale business establishment including wholesale bakery.
- (2) Laundry, dry cleaning or clothes pressing establishment.

(c) The following accessory uses are permitted by right:

- (1) Accessory use on the same lot with and customarily incidental to any of the above permitted uses.

(d) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board:

- (1) Telephone central office.
- (2) Utility substation.

- (3) Self-storage facility.
- (4) Passenger terminal.
- (5) Railroad station, engine house, ash pit, passenger facility and other related railroad operations.
- (6) Junk yard.
- (7) Communication tower/antenna.
- (8) Mining.

(e) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board, provided that public sewer and water service is available:

- (1) Motor vehicle wash establishment.
- (2) Manufacturing of products from the following previously processed and prepared materials: bone, ceramics, cork, feathers, felt, fur, glass, hair, horn, leather, metal, paper, plaster, plastics, precious and semiprecious stones, rubber, shells, textiles and tobacco.
- (3) Manufacturing of electrical appliances and supplies; small or hand tools; hardware; toys; jewelry; clocks and watches; musical, professional and scientific instruments; optical goods; machinery and machine tools; electric equipment; motors; iron and steel products, including fabrication and assembly.
- (4) Compounding of pharmaceutical products.
- (5) Manufacturing/assembling.
- (6) Commercial/Industrial park.
- (7) Methadone treatment facility.
- (8) Adult-oriented use.

(f) The following uses are permitted when authorized as a special exception by the Zoning Hearing Board, provided that a privately owned central sewage treatment system is available:

- (1) Milk or soft drink bottling establishment.
- (2) Packing, processing and canning of meat, fish, and food products.
- (3) Manufacture of nonalcoholic beverages.
- (4) Laundry, dry cleaning, and dyeing plant.
- (5) Metal and metal products treatment and processing, such as enameling, lacquering, galvanizing, electroplating, finishing, grinding, sharpening, polishing, cleaning, rust proofing, painting, and heat treating.

Section 1003. Area and Bulk Regulations.

- (a) Lot Area. Every lot shall have a lot area of not less than five (5) acres.
- (b) Lot Width. Every lot shall not be less than two hundred fifty (250) feet in width at the building line.
- (c) Floor-Area Ratio. The total floor area of the principal and accessory buildings, excluding any cellar area, shall not exceed fifty (50) percent of the lot area.
- (d) Lot Area Ratio. Principal and accessory buildings shall not occupy more than twenty-five (25) percent of the lot area, except for such buildings located within approved industrial parks, in which case principal and accessory buildings shall not occupy more than forty (40) percent of the lot area.
- (e) Impervious Coverage. Not more than seventy-five (75) percent of the area of each lot may be covered by impervious surface.
- (f) Front Yard. There shall be a front yard along each street or proposed street on which a lot abuts of no less than one hundred (100) feet in depth.
- (g) Side Yards. There shall be two (2) side yards on each lot, neither of which shall be less than forty (40) feet in width, with an aggregate of no less than one hundred (100) feet.
- (h) Rear Yard. There shall be a rear yard on each lot that shall be not less than seventy-five (75) feet in depth.

Section 1004. Special Regulations. In order to encourage sound and attractive development, the following special requirements shall apply to all uses permitted in the L-2 District:



(a) Along Residential District boundary lines, a buffer yard shall be provided which shall be not less than one hundred (100) feet in width, measured from such boundary line or from the street line, where such street constitutes the district boundary line, and shall be in accordance with the provisions of Section 1609. Such buffer yard may be conterminous with any required yard in this District, and in case of any conflict, the larger yard requirement shall apply.

(b) Off-street parking and loading facilities shall be provided in accordance with Part 18."

SECTION 6. Section 1609, entitled "Buffer Yards", of Part 16, entitled " General Regulations", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended as restated in its entirety so as to hereafter read as follows:

"Section 1609. Buffer Yards. Where buffer yards are required by the terms of this Chapter, they shall be provided in accordance with the following standards:

(a) In all buffer yards, the exterior fifty (50) feet of width shall be planted with an all-season ground cover and shall be maintained and kept clean of all debris and rubbish.

(b) No structure, manufacturing or processing activity, sewage system, or storage of materials shall be permitted in the buffer yard. However, parking of motor vehicles may be permitted in the portion of the buffer yard exclusive of the exterior fifty (50) feet width.

(c) All buffer yards shall include a fence or a dense screen the full length of the lot to serve as a barrier to visibility, air borne particles, glare, and noise. Such fence or screen planting shall be located within the exterior fifty (50) feet of the buffer yard and shall be in accordance with the following requirements:

(1) Plant materials used in the screen planting shall be such species and sizes that will produce, within three (3) years, a year-round visual screen of at least seven (7) feet in height.

(2) A fence, when erected as a screen, shall be not less than eight (8) feet in height and shall be placed no closer than three (3) feet from any street or property line.

(3) The screen planting shall be maintained permanently, and any plant material that does not live shall be replaced within one (1) year.

(4) The screen planting shall be so placed that, at maturity, it will be no closer than three (3) feet from any street or property line.

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

(6) A clear-sight triangle shall be maintained at all street intersections and at all points where commercial or industrial accessways intersect public streets. Such triangles shall be established by measuring seventy-five (75) feet from the point of intersections of centerlines, except for any intersections with arterial streets, in which case the triangles are established by measuring one hundred fifty (150) feet.

(7) Plant materials used in the screen planting shall be approved by the Zoning Officer.

(d) No screen planting shall be required for uses along streets which form district boundary lines when such uses are approved as special exceptions by the Zoning Hearing Board, provided that

(1) No outdoor processing or manufacturing activity and no outdoor storage of materials shall be so located as to be visible from an adjacent Residential District or a residential use.

(2) Only the front of any proposed building shall be visible from an adjacent Residential District or a residential district. The Zoning Officer shall determine which side of any building shall be considered the front.

(3) The Zoning Officer shall determine if screen planting along the street or streets is not necessary for the protection of any adjacent Residential District or a residential use.

(e) Prior to the issuance of any zoning permit, the Township Planning Commission shall approve complete plans that show the arrangement of all buffer yards and the placement, species, and size of all plant materials to be placed within such buffer yards. The Township Planning Commission shall certify to the Zoning Officer that the plans are in conformance with the terms of this Chapter."

SECTION 7. Section 1616, entitled "Standards for Industrial Parks" of Part 16, entitled "General Regulations", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended as restated in its entirety so as to hereafter read as follows:

"Section 1616. Standards for Commercial/Industrial Parks.

(a) Permitted Uses.

(1) Principal and accessory buildings shall occupy not more than forty (40) percent of the lot area.

(2) The maximum impervious surface shall be sixty (60) percent of the lot area.

(3) The minimum setback from a street right-of-way line shall be eighty (80) feet.

(4) No building or structure shall be located within forty (40) feet of any exterior property line of the site.

(5) The maximum building height shall be forty (40) feet.

(e) Access.

(1) A common interior driveway shall be used for access to the individual lots. Direct access to the individual lots from an existing public road is prohibited.

(2) Buildings shall be setback from the nearest cartway edge of the interior driveway at least twenty-five (25) feet.

(3) All interior driveways shall have curbs and shall have a minimum paved width of thirty-four (34) feet.

(4) The interior driveway shall be constructed with a base of six (6) inches of Type 2A aggregate for the full width of roadway, six (6) inches of a bituminous base course, and one and one-half (1½) inches of a bituminous wearing course, ID-2. All materials and workmanship shall be in accordance with the latest specifications of the PA Department of Transportation.

(f) Signs.

(1) Signs shall be allowed and shall be erected in accordance with Part 19 of this Chapter.

(g) Off-street Parking.

(1) The design of off-street parking and loading areas shall meet the requirements of Part 18 of this Chapter as it pertains to commercial and industrial uses. The number of spaces provided shall be calculated for each individual use within the park.

