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PART 1
GENERAL PROVISIONS

§ 101. Preamble

An ordinance establishing regulations, specifications and restrictions for the uses of land, watercourses and other bodies of water; the size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures; the areas and dimensions of land and bodies of water to be occupied by uses and structures including areas, courts, yards and other open spaces and distances to be left unoccupied by uses and structures; and the density of population and intensity of land uses, within Robeson Township, Berks County, Pennsylvania, and for said purposes dividing Robeson Township into districts and prescribing certain uniform regulations for each such districts and providing for the administrative enforcement and amendment provisions in accordance with the Pennsylvania Municipalities Planning Code, as amended.

§ 102. Short Title

This ordinance shall be known as, and may be cited as the "Robeson Township Zoning Ordinance of 2010".

§ 103. Purpose

The Robeson Township Zoning Ordinance has been adopted in accordance with the requirements of Pennsylvania Municipalities Planning Code, as amended; with the goals, objectives and policies established within the Southern Berks Regional Comprehensive Plan (adopted in July of 2004); and with consideration for the character of Robeson Township and its capacity to accommodate growth, development and redevelopment. In addition to implementing the Southern Berks Regional Comprehensive Plan, the purpose of Robeson Township Zoning Ordinance is designed:

A. To promote, protect and facilitate one or more of the following: the public health, safety, general welfare, coordinated and practical community development, proper density of population, civil defense, emergency management, airports and national defense facilities, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewage, schools, public grounds and other public requirements, as well.

B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.

C. To identify, protect and preserve the physical and environmental amenities within Robeson Township.

D. To have planned orderly residential growth and development by considering environmentally sensitive land areas, existing land uses, infrastructure, and the suburban characteristics of Robeson Township.
E. Provide opportunities for commercial and industrial growth and development by considering environmental limitations, existing land uses, infrastructure, and the suburban characteristics.

F. To provide for a system of open space through the preservation of floodplains, steep slopes, wooded areas and farmlands, providing areas for passive and active recreation.

G. To improve the quality of life within the community.

H. To conserve, protect and sustain a high quality natural resource system.

I. To preserve and enhance scenic resources.

J. To preserve and protect historical and cultural resources within the community.

K. To provide a diversified supply of housing that meets the existing and projected demands.

L. To encourage aesthetical and innovative residential growth within Robeson Township that will meet the needs of existing and future residents.

M. To achieve and maintain a dynamic business climate to ensure a continuation of sound economic growth.

N. To promote employment and economic development opportunities.

O. To encourage commercial and industrial development, revitalization and rehabilitation that are adequate to meet Robeson Township's needs for employment, goods and services.

P. To provide community facilities and services, which meet the needs of the community while staying within the fiscal budget limitations of Robeson Township.

Q. To provide parks, recreation facilities and open space areas, which meet the needs of the residents.

R. To improve, maintain and plan sanitary sewage disposal facilities and water supply facilities in an effort to meet the needs of the community, protect the environment and support development consistent with land use plans.

S. To ensure that all existing and prospective uses are serviced by basic utilities.

T. To promote, encourage and practice energy conservation.

U. To provide and maintain a safe, efficient and diversified transportation system, which optimizes mobility, strengthens the economy and protects the environment.

V. To achieve a high level of intergovernmental planning by coordinating efforts with local and regional groups within the public and private sectors.
§ 104. Community Development Objectives

The Robeson Township Zoning Ordinance attempts to emulate through its regulations the goals, objectives and policies of the Southern Berks Regional Comprehensive Plan. These regulations have been established with considerations to Robeson Township's physical characteristics, population trends, housing characteristics, existing land use characteristics, community facilities and services and existing transportation characteristics. The regulations established in this Zoning Ordinance reflect and portray the goals, objectives and policies of the functional components of the Southern Berks Regional Comprehensive Plan.

§ 105. Application and Interpretation

A. Except as hereinafter provided, no building, structure, land, watercourses, or parts thereof within Robeson Township shall be used or occupied, erected, constructed, assembled, moved, removed, demolished, eliminated, enlarged, reconstructed or structurally altered unless in conformity with the provisions of this Zoning Ordinance.

B. In interpreting and applying the provisions of this Zoning Ordinance, they shall be held to be the minimum requirements adopted for the promotion of the public health and safety and the general welfare of the residents and occupants of Robeson Township. Where the provisions of this Zoning Ordinance impose greater restrictions than those of any other municipal statute, ordinance or regulation, the provisions of this Zoning Ordinance shall be complied with. Where the provisions of any other municipal statute, ordinance or regulation impose greater restrictions than this Zoning Ordinance, the provisions of such other municipal statute, ordinance or regulation shall be complied with unless otherwise stated in this Zoning Ordinance.