(2) All off-street parking and loading areas and outside storage areas shall be located to the rear or side of buildings.

(3) Parking on an interior driveway or along any public street adjacent to a commercial/ industrial park is prohibited.

(4) Curbing shall be provided within all off-street parking and loading areas of a commercial/industrial park.

(h) Sidewalks. Sidewalks shall be provided along interior drives, along the perimeter of off-street parking areas, and within the park as pedestrian connections between uses.

(i) Buffer Yards. The requirements of Section 1609 shall pertain to the exterior boundaries of a commercial/industrial park.

(j) Sewage. All lots within the limits of a commercial/industrial park shall be served by a central sewage treatment facility meeting the current regulations of the PA Department of Environmental Protection.

(k) Water. All lots within the limits of a commercial/industrial park shall be served by a central water system meeting the current regulations of the PA Department of Environmental Protection. The water distribution system shall provide for fire hydrants and adequate water pressure for fire protection purposes, in accordance with the applicable National and State standards.

(l) Lighting. All lighting for buildings, signs, accessways, and parking areas shall be arranged so that they do not reflect upwards or towards any public street or adjacent uses.

(m) Solid Waste. All trash and rubbish shall be stored in vermin-proof containers with tight-fitting lids. Where storage areas for trash and rubbish are required, they shall be provided with a complete visual screen. No such storage area shall be located within thirty (30) feet of any lot line. All garbage and similar organic rubbish shall be stored within airtight, leak-proof, and vermin-proof containers until such waste material is collected. No such waste material shall remain on-site for more than forty-eight (48) hours."

SECTION 8. Part 16, entitled "General Regulations", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended to add a new Section 1621, entitled "Environmental Performance Standards" as follows:

"Section 1621. Environmental Performance Standards. All uses in all districts shall be in conformity with the following standards.

(a) No land, building, structure, or premises shall be used, altered, or occupied in such a manner as to create any dangerous, injurious, noxious, or otherwise objectionable conditions.

(b) The emission of smoke, dust, fumes, gases, odors, mists, vapors, pollens, and similar matter, or any combination thereof, which can cause any damage to human or animal health, to vegetation or to property, or which can cause any soiling or staining of persons or property at the point beyond the lot line of the use creating the emission, is prohibited.

(c) Standards concerning such emissions shall be in accord with the rules and regulations of the Commonwealth of Pennsylvania or any applicable Township ordinance, whichever is more restrictive.

(d) Any operation producing glare and/or heat shall be performed within an enclosed building or in such a manner as not to be visible or to produce any effect beyond the property line of the lot on which the operation is located.

(e) No use shall cause earth vibrations or concussions detectable beyond its lot lines without the aid of instruments, with the exception of that vibration produced as a result of construction activity.

(f) Every use requiring power shall be so operated that the service lines, substation, or other facilities shall conform to the highest safety requirements. Such use shall be so constructed and installed as to be an integral part of the architectural features of the plant and, except for essential poles and wires, shall not extend into any yard, and shall be suitably screened from streets or any adjacent property which would be deleteriously affected by such use.

(g) The following shall apply to the storage of materials and the disposal of materials:

(1) No highly flammable or explosive liquids, solids, or gases shall be stored in bulk above ground except tanks or drums of fuel directly connecting with energy devices, heating devices, or appliances located and operated on the same lot as the tanks or drums of fuel.

(2) All outdoor storage facilities for fuel, raw materials, and products and all fuel, raw materials, and products stored outdoors shall be enclosed by an approved safety fence.

(3) No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or water course or otherwise render such stream or water course undesirable as a

source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or water course.

(4) All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

(5) All trash and rubbish shall be stored in vermin-proof containers with tight-fitting lids. Where storage areas for trash and rubbish are required, they shall be completely screened. All garbage and similar organic rubbish shall be stored within airtight, vermin-proof containers until such waste material is collected.

SECTION 8. Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended to add a new Part 17, entitled "Performance Standards" as follows:

#### "PART 17

#### PERFORMANCE STANDARDS

Section 1701. Purpose. In addition to all other requirements of this Chapter, the following performance standards shall apply to specific uses permitted in the various zoning districts.

#### Section 1702. Accessory Buildings/Structures.

(a) No accessory building or structure, unless it is structurally a part of the main building, shall be erected, altered, or moved to a location within five (5) feet of the nearest wall of the main building.

(b) An accessory building or structure shall not be within the required front yard on the lot, except it may be located to within three (3) feet of any property line in the required rear or side yard unless otherwise specified herein, provided such accessory building or structure shall not exceed twenty (20) feet in height.

(c) No accessory building located in the rear yard of a corner lot shall be nearer to a side street lot line than the required depth of the front yard or a distance of forty (40) percent of the lot width, whichever is less.

#### Section 1703. Adult Uses.

(a) Includes adult bookstores, adult movie theaters, and cabarets.

(b) No such store, theater, or cabaret shall be established within one thousand (1,000) lineal feet of an existing adult bookstore, adult movie theater, cabaret, place of worship, school, game room, or institution for human care.

Section 1704. Bed and Breakfast Inns.

(a) All bed and breakfast units shall be contained within the principal structure.

(b) The principal structure shall contain a minimum of two thousand (2,000) square feet of gross floor area.

(c) No more than one (1) bed and breakfast unit shall be provided for each seven hundred (700) square feet of gross floor area in the principal structure.

(d) One (1) off-street parking space shall be provided for each bed and breakfast unit.

(e) Dining or other eating facilities shall not be open to the public but shall be exclusively for the residents and registered bed and breakfast guests.

Section 1705. Building Materials Sales Yards.

(a) The area used for such use shall be enclosed and suitably screened from the surrounding area by fence or other barrier not less than six (6) feet high.

Section 1706. Businesses.

(a) No merchandise shall be displayed for sale in the open, other than that normally displayed at building materials sales yards, nurseries, commercial greenhouses, motor vehicle sales establishments, and junk yards.

(b) Light emanating from any source on the property shall not be greater than two (2) footcandles measured at a height of three (3) feet at the property line.

(c) Waste material shall not be stored on the lot outside a building, unless it is in a sturdy, closed, vermin-proof container.

(d) All off-street parking and loading facilities shall be screened from view from adjacent residential districts and uses, in accordance with the provisions of this Chapter.

(e) Off-street loading facilities shall not be permitted in the area between the building setback line and the street line.

Section 1707. Cemeteries.

- (a) Cemeteries may include mausoleums, chapels, and storage facilities for maintenance and related equipment.
- (b) The minimum lot size is one (1) acre.
- (c) A planted buffer strip shall be provided when a cemetery abuts an existing residential use or a residential district and shall be in accordance with the standards for such, as contained in this Chapter.

Section 1708. Clubs, Lodges, and Social Buildings.

- (a) The proposed use must be principally for the recreation and enjoyment of the members and their guests and shall not adversely affect the safe and comfortable enjoyment of properties in the neighborhood.
- (b) Buildings shall be located at least eighty (80) feet from any lot line or existing street right-of-way line.
- (c) The maximum building coverage shall be twenty-five (25) percent.
- (d) Outdoor use areas shall be screened to protect the neighborhood from any possible noise and shall be located no closer to any lot line than the required front yard setback.
- (e) Design of any structures erected in connection with such use shall be in keeping with the general character of the area.
- (f) Buffer strips are to be provided, as required by this Chapter.
- (g) Exterior lighting, other than that required for the safety and convenience of the users, shall be prohibited. All essential exterior lighting shall be shielded from view from surrounding streets and properties.
- (h) The use of outdoor public address systems for any purpose shall be approved by the Zoning Hearing Board.

Section 1709. Communication Towers/Antennas.

- (a) Such facilities shall be set back a distance equal to twice its height from a lot line of an existing dwelling on another lot, and set back a distance equal to its height from all other lot lines and street rights-of-ways.



(b) A tower/antenna attached to the ground shall be surrounded by a security fence and gate with a minimum height of six (6) feet and evergreen plantings or preserved vegetation with an initial minimum height of four (4) feet.

(c) The tower/antenna may be on leased land.

(d) The applicant shall provide a written statement sealed by a professional engineer stating that the tower/antenna will meet the structural and wind resistance requirements of the applicable building code.

(e) The applicant shall describe in writing the policies that will be used to offer space on a tower/antenna to other communications providers, in order to minimize the total number of facilities necessary in the region.

(f) The applicant shall provide evidence that he has investigated the possibility of co-locating facilities on an existing tower/antenna and other tall structures and has found such alternatives to be unworkable. The reasons shall be provided.

(g) A tower/antenna shall have a maximum total height of one hundred ninety (190) feet, unless the applicant proves that a taller height is necessary.

(h) A tower/antenna that serves primarily serves emergency communications by a Township-recognized police, fire, or ambulance organization and is on the same lot as an emergency services station, shall be permitted by right.

(i) Any tower/antenna that is no longer in active use shall be completely removed by the owner within six (6) months after the discontinuance of use. The operator shall notify the Zoning Officer in writing after the tower/antenna is no longer in active use.

(j) All accessory utility buildings or structures shall have a maximum total floor area of four hundred (400) square feet, which may be divided among adjacent buildings serving separate companies), have a maximum height of ten (10) feet and meet all principal building setbacks.

(k) The applicant for any commercial communications tower/antenna shall provide a written notification to the Reading Airport at the time or prior to the time a permit or approval application is submitted to the Township. Such notification shall also be provided to any other airport that is within five (5) miles of the proposed tower/antenna.

#### Section 1710. Convenience Stores.

(a) No outside storage, displays, or vending machines, except for a

screened dumpster, shall be permitted.

(b) No exterior service windows or exterior ATM machines shall be permitted.

(c) Access driveways shall be limited to one (1) curb cut per street frontage and shall be located no closer than 100 feet to any intersection.

(d) The total square footage occupied by gasoline pumps, pump islands, and vehicular spaces at the pumps shall not exceed fifty (50) percent of the gross floor area of the convenience store.

(e) On-site vehicle access and circulation shall be designed so that adjacent residential uses or districts are not disturbed by the movement of vehicles or by vehicle headlights.

(f) There shall be a minimum side yard setback of forty (40) feet from all properties zoned residential or in residential use.

(g) Fuel pumps, pump islands, detached canopies, compressed air stations, and similar equipment shall be setback a minimum of fifty (50) feet from any street right-of-way and a minimum of seventy-five (75) feet from all properties zoned residential or in residential use.

(h) There shall be adequate space for a minimum of three (3) vehicles to stack in a line at fuel pumps without using or obstructing any portion of an adjacent public sidewalk or street right-of-way.

(i) When the site abuts a property zoned residential or is in residential use, all lights illuminating the fuel pumps and pump island areas shall be extinguished at the close of business.

#### Section 1711. Eating and Drinking Places with Drive-In Service.

(a) If an outdoor menu board is provided, it shall be considered a sign and shall comply with the regulations for such contained in this Chapter.

(b) All areas not covered by buildings, structures, or paving shall be landscaped and provided with an all-season ground cover.

(c) All trash, rubbish, and waste areas shall be provided with a complete visual screen.

(d) A visual planting screen is required when adjacent to a residential use or district.

Section 1712. Family Care Facilities.

- (a) There shall be no more than six (6) residents.
- (b) There shall be twenty-four (24)- hour resident supervision by qualified persons.
- (c) The use shall be licensed by the State.
- (d) Any medical or counseling services shall be provided for the residents only.
- (e) The property on which such facilities are located shall not be closer than two hundred (200) feet to a similar use.

Section 1713. Forestry.

- (a) No more than thirty (30) percent of an existing forestland may be harvested within any calendar year.

Section 1714. General Service or Contractor's Shops.

- (a) The floor area devoted to such use shall in no case exceed ten thousand (10,000) square feet.

Section 1715. Hospitals.

- (a) The size, scale, type, and location shall meet the regulations and requirements of the applicable State agencies and other regulatory bodies.
- (b) The minimum lot size is three (3) acres.
- (c) The site shall have direct access to an arterial or collector street, and more than one (1) such access point shall be provided to the site.
- (d) No hospital in a residential district may primarily treat or house the criminally insane.
- (e) Public sewer and water facilities shall be provided.

Section 1716. Junkyards.

- (a) The storage of garbage or organic or biodegradable material is prohibited.

(b) All junk shall be at least one hundred (100) feet from any lot line and street right-of-way line.

(c) The site shall have at least two (2) points of access to a public street, each of which is not less than thirty (30) feet wide.

(d) The site shall be completely surrounded by well-maintained and secure fencing at least six (6) feet high with gates. Such gates shall be securely locked at all times except during business hours when an adult attendant shall be on the premises. This required fence shall be non-opaque.

(e) The site shall be completely surrounded by a forty (40) foot wide buffer yard, which shall contain evergreen plantings at least six (6) feet high at the time of planting. The buffer yard shall be on the outside of the required fencing.

(f) All junk shall be stored and arranged so as to allow access by fire fighting equipment and to prevent the accumulation of stagnant water. No junk material shall be piled higher than six (6) feet above grade.

(g) The burning or incineration of any junk, rubbish, or refuse is prohibited.

(h) Where practical, liquids and fluids shall be drained from junked or scrapped motor vehicles. Adequate precautions shall be taken to prevent the seepage of oils, grease, or battery acid into the soil or water.

#### Section 1717. Methadone Treatment Facilities.

(a) Such use shall only be permitted when in compliance with the standards for such as provided for in the PA Municipalities Planning Code.

#### Section 1718. Motels/Hotels.

(a) Such use shall be located on a lot of not less than five (5) acres.

(b) Such use shall have continuous road frontage of a least three hundred (300) feet.

(c) No structure shall be located closer than one hundred (100) feet from the street line or thirty-five (35) feet from each side property line.

(d) No motel shall be permitted unless it is provided with public sanitary sewer facilities or a comparable system approved by the Township Supervisors and the Pennsylvania Department of Environmental Protection.

Section 1719. Motor Vehicle Repair Facilities.

(a) No building or structure shall be located within fifty (50) feet of a residential use. Yards adjacent to residential uses shall be suitably screened.

(b) All repair and paint work shall be performed within an enclosed building.

(c) No more than five (5) vehicles in non-driveable condition shall be stored on the property. Such vehicles shall be stored in side and rear yards only and shall be no closer than twenty (20) feet to any side or rear lot line.

(d) Outdoor storage of parts and junk shall not be permitted.

(e) Any vehicle on the premises longer than seven (7) days shall be deemed a stored vehicle and shall not be stored longer than a total of sixty (60) days.

Section 1720. Motor Vehicle Sales Establishments.

(a) No vehicles for sale shall be displayed within a street right-of-way.

(b) Means of ingress and egress to a public street shall not be within two hundred (200) feet of an intersecting street or streets.

(c) All off-street parking and display areas shall be paved.

Section 1721. Motor Vehicle Service Stations.

(a) All activities except those to be performed at fuel pumps and air filling areas shall be performed within a building.

(b) Fuel pumps shall be at least twenty-five (25) feet from an existing or future required street right-of-way line or fifty (50) feet from the existing street centerline, whichever is greater.

(c) Any motor vehicle parts or dismantled vehicles shall be located within an enclosed building.

(d) Full body work or painting activities shall not be permitted.

(e) Vehicles awaiting repairs may remain on the property no longer than sixty (60) days from the day the vehicle arrives on the property.

(f) No vehicles may be displayed for sale or rent on the property.

Section 1722. No-impact Home-based Businesses.

(a) The business activity shall be compatible with the residential use of the property and surrounding residential uses.

(b) The business shall employ no employees other than family members residing in the dwelling.

(c) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

(d) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.

(e) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

(f) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

(g) The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five (25) percent of the habitable floor area.