C. This Zoning Ordinance contains various supplemental matrix charts that are intended to specify certain zoning requirements or summarize certain zoning requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within the supplemental matrix charts, the provisions contained within the text shall prevail.

§ 106. Severability

Should any part, section, subsection, paragraph, clause, phrase or provision of this Zoning Ordinance be declared by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of this Zoning Ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

§ 107. Repealer

All ordinances or parts of ordinances, together with the amendments and supplements thereto, are hereby repealed to the extent that the same conflict with the provisions of this Zoning Ordinance; provided however, that the provisions of this Zoning Ordinance shall not affect any suit or prosecution pending or to be instituted to enforce any provision of such repealed ordinance or to punish any offense against any such repealed ordinance committed prior to the effective date of this Zoning Ordinance.
§ 108. Exemptions

This Zoning Ordinance shall not apply to any existing or proposed buildings, or extension thereof, used or to be used by a public utility corporation, if, upon petition of said corporation, the Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public. It shall be the responsibility of the Pennsylvania Public Utility Commission to ensure that both the corporation and the Township have notice of the hearing and are granted an opportunity to appear present witnesses, cross-examine witnesses presented by other parties and otherwise exercise the rights of a party to the proceedings.

§ 109. Effective Date

Pursuant to the provisions of the Pennsylvania Municipalities Planning Code, the Robeson Township Board of Supervisors enacted the Robeson Township Zoning Ordinance of 2010 on December 21st, as part of Robeson Township Ordinance Number 10-08. This Zoning Ordinance shall become effective within five (5) days of adoption by the Robeson Township Board of Supervisors.
PART 2

DEFINITIONS

§ 201. General Interpretation.

A. For the purpose of this Zoning Ordinance, certain terms and words are defined under Section 202.

B. Words used in the present tense shall include the future tense.

C. Words in the singular shall include the plural and words in the plural shall include the singular.

D. Words in the masculine shall include the feminine and the neuter.

E. The word "shall", “must” or “will” is mandatory.

F. The word "may" or “should” is permissive.

G. The word "person" includes “individual”, “corporation”, “partnership”, “organization”, “association”, “trust”, or other similar entities.

H. The words "used for" include "designed for", "arranged for", "intended for", "maintained for", or "occupied for".

I. The word "building" shall be construed as if followed by the phrase "or part thereof".

J. The word “structure” includes “building” and shall be construed as if followed by the phrase “or part thereof”.

K. The word “street” includes “expressway”, “arterial”, “highway”, “thoroughfare”, “avenue”, “bollevard”, “court”, “lane” and “road”.

L. The word “watercourse” includes “channel”, “creek”, “ditch”, “drain”, “dry run”, “spring”, “stream” and “swale”.

M. Any word or term not defined herein shall be used with a meaning of standard usage.

§ 202. Specific Terms

Terms or words used in this Zoning Ordinance, unless otherwise expressly stated, shall be construed as defined below. When terms, phrases or words are not defined, they shall have their ordinarily accepted meanings or such as the context may imply.

Abandoned Vehicle. Any inoperable vehicle lacking a currently effective state license or inspection sticker.

Abut. The state of being side by side, next to or adjoining one another.
Access Drive. An improved cartway or paved service road designed to provide vehicular access between the public road and the off-street parking area for the designated use.

Access Point. A clearly defined point of ingress and egress for vehicles at the street line.

Accessory Apartment. An apartment located within a single family detached dwelling or in an accessory building to a single family dwelling.

Accessory Building or Structure. A building subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal use.

Accessory Use. A subordinate use of a portion of a lot, which is customarily incidental to the main or principal use of land or of a building on a lot.

Acre. Forty-three thousand five hundred sixty (43,560) square feet.


Adjacent. The state of being side by side, next to or adjoining one another.

Administrative Office(s). An establishment primarily engaged in overall management and supervisory functions, such as executive, personnel, finance, legal and sales activities, typically performed in a single location or building for other branches or divisions of the same company.

ADT (Average Daily Traffic). The average number of vehicles that pass over a given point per day.

Adult or Age-Qualified Retirement Community. A unified residential development providing housing and personal care needs of persons, who are generally 55 years of age or older, whereas, at least 70 percent of the occupants shall be over 55 years of age and each housing unit shall be occupied by at least one (1) person over 55 years of age. This use is intended to provide housing opportunities for older persons in accordance with the provisions of this Zoning ordinance and the Fair Housing Act.