(h) The business may not involve any illegal activity.

Section 1723. Outdoor Places of Amusement.

(a) A lot containing such use shall not be less than ten (10) acres in area.

(b) All buildings and structures shall be setback a minimum of one hundred fifty (150) feet from all exterior property lines.

(c) The maximum building coverage shall be ten (10) percent.

(d) The maximum paved area shall be fifteen (15) percent.

(e) The minimum lot width shall be two hundred (200) feet.

(f) A golf course may include a standard restaurant, food stand, equipment shop, clubhouse, or maintenance/equipment buildings or structures as accessory uses.

(g) For a golf course, no fairway or green shall be closer than fifty (50) feet from a property line of an existing dwelling or a right-of-way line of an existing street.

(h) An outdoor swimming pool shall be completely enclosed with a secure chainlink or wooden fence with a minimum height of six (6) feet.

Section 1724. Passenger Terminals.

(a) Terminals shall be located with direct access to an arterial or collector street.

(b) There shall be adequate areas for loading and unloading, separate from required off-street parking areas.

Section 1725. Retail Service Shops.

(a) Any processing activity shall be not less than fifteen (15) feet from the front of the building and shall be screened by a wall or partition from the front portion of the building used by customers.

(b) The area devoted to processing shall constitute not more than thirty (30) percent of the gross floor area.

Section 1726. Retail Stores.

(a) Gross floor area is not to exceed ten thousand (10,000) square feet.

Section 1727. Self-Storage Facilities.

(a) Structures containing storage units shall be limited to one story and shall not exceed twelve (12) feet in height.

(b) Each individual storage unit shall abut a paved access drive.

(c) Access drives shall be at least fifteen (15) feet wide.

(d) No storage outside of individual units shall be permitted.

(e) A security fence at least six (6) feet high shall surround a self-storage facility, and access through such fence shall be by way of an automatic gate, security guard, or similar means.

(f) A planted buffer strip shall be provided when a self-storage facility abuts an existing residential use or a residential district and shall be established in

accordance with the standards for such, as contained in this Chapter.

(g) Lighting shall be in accordance with all applicable provisions of this Chapter.

(h) The use of individual storage units shall be restricted to the storage of household goods and business equipment, supplies, and records. The storage of perishable items or hazardous materials shall not be permitted. There shall be no motor vehicle repairing of any kind either inside storage units or within common access areas, except in the case of emergencies. Storage units shall not be used as areas for rehearsals by musical groups.

#### Section 1728. Shopping Centers.

(a) Shopping centers shall be in single ownership or under a unified management control.

(b) The principal uses permitted by right within a shopping center shall be limited to retail stores, retail service shops, personal service shops, financial institutions, offices, and eating and drinking places

(c) The lot area shall not be less than ten (10) acres.

(d) Not more than twenty (20) percent of the area of each lot may be occupied by buildings.

(e) There shall be a setback on each street on which a lot abuts which shall not be less than one hundred (100) feet in depth.

(f) There shall be two (2) side yards not less than seventy-five (75) feet wide.

(g) There shall be a rear yard on each lot which shall be not less than fifty (50) feet wide.

(h) No building shall exceed two (2) stories or forty (40) feet in height.

(i) Public sewer and water facilities shall be provided.

(j) Off-street parking shall be provided in accordance with the provisions of this Chapter. Parking shall be permitted within the front, side, and rear yard setback areas, up to twenty-five (25) feet from any front, side, or rear lot line of the shopping center.



(k) All means of ingress and egress shall be located at least two hundred (200) feet from any other intersecting street or streets.

(l) Areas for loading and unloading shall be so designed and located as to not interfere with the established pattern for interior circulation and parking.

(m) Lighting for buildings, signs, accessways, and parking and loading areas shall be so designed and positioned as to not reflect upward or toward public streets or cause any annoyance to surrounding properties.

(n) All lot lines abutting residential districts shall be screened by a buffer yard, as described in Section 1609 of this Chapter.

(o) Storage areas for trash and rubbish shall be completely screened. All organic rubbish shall be stored within airtight, vermin-proof containers until such rubbish is collected. No such storage areas shall be permitted within any required buffer yard.

#### Section 1729. Veterinarian Offices.

(a) Veterinarian offices shall not include animal shelters, kennels, or outdoor exercise run areas.

(b) Animals may be kept overnight on a limited basis, usually as a follow-up to specific treatment that requires such a stay. Animals that are kept overnight must remain inside the building and may be taken outside for a limited time only by office staff.

#### Section 1730. Wholesale Businesses.

(a) Adequate off-street parking shall be provided on the same lot as the building or activity served. Parking areas shall be designed so that vehicles will not have to back onto a public street.

(b) Entrances and exits shall have a minimum width of twelve (12) feet for each lane of traffic and shall not be greater than thirty (30) feet in width at the street line; they shall also be designed to prevent blocking of vehicles entering or leaving the site.

(c) Means of ingress and egress to any public street shall not be located closer than two hundred (200) feet from an intersecting street or streets.

(d) Any goods, materials, or equipment shall not be displayed, stored, or sold in the required front yard; and such goods, materials, or equipment shall be displayed or stored or arranged in an orderly manner to permit access by fire-

fighting equipment.

(e) All outdoor storage shall be screened by evergreen planting of sufficient height and density to screen it from view of a public street and adjacent residential district."

SECTION 10. Due to adding the new Part 17 above, the current Parts 17 through 21 of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, are hereby renumbered to be Parts 18 through 22, consecutively.

SECTION 11. Part 18, entitled "Off-Street Parking and Loading", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended as restated in its entirety so as to hereafter read as follows:

"PART 18

OFF-STREET PARKING AND LOADING

Section 1801. Required Off-Street Parking Space. The following off-street parking provisions shall constitute the minimum space required for the following buildings or uses hereafter erected, converted, or otherwise established in any district:

- (a) Adult-Oriented Use. One space per 100 SF of GFA + one space per employee.
- (b) Automatic Self-Service Laundry. One space per 3 machines + one space per employee.
- (c) Bed and Breakfast Inn, Motel, Boarding House, Tourist Home, or Other Place Providing Overnight Accommodations. One (1) parking space for each rental room or unit plus one (1) additional space for each two (2) full-time employees.
- (d) Building Materials Sales Yard. One space per 150 SF of GFA + one space per 1,000 SF of lot area dedicated to such use + one space per employee.
- (e) Care Facility. See Hospital/Nursing/Convalescent Home.
- (f) Clinic. One space per each employee + 4 spaces per each person engaged in practice.
- (g) Club, Lodge, Social Building. One space per each 4 seats.
- (h) Community Recreation Building. One space per each 25 SF devoted to patron use.

- (i) Cultural Facility. One space per 300 SF of GFA.
- (j) Dwelling. Not less than two (2) off-street parking spaces for each dwelling unit.
- (k) Eating and Drinking Places. One space per 3 persons of maximum occupancy + one space per employee on the largest shift.
- (l) Financial Institution. One space per 250 SF of GFA + one space per employee.
- (m) Funeral Home. One space per each 4 seats.
- (n) General Service/Contractor's Shop. One space per 500 SF of GFA + one space per employee + one space per each company vehicle stored on the premises.
- (o) Greenhouse. One space per 150 SF of GFA + one space per 1,000 SF of lot area dedicated to such use + one space per employee.
- (p) Hospital, Nursing, or Convalescent Home or Other Similar Institution. One (1) parking space for every five (5) patient beds plus one (1) additional space for each staff doctor plus one (1) additional space for each two (2) employees (including nurses) on the two (2) major shifts.
- (q) Junk Yard. One space per employee.
- (r) Laboratory. One space per employee.
- (s) Laundry/Dry Cleaning/Dyeing Plant. One space per employee on largest shift.
- (t) Laundry/Dry Cleaning/Clothes Pressing Establishment. One space per 500 SF of GFA + one space per employee.
- (u) Manufacturing and Other Industrial Uses. Three (3) parking spaces for every four (4) employees on the two (2) major shifts but in no case less than one (1) space for each five hundred (500) square feet of gross floor area plus one (1) space for every 1,000 square feet of gross floor area for use by visitors, plus one (1) space for each company vehicle normally stored on the premises.
- (v) Medical and Dental Office. One space per each employee + 4 spaces per each person engaged in practice.

- (w) Methadone Treatment Facility. See Clinic.
- (x) Motor Vehicle Repair Facility. Three (3) parking spaces for each service bay + one (1) additional space for each employee on duty at any one time.
- (y) Motor Vehicle Sales Establishment. One space per 10 vehicles on display + one space per employee.
- (z) Motor Vehicle Service Stations. Three (3) parking spaces for each service bay plus one (1) additional space for each employee on duty at any one time.
- (aa) Motor Vehicle Washing Establishment. One space per employee.
- (bb) Nursery. One space per 150 SF of GFA + one space per 1,000 SF of lot area dedicated to such use + one space per employee.
- (cc) Office. One space per 250 SF of GFA.
- (dd) Other Commercial Buildings. One (1) parking space for every two hundred (200) square feet of ground floor area plus one (1) parking space for every four hundred (400) square feet of floor area above the ground floor.
- (ee) Outdoor Place of Amusement/Recreation/Assembly. One space per employee on largest shift + one space per 5 persons of total capacity.
- (ff) Personal Service Shop. One space per 150 SF of GFA.
- (gg) Places of Assembly. For places of worship, auditoriums, recreation establishments, or other places of assembly, one (1) parking space for each five (5) seats provided for public assembly or, for those places not providing fixed seats, one (1) parking space for every fifty (50) square feet of gross floor area intended to be used by customers, patrons, clients, guests, or members.
- (hh) Places of Worship. See Places of Assembly.
- (ii) Professional Office Use of Home Occupation Incidental to a Dwelling. One (1) parking space in addition to the requirement for the dwelling unit and one (1) parking space for each employee, except that, in the case of doctors and other medical practitioners, there shall be three (3) spaces in addition to the requirement for the dwelling unit and one (1) parking space for each employee.
- (jj) Retail Service Shop. One space per 150 SF of GFA.
- (kk) Retail Store. One (1) parking space for every two hundred (200) SF of GFA + one (1) additional space for every two (2) full-time employees.

(ll) Self-Storage Facility. One space per employee.

(mm) Shopping Center. Six spaces per 1,000 SF of GFA. Office uses and other non-retail uses within a shopping center shall provide parking spaces in accordance with this Chapter.

(nn) Studio. One space per employee + one space per 3 students to be accommodated at any one time.

(oo) Utility Substation. One space per vehicle required to serve such facility.

(pp) Veterinarian Office. One space per each employee + 4 spaces per each person engaged in practice.

(qq) Vocational School. One space per employee + one space per 3 students to be accommodated at any one time.

(rr) Warehousing and Wholesale Use. One space per employee.

(ss) For any building or use not included above, the Township Zoning Officer shall apply the standard for off-street parking spaces in the above schedule that most closely approximates the proposed building or use.

Section 1802. Required Off-Street Loading Space. The number of off-street loading spaces shall be appropriate for the use to be conducted on the premises and sufficient to accommodate all vehicles serving the use. At least one (1) loading space shall be provided for each use. When a Zoning Permit or Building Permit is applied for, the application shall show all provisions for off-street loading and include supporting data (such as the number and frequency of vehicles that will be using such spaces), to justify the number of spaces provided. The Township shall approve the number of loading spaces proposed.

Section 1803. Area and Design Standards and Other Requirements Relating to Parking and Loading Spaces.

(a) Parking Space Area. Each off-street parking space shall contain a net area of no less than two hundred (200) square feet, with a minimum width of ten (10) feet and a minimum length of twenty (20) feet for each motor vehicle. In determining the dimensions of such space, access drives and aisles shall not be included. Minimum vertical clearance shall be six and one-half (6½) feet.

(b) Loading Space Area. Each off-street loading space shall be a minimum of fourteen (14) feet by seventy-five (75) feet and have sufficient maneuvering room separate from other parking to eliminate traffic conflicts within off-street loading and parking areas.

(c) Adequate Accessways, Aisles, and Maneuvering Space. For residential uses having access to any major street as herein defined and for all non-residential uses, parking and loading areas shall include within the property lines turning areas so designed and surfaced that a vehicle entering or leaving the property will not be forced to back onto the street or onto the property.

(d) Surface. Except for farms, all driveways, parking areas, and loading spaces shall be paved with a hard, all-weather surface.

(e) Design Standards.

(1) All parking facilities provided under this Chapter shall be located off the public right-of-way and on the same lot as the use or building they are designed to serve.

(2) Off-street parking, loading, and service areas on all properties and for any purpose other than a single-family residence shall be physically separated from the public right-of-way by a concrete curb and by a planting strip parallel to the street line which shall be not less than eight (8) feet in depth measured from the edge of the cartway.

(3) In Residential, Open Space, and Agricultural Districts, paved accessways shall be at least fourteen (14) feet in width at the curblines for one-way use only and at least twenty-two (22) feet in width at the curblines for two-way use.

(4) In Commercial and Industrial Districts, paved accessways shall be at least twenty-four (24) feet in width at the street line and not more than fifty-four (54) feet in width at the curb line for two-way use.

(5) For the purpose of servicing any property held under single and separate ownership, not more than two (2) such accessways shall be provided along the frontage of any single street, and their center lines shall be spaced at least eighty (80) feet apart.

(6) On all corner properties, there shall be a minimum distance between an accessway and the street intersection, measured from the curb line of the intersecting street to the edge of the accessway nearest the intersection of fifty (50) feet in the C-1 and C-2 Districts and one hundred (100) feet in the L-1, L-2, and L-3 Districts.

(7) In Industrial Districts, the required off-street parking and/or loading spaces shall be arranged in such a way as to provide adequate space for parking maneuvers and circulation in the access drives and aisles with a minimum danger of accidental collision.

(8) Any aisle provided for maneuvering in or out of parking spaces shall be at least twenty-five (25) feet in width, measured perpendicular to the row of parking spaces it serves.

(9) All parking aisles shall be separated by a physical barrier permanently fixed to the ground.

(10) Parking areas shall be designed to permit each vehicle to enter and exit a parking space without requiring the moving of another vehicle.

(11) In Residential, Open Space, and Agricultural Districts, there shall be at least six (6) feet between all access points, and no access point shall be closer than fifteen (15) feet from any street intersection.

(12) Parking lots for three (3) or more vehicles should be designed to prevent vehicles from backing into a public street in order to leave the lot.

(13) All off-street loading spaces shall be graded and provided with an all-weather surface and drained to the extent necessary to prevent dust, erosion, or excessive water flow across streets or adjoining properties.

(f) Joint Parking. Two (2) or more buildings or uses on adjacent lots may provide for required parking in a common parking lot, provided that the total of such spaces shall not be less than the sum of the requirements for each individual use.

(g) Reduction of Off-street Parking/Loading Space. Off-street parking or loading space shall not be discontinued or reduced without providing alternate space in compliance with the standards and specifications of this Chapter.

(h) Non-Conforming Parking Areas. No major repairs, substantial alterations, or extensions to any building shall be permitted unless the plans for such change shall provide for bringing the entire property, including parking, into conformance with all of the provisions of this Chapter as if an application were being made for a permit to erect or construct all of the existing and proposed buildings, structures, and parking on undeveloped ground.

(i) Use of Parking Areas. No off-street parking or loading space shall be used for anything other than its intended purpose. No storage of any kind and no motor vehicle repair work of any kind shall be permitted within any such space.

(j) Landscaping Standards.

(1) Perimeter screening.