Adult Business Use or Adult Entertainment Use. Any adult arcades, adult bookstore, adult cabaret, adult theater, adult mini-motion picture theater, adult novelty stores, adult video stores, escort agencies, nude model studios, sexual encounter centers, non-therapeutic massage parlor, or other similar adult business uses or adult entertainment uses, whereas, under the provisions of Robeson Township and the State Obscenity Code, as amended, must exclude minors or may not knowingly disseminate to minors. The following sub-definitions shall also apply to adult business uses or adult entertainment uses.

Adult Arcade or Mini-Motion Picture Theater. An enclosed building offering video presentations distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons within private viewing booths and/or by use of token, coin-operated viewing booths, projectors, video machines, or other electronic media sources.
projectors, as defined by Robeson Township and/or the State Obscenity Code, as amended.

Adult Bookstore and Adult Novelty Store. A commercial establishment having as a substantial or significant portion of its stock in trade (for sale or rental) books, magazines, periodical, photographs, films, videos, motion pictures, slides or similar materials, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as defined by Robeson Township and/or the State Obscenity Code, as amended. An adult bookstore and/or adult novelty store may include the sale of instruments, devices, novelties or paraphernalia, which are designed for the use in connection with specified sexual activities.

Adult Cabaret. A nightclub, bar, club, restaurant tavern, theater, or similar commercial establishments, which features persons who appear in the state of nudity or seminudity; live performances which are categorized by the exposure of specified sexual activities or specified anatomical areas; and/or films, motion pictures, videocassettes, slides, or other photographic reproductions, which are categorized by the depiction or description of specified sexual activities or specified anatomical areas.

Adult Establishment. An adult business use and/or an adult entertainment use, as permitted under the Robeson Township Zoning Ordinance.

Adult Theater. A theater, concert hall, auditorium, business, or similar commercial establishment, which features persons who appear in the state of nudity or seminudity; live performances which are categorized by the exposure of specified sexual activities or specified anatomical areas; and/or films, motion pictures, videocassettes, slides, or other photographic reproductions, which are categorized by the depiction or description of specified sexual activities or specified anatomical areas.

Escort. A person who, for consideration, agrees, or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie, or to privately perform a striptease for another person.

Escort Agency. A person or business association, who or which furnishes, offer, or advertises to furnish escorts for a fee, tip, or other consideration, as part of its business.

Nude Model Studio. Any place where a person who appears semi-nude, in a state of nudity, or displays specific anatomic areas, and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons, who may pay money or any other form of consideration.

Nudity or State of Nudity. The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage, the showing of the female breast with less than fully opaque covering of any part of the nipple, the showing of the covered male genitals in a discernibly turgid state, or as defined by the Commonwealth of Pennsylvania.

Seminude or Seminude Condition. The state of dress in which clothing partially or transparently covers or exposes specified anatomical areas.
Sexual Encounter Center. A business or commercial enterprise that as one of its principal business purposes, offers for any form of consideration, physical contact in the form of wrestling or tumbling between persons of the opposite sex. activities between male and female persons and/or persons of the same sex when one or more of the persons is in the state of nudity or semi-nudity; any violation on the activity popularly denominated as “mud wrestling; or any sexual encounter activities defined by the Commonwealth of Pennsylvania.

Sexually Oriented Business. Any adult business or entertainment use.

Specific Anatomical Areas. Human genitals, pubic region, anus, buttocks, female breasts(s) below a point immediately above the top of the areola, or human male genitals (covered or uncovered) in a discernibly turgid state, or as defined by the Commonwealth of Pennsylvania.

Specified Sexual Activities. Activities including, the fondling or other erotic touching of human genital, pubic region, buttocks, anus or female breasts; sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation or sodomy; excretory functions as part of or in connection with any of the sexual activities set forth in this Zoning Ordinance; or any specified sexual activities defined by the Commonwealth of Pennsylvania.

State Obscenity Code. Section 5903, Title 18, Pennsylvania Consolidated Statutes, as amended.

Agricultural Operation. An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

Agriculture (General). The cultivation of the soil and the raising and harvesting of the products of the soil, including but not limited to nursery, horticulture, forestry and animal husbandry. This Zoning Ordinance outlines the limitations for general agricultural activities. These limitations shall not disrupt any of the rights and privileges established under the Pennsylvania Right to Farm Law and Pennsylvania Agricultural Security Act.

Agriculture (Intensive). Specialized agricultural activities, including but not limited to mushroom, egg and poultry production, and dry lot livestock production, which due to the intensity of production or raw material storage needs, necessitate special control of operation, raw material storage and processing, and disposal of liquid and solid wastes. Intensive agricultural activities shall also include general agricultural activities exceeding the standards and specifications outlined under this Zoning Ordinance. This Zoning Ordinance also outlines the limitations for intensive agricultural activities.
These limitations shall not disrupt any of the rights and privileges established under the Pennsylvania Right to Farm Law and Pennsylvania Agricultural Security Act.