(i) In the case of any parking or off-street area of five (5) or more spaces, all spaces not within a building shall be provided with a suitable fence, wall, or planting screen that is designed to screen visibility and headlight glare, to be located between such parking spaces and any lot in a residential district or in a residential use that directly abuts or is across a street from said spaces.

(ii) If a planting screen is provided for a property that directly abuts said spaces, it shall consist of at a minimum evergreen plantings at least five (5) feet high at the time of planting and may also include flowering and deciduous plantings. All plantings shall be located within a planting strip a minimum of five (5) feet in width.

(iii) If a planting screen is provided for a property that is across a street from said spaces, it shall consist of at a minimum evergreen plantings no taller than 36 inches at maturity. It may also include flowering and deciduous plantings, with shrubs no taller than 36 inches at maturity and trees with branches trimmed at least eight (8) feet from ground level. All plantings shall be located within a planting strip a minimum of five (5) feet in width.

(iv) All planting screens shall be shown on a landscaping plan, as described in Section 1803(k) of this Chapter.

(2) Interior landscaping.

(i) Any parking lot of more than fifteen (15) spaces shall be required to provide landscaped areas within the paved area.

(ii) This required landscaped area shall be equal to a minimum of ten (10) percent of the total paved area and shall show at least one (1) deciduous tree with a minimum caliper of two (2) inches planted for every ten (10) required parking spaces.

(iii) 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, to reduce the volume and velocity of stormwater runoff, and to enhance the appearance of the parking lot.

(iv) Landscaped areas shall be shown on a landscaping plan, as described in Section 1803(k) of this Chapter.



(k) Landscaping Plan.

(1) A landscaping plan shall be prepared by a registered landscape architect.

(2) The plant materials used in parking lot landscaping should have low maintenance requirements and be able to withstand exhaust fumes and pavement heat.

(3) The plan should provide a variety of flowering, deciduous, and evergreen plant materials to screen vehicles and provide color and textural interest.

(4) All plant materials proposed in a landscaping plan shall be subject to the approval of the Zoning Officer.

(l) Lighting.

(1) Any parking area designed for use by six (6) or more vehicles after dusk shall be adequately lighted.

(2) All lighting fixtures shall be arranged to prevent glare onto public streets and adjacent properties.

(3) Parking lots serving residential uses shall, at a minimum, be lighted over their entire surface to one-half (0.5) average maintained footcandles (5.4 average maintained lux).

(4) Parking lots serving commercial and industrial uses shall, at a minimum, be lighted over their entire surface to one (1.0) average maintained footcandle (10.8 average maintained lux).

SECTION 12. Part 19, entitled "Signs", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended as restated in its entirety so as to hereafter read as follows:

"PART 19

SIGNS

Section 1901. Scope and Applicability. In all Zoning Districts within the Township, signs may be erected, altered, maintained, used, or moved only when in accordance with the provisions of this Part.

### Section 1902. Sign Size and Area Computation.

(a) The size of any sign shall be computed by multiplying its greatest height by its greatest length, exclusive of supporting structures, unless such supporting structure is illuminated or is in the form of a symbol or contains advertising copy. In the case of signs that have no definable edges, such as raised letters attached to a building facade, the sign size shall be that area within a single continuous perimeter enclosing the extreme limits of the actual message or copy area.

(b) In computing square foot area of a double-face sign, only one (1) side shall be considered, provided both sign faces are identical. If the interior angle formed by the two (2) faces of a double-faced sign is greater than forty-five (45) degrees, then both sides of such sign shall be considered in calculating the sign area.

(c) The area of a sign shall be construed to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed.

(d) Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall, or window, the area shall be considered to be that of the smallest rectangle which can encompass all of the letters and symbols.

(e) If an establishment has walls fronting on two (2) or more streets, the sign area for each street shall be computed separately.

### Section 1903. General Sign Regulations.

(a) **Setback from Property Line.** There shall be a minimum distance of fifteen (15) feet between any side property line and any sign erected under the provisions of this Chapter.

(b) **Setback from Cartway.** No sign, other than a traffic or street sign, shall be located within the lines of any road right-of-way or within seven (7) feet of the edge of the cartway of any public street. In no case shall a sign be placed in such a position or manner or have such a source of illumination, that it will cause any danger to pedestrians or vehicular traffic on any road or street.

(c) **Minimum Distance from Street Intersection.** No signs except official traffic or street name signs shall be permitted within fifty (50) feet of a street intersection measured from the intersection of the street right-of-way lines.

(d) **Maintenance of Signs.** Every sign permitted in this Part must be constructed of durable materials and must be kept in good condition and repair. Any sign that is allowed to become dilapidated in the opinion of the Township

Supervisors shall be removed by the Township at the expense of the owner or lessee of the property on which it is located.

(e) Non-conforming Signs. If any legal, non-conforming sign shall be removed, it may be replaced only, within sixty (60) days, with a sign that conforms to the provisions of this Part. However, legal non-conforming signs may be repainted or repaired provided that the dimensions of the sign are not increased.

(f) Sign Permit Requirements. A sign permit shall be obtained from the Zoning Officer prior to the erection, alteration or relocation of any sign, billboard or other advertising device over four (4) square feet in area. In applying for such permit, the applicant shall use the form provided by the Township, and shall include a plot plan of the property upon which such sign is located or proposed, showing the location of the street lines, cartway lines, and all signs already existing on the property, in order to facilitate the determination by the Zoning Officer that the sign to which the application relates complies with the provisions of this Chapter approved by the Township Planning Commission.

(g) Lighting of Signs. Signs shall only be illuminated by shielded lighting mounted to the top of the sign directing the light down onto the sign. The lighting fixtures shall be designed, fitted, and aimed to place the light output on and not beyond the sign.

(h) Wall Signs. Wall signs shall not extend beyond the edge of any facade or other surface to which they are mounted.

(i) Projecting Signs. Projecting signs shall not extend more than four (4) feet from the wall or surface to which they are mounted and shall be no closer than six (6) feet to a property line. No projecting signs shall interfere with normal pedestrian or vehicular traffic and shall be at least ten (10) feet above the pavement or ground.

(j) Signs Within Right-of-Way Lines. No signs except those of a duly constituted governmental body shall be allowed within street right-of-way lines unless specifically authorized by the Township and in compliance with the Commonwealth of Pennsylvania regulations. However, wall signs and projecting sign, as defined herein, shall be permitted to have a portion thereof extending into the public right-of-way no more than four (4) feet.

(k) Applicability to Tall Structures. These sign provisions shall apply to all signs on smokestacks, water towers, and other similar tall structures.

(l) Construction Site Signage. Non-illuminated temporary signs may be permitted on new construction sites, if such signs do not to exceed thirty-two (32) square feet in total area and if they are removed within seven (7) days after

completion of the construction work. Not more than one (1) sign shall be placed on each street frontage of the construction site.

Section 1904. Signs Permitted in All Districts. The following signs are permitted in all districts without a permit:

(a) Signs necessary for direction, regulation, and control of traffic; road construction-related signs; street name signs; legal notices; warnings at railroad crossings; and other official Federal, State, County, and Township governmental signs.

(b) Temporary signs announcing or advertising any educational, charitable, civic, professional, religious, or similar campaign or event may be permitted, providing such signs do not exceed thirty-two (32) square feet in area and are removed promptly after the conclusion of the campaign or event.

(c) Temporary political signs supporting political parties, candidates for political office, ballot questions, or current election issues shall be allowed without a permit. The placement of such signs shall be subject to the permission of the property owner on whose land said signs are located. No such sign shall be placed so that it obstructs a motorist's view of a cartway or pedestrian way or otherwise creates a public safety hazard. All such signs shall be removed within seven (7) calendar days immediately following said election.

(d) "No Trespassing" signs, signs indicating the private nature of a road, driveway, or premises, and signs prohibiting or otherwise controlling fishing or hunting upon a particular premise, provided that the size of any such sign shall not exceed four (4) square feet.