Alluvial Soils. Soils, which have been formed in alluvium and deposited by past stream or flooding conditions.

Alluvium. Soil material such as sand, silt or clay that has been deposited on land by past stream or flooding conditions.

Alteration(s). Any change or rearrangement in the structural parts or in the existing facilities of a building or structure, such as bearing walls, columns, beams, girders, joists, rafters, headers, or enclosed walls, or any enlargement or modification thereof, whether by extension on any side or by an increase in height, or the moving of such building from one location or position to another, or any other change of use of a building or a lot.

Amusement Arcade. A commercial recreation establishment or family entertainment complex, which provides multiple amusement devices, games of skill or chance, video games, skeet-ball, and other similar devices.

Animal Hospital or Clinic. A professional veterinary establishment used for the diagnosis, care, and treatment of ailing or injured animals, which may include overnight accommodations. The overnight boarding of healthy animals shall be considered a kennel.

Animal Husbandry. The raising and keeping of livestock and poultry for any commercial purpose. The keeping of livestock and poultry as farm pets for domestic purposes shall not be considered as animal husbandry.

Animal Unit. Farm animals or livestock equaling 1,000 pounds per animal unit.

Antenna. A transmitting and/or receiving device used in telecommunications that radiates or captures radio signals.

Antenna Height. The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

Antenna Support Structure. Any pole, telescoping mast, tower, tripod or any other structure which supports a device used in the transmitting or receiving of radio frequency energy.

Antique Shop. A commercial establishment for the sale of antiques such as clocks, lamps, clothing, rugs, jewelry, furniture and similar items.

Applicant. A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

Application for Development. Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.
Appointing Authority. The Robeson Township Board of Supervisors.


Assisted Living Unit. A residential facility for the housing and care of elderly, frail or disabled persons.

Attic. That part of a building, which is immediately below and wholly or partly within the roof framing.

Auction House. A commercial establishment where goods are sold at auction, including space devoted to sales and storage, off-street loading and unloading spaces, and all off-street parking spaces.

Automobile Sales. Any building or land area devoted to the sale of new or used vehicles, including customary service and repair facilities within an enclosed building.

Automobile Service Station. Any building or land area devoted to the repair, servicing, restoration, reconstruction and maintenance of vehicles, including the retail sale of gasoline, motor oil, car washes, batteries and other similar vehicular accessories.

Barn. A structure utilized for the storage of farm products, agricultural equipment, animal feed and/or the housing of farm animals.

Basement. That portion of a building that is partly or completely below the grade plane. A basement shall be considered a story above grade plane when the finished surface of the floor above the basement is as follows. more than six (6) feet above the grade plane; more than six (6) feet above the finished ground level for more than 50 percent of the total building perimeter; and/or more than twelve (12) feet above the finished ground level at any point.

Bed and Breakfast. The use and occupancy of a single-family detached dwelling for the purpose of accommodating transient guests for compensation or rent up to a maximum of ten (10) consecutive days.

Block. A tract of land or a lot or group of lots bounded by streets, public parks, railroad rights-of-way, water courses or bodies of water, boundary lines of Robeson Township, or by any combination of the above.

Board. The Board of Supervisors of Robeson Township, Berks County, Pennsylvania.

Board of Supervisors. The Board of Supervisors of Robeson Township, Berks County, Pennsylvania.

Boarding House. The use and occupancy of a single-family detached dwelling for the purpose of accommodating four (4) or less transient guests for rent or compensation.

Buffer Yard. A continuous strip of land, which is clear of all buildings and paved areas and is adequately landscaped in accordance with this Zoning Ordinance.
Building. Any combination of material forming any structure, which is erected on the ground and permanently affixed thereto, whereas the framed components or structural parts are designed for the complete enclosure (with walls and a roof) and support for individuals, animals or property of any kind.

Building Area. The total area taken on a horizontal plane at the main grade level of all primary and accessory buildings on a lot, excluding unroofed porches, paved terraces, steps, eaves and gutters, but including all enclosed extensions.

Building Coverage. The percentage of a lot covered by principal and accessory buildings.

Building Envelope. The area of a lot that has no building or construction restrictions such as, the front, side and rear building setback requirements; areas within designated rights-of-way or easements; areas occupied by the 100-year floodplain, floodway, wetlands, and steep slopes classified as Category 1 or 2 Slopes; or similar restrictions, as defined in this Zoning Ordinance.

Building Frontage. The front of a building considering the location of the main entrance and the public street providing access. For corner lots, the