Section 1905. Signs Prohibited in All Districts. The following signs shall not be permitted to remain or to be erected in any District:

(a) Signs that are obsolete structures not meeting construction standards, out-of-date political signs, and signs that have been erected without a permit having been issued therefor.

(b) Signs that are illegal under state law or regulations.

(c) Signs that are not securely fixed on a substantial structure.

(d) Signs that attempt or appear to attempt to regulate, warn, or direct the movement of traffic, except for official traffic-related signs, signals, and devices.

(e) Signs located or arranged in such a manner to interfere with traffic through (1) glare, (2) blocking of reasonable sight lines for streets, sidewalks, or

driveways, (3) confusion with a traffic control device by reason of color, location, shape, or other characteristic, or (4) any other means.

(f) Signs that prevent free ingress or egress from any doors, window, or fire escape or that are attached to a standpipe or fire escape.

(g) Signs advertising a use no longer in existence or a product no longer available.

(h) Banners, spinners, flags, pennants, or any moving objects used for commercial advertising purposes, whether containing a message or not, except as specifically allowed in this Part.

(i) Flashing, blinking, twinkling, animated, or moving signs of any type, except emergency signs, those related to road or other construction activities, and those portions of signs which indicate time and/or temperature.

(j) Portable signs, including A-frame, menu, and sandwich board signs and balloons used as signs, but not including road construction or emergency signage.

(k) Signs attached to or painted on vehicles that are parked on a site and are visible from the public right-of-way in such a manner that the carrying or displaying of such sign or signs no longer is incidental to the vehicle's primary purpose, but becomes the primary purpose in itself, unless said vehicle is used in the normal day-to-day operations of a business located on the site or a business performing construction, remodeling, or similar activity on the site.

Section 1906. Signs Permitted in Residential Districts by Permit. In R-1, R-2, R-3 and R-4 Residential Districts, the following types of signs shall be permitted by permit:

(a) Identification signs for farms, schools, churches, hospitals, institutions, and for public or private recreation areas, clubs or other similar uses, provided that the area of any such sign shall not exceed twenty-four (24) square feet.

(b) Signs erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other person interested in such sale or development provided that the area of such sign shall not exceed twenty-four (24) square feet. Such signs shall be located only on the premises to which they relate, and not more than one (1) such sign shall be placed on any property in single and separate ownership unless such property fronts on more than one (1) public street, in which case one (1) sign may be erected along each street frontage.

(c) Signs advertising the sale, lease, or rental of property, provided that the area of any such sign shall not exceed six (6) square feet. No more than one (1) such sign shall be placed on property held in single and separate ownership unless such property fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage. All signs shall be removed within seven (7) days after settlement or rental has been entered into.

(d) Where a real estate developer is engaged in selling lots only, temporary signs advertising the sale of lots in the subdivision shall be permitted during the initial period of the development project. Said period shall commence with the recording date of the subdivision plan and shall end twelve (12) months thereafter. The permit for such signs may be renewed at the end of each twelve (12) month period.

(e) Temporary signs of contractors, architects, mechanics and artisans during the period such persons are performing work on the premises provided that

(1) The size of any such sign shall not exceed six (6) square feet.

(2) Not more than one (1) sign for each such mechanic, contractor or artisan shall be placed on any one (1) property on which such person is performing work, unless such property fronts upon more than one (1) street, in which event, each such mechanic, contractor or artisan may erect one (1) such sign on each street frontage.

(3) Such sign shall be removed promptly upon completion of the work.

Section 1907. Signs Permitted in Residential Districts Without a Permit. In R-1, R-2, R-3 and R-4 Residential Districts, the following types of signs shall be permitted without a permit:

(a) Official traffic-related or street name signs.

(b) Name, accessory use, and home occupation signs, indicating the name, profession, or activity of the occupant of a dwelling, provided that the area of any such sign shall not exceed four (4) square feet.

(c) Directional, informational or public service signs, provided that such signs do not advertise any commercial establishment, and any such sign shall not exceed two (2) square feet in size.

(d) Signs erected by the Township and any of its boards, commissions, or agencies.

Section 1908. Signs Permitted in Commercial and Industrial Districts by Permit. In Commercial C-1 and C-2 and in Industrial L-1, L-2, and L-3 Districts, the following types of signs shall be permitted by permit:

(a) Identification signs for schools, churches, hospitals, institutions, and public and private recreation areas, clubs, and other similar uses, provided that the area of any such sign shall not exceed twenty-four (24) square feet.

(b) Signs erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other person interested in such sale or development provided that the area of such sign shall not exceed twenty-four (24) square feet. Such signs shall be located only on the premises to which they relate, and not more than one (1) such sign shall be placed on any property in single and separate ownership unless such property fronts on more than one (1) public street, in which case one (1) sign may be erected along each street frontage.

(c) Signs advertising the sale, lease, or rental of property, provided that the area of any such sign shall not exceed six (6) square feet. No more than one (1) such sign shall be placed on property held in single and separate ownership unless such property fronts on more than one (1) street, in which case one (1) such sign may be erected on each street frontage. All signs shall be removed within seven (7) days after settlement or rental has been entered into.

(d) Where a real estate developer is engaged in selling lots only, temporary signs advertising the sale of lots in the subdivision shall be permitted during the initial period of the development project. Said period shall commence with the recording date of the subdivision plan and shall end twelve (12) months thereafter. The permit for such signs may be renewed at the end of each twelve (12) month period.

(e) Temporary signs of contractors, architects, mechanics and artisans during the period such persons are performing work on the premises provided that

(1) The size of any such sign shall not exceed six (6) square feet.

(2) Not more than one (1) sign for each such mechanic, contractor or artisan shall be placed on any one (1) property on which such person is performing work, unless such property fronts upon more than one (1) street, in which event, each such mechanic, contractor or artisan may erect one (1) such sign on each street frontage.

(3) Such sign shall be removed promptly upon completion of the work.

that (f) Signs identifying a business, industry, or other permitted use provided

(1) Such sign is located on the site where such use is conducted.

(2) Not more than one (1) sign shall be permitted for any one (1) use unless the property on which such use is located fronts on more than one (1) street, in which event one (1) sign may be erected on each frontage.

(3) The total area of such sign shall not exceed fifty (50) square feet.

(4) Signs shall only be illuminated by shielded lighting mounted to the top of the sign directing the light down onto the sign.

(5) No sign shall exceed twelve (12) feet in height.

(g) Signs identifying a commercial/industrial park, provided that

(1) One (1) sign for commercial/industrial park identification will be allowed for each park. Such sign shall be located near the intersection of the primary park access drive and the existing public road. Any alternate location for this sign shall be with the recommendation of the Planning Commission and the approval by the Township Board of Supervisors.

(2) The purpose of this sign is to identify the park and its tenants and shall not be used for any advertising.

(3) Park identification signs shall have an area of not more than seventy-five (75) square feet for each lot in the park, with a maximum area of four hundred fifty (450) square feet.

(4) Park identification signs shall be illuminated by shielded lighting only, mounted at the top of the sign and directing the light down onto the sign.

(h) Special promotional signs or displays, such as banners and pennants, which are not readily measurable for the purpose of determining compliance with the size limitations for signs contained in this Part, shall be permitted for no more than a total of fifteen (15) days in any one (1) calendar year.

(i) Off-Premises signs, in compliance with the provisions of this Chapter.

Section 1909. Signs Permitted in Commercial and Industrial Districts Without a Permit. In C-1 and C-2 Commercial and L-1, L-2, and L-3 Industrial Districts, the following types of signs shall be permitted without a permit:



- (a) Official traffic-related or street name signs.
- (b) Name, accessory use, and home occupation signs, indicating the name, profession, or activity of the occupant of a dwelling, provided that the area of any such sign shall not exceed four (4) square feet.
- (c) Directional, informational or public service signs, provided that such signs do not advertise any commercial establishment, and any such sign shall not exceed two (2) square feet in size.
- (d) Signs erected by the Township and any of its boards, commissions, or agencies.

Section 1910. Signs Permitted in OS Open Space District Without a Permit. In the OS Open Space District, the following types of signs shall be permitted without a permit:

- (a) Official traffic-related or street name signs.
- (b) Directional or informational signs, provided that such signs do not advertise any commercial establishment, and any such sign shall not exceed two (2) square feet in size.
- (c) Signs erected by the Township and any of its boards, commissions, or agencies.
- (d) Signs erected by the Commonwealth of Pennsylvania.

Section 1911. Signs Permitted in A Agricultural District by Permit. In the A Agricultural District, the following types of signs shall be permitted by permit:

- (a) Identification signs for farms, schools, churches, hospitals, institutions, and for public or private recreation areas, clubs or other similar uses, provided that the area of any such sign shall not exceed twenty-four (24) square feet.
- (b) Temporary signs of contractors, architects, mechanics and artisans during the period such persons are performing work on the premises provided that
  - (1) The size of any such sign shall not exceed six (6) square feet.
  - (2) Not more than one (1) sign for each such mechanic, contractor or artisan shall be placed on any one (1) property on which such person is performing work, unless such property fronts upon more than one (1) street, in which event, each such mechanic, contractor or artisan may erect one (1) such sign on each street frontage.

- (3) Such sign shall be removed promptly upon completion of the work.

Section 1912. Signs Permitted in A Agricultural District Without a Permit. In the A Agricultural District, the following types of signs shall be permitted without a permit:

- (a) Official traffic-related or street name signs.
- (b) Name, accessory use, and home occupation signs, including signs for roadside stands, indicating the name, profession, or activity of the occupant of a dwelling, provided that the area of any such sign shall not exceed four (4) square feet.
- (c) Directional, informational, or public service signs, provided that such signs do not advertise any commercial establishment, and any such sign shall not exceed two (2) square feet in size.
- (d) Signs erected by the Township and any of its boards, commissions, or agencies.

Section 1913. Off-Premises Signs.

- (a) Location of Off-Premises Signs. Off-premises signs which conform with the provisions of this Section shall be permitted only in the C-2 Highway Commercial and the L-2 Industrial Districts. In no event shall any portion of any off-premises sign be erected within one hundred (100) feet of any property zoned for or in residential use. No off-premises sign shall be erected within one thousand five hundred (1,500) feet of any other off-premises sign on the same side of any street. No off-premises sign shall be erected closer than ten (10) feet to a street right-of-way line or a property line. No off-premises sign shall be located in such a manner as to obscure or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or physically interfere with a driver's view of approaching or intersecting traffic.
- (b) Area of Off-Premises Signs. The maximum area of an off-premises sign face shall be three hundred (300) square feet. The maximum length of an off-premises sign shall be twenty-five (25) feet. Temporary embellishments shall not exceed twenty (20) percent of the permanent sign area.
- (c) Height of Off-Premises Signs. Off-premises signs shall not exceed an overall height of twenty-five (25) feet above the adjacent ground elevation or forty (40) feet above the surface of the road, whichever is lesser in height.
- (d) Spacing of Off-Premises Signs. Property facing roads and all other property that is zoned so as to permit the construction and maintenance of off-

premise signs shall be subject to the following:

- (1) Each side of a road shall be considered separately.
- (2) V-type or back-to-back off-premises signs shall be considered one (1) sign.
- (3) No two (2) off-premises signs shall be spaced less than one thousand five hundred (1,500) feet apart on any road.

(e) **Lighting of Off-Premises Signs.** Off-premises signs may be illuminated, subject to the following restrictions:

- (1) Flashing devices and revolving or rotating beams or beacons of light that simulates emergency light devices shall not be permitted as part of any off-premises sign. However, illuminated signs that indicate customary public information, such as time, date, temperature or other similar information, shall be permitted.

- (2) The illumination of off-premises signs shall not create a general nuisance to adjoining properties and shall be effectively shielded so as to prevent beams or rays from being directed at any portion of adjacent roads and are not of such intensity or brilliance to cause glare or impair the vision of the driver of any motor vehicle. External lighting, such as floodlights, thin line, and goose neck reflectors, are permitted, provided the light source is directed downward on the face of the sign.

- (3) The illumination of any sign within two hundred (200) feet of any property zoned for or in residential use shall be diffused or indirect in design to prevent direct rays of light from shining onto adjoining property.

- (4) Off-premises signs shall not be illuminated between 11:00 p.m. and dawn, prevailing time.

(f) **Off-Premises Sign Arrangement.** When two (2) sign faces are utilized in a back-to-back arrangement, they shall be parallel and directly opposite sign faces, oriented in opposite directions, and located not more than fifteen (15) feet apart. When the V-type sign arrangement is used for two (2) sign faces, the sign shall be located on a unipole support, so that when viewed from above, their faces are oriented in different positions forming the shape of the letter V. The sign faces shall not be located more than fifteen (15) feet apart at the closest point nor shall the interior angle be greater than forty-five (45) degrees.

(g) **Construction Standards.** All off-premises signs shall be constructed in accordance with the Building Code of the Township. The structural elements of all

off-premises signs shall be constructed on a steel unipole support meeting the industry-wide standards as established by the Outdoor Advertising Association of America and the Institute of Outdoor Advertising. All newly erected off-premises signs shall conform to all other applicable Federal, State and local laws, rules, and regulations.

(h) Replacement of Existing Off-Premises Signs. The maintenance or replacement of off-premise signs existing prior to this Section shall be permitted, provided upgrades are in accordance with the Building Code of the Township.

(i) Maintenance of Off-Premises Signs. All off-premises signs shall be maintained in sound and safe structural condition. All painted portions of off-premises signs shall be kept in good condition. The general area in the vicinity of all off-premises signs on undeveloped property shall be kept free and clear of sign material debris.

(j) Removals. Abandoned off-premises signs shall be promptly removed."

SECTION 13. Part 21, entitled "Zoning Hearing Board", of Chapter XXXII, entitled "Zoning" of the Code of Ordinances of the Township of Tilden, is hereby amended to add a new Section 2121, entitled "Referral to the Township", as follows:

"Section 2121. Referral to the Township. The Board shall refer all applications for relief to the Township Board of Supervisors and the Planning Commission for review. In its review of Special Exception applications, the Planning Commission shall determine compliance with the standards and criteria set forth in this Chapter. The Board of Supervisors and the Planning Commission may report any findings and recommendations in writing to the Zoning Hearing Board."

SECTION 14. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Tilden Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 15. All prior ordinances of the Township of Tilden, insofar as they deal with the regulation herein are repealed and declared unenforceable insofar as they are inconsistent with or identical to any provision of this Ordinance.

SECTION 16. This Ordinance shall take effect five (5) days after its enactment.

SECTION 17. The Code of Ordinances, as amended, of the Township of Tilden, Berks County, Pennsylvania, shall be and remain unchanged and in full effect except as amended, supplemented and/or modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances, as amended, of the Township of Tilden, Berks County, Pennsylvania, upon adoption.

DULY ENACTED AND ORDAINED this 6th day of November, 2004.

TILDEN TOWNSHIP  
BOARD OF SUPERVISORS

Russell H. Walby

Supervisor

Troy R. Hatt

Supervisor

Attest: Cheryl A. Haus  
Secretary

\_\_\_\_\_  
Supervisor

MUNICIPAL CERTIFICATION

I, CHERYL A. HAUS, Secretary of the TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing Ordinance #152 was advertised in the Reading Eagle/Times, a daily newspaper of general circulation in ~~Centre~~ <sup>Tilden</sup> Township, on Oct 16 + Oct 23, and was duly enacted and approved as set forth at a Regular Meeting of the Board of Supervisors held on November 6, 2004.

(SEAL)

Cheryl A. Haus  
Secretary

Date: 11/6, 2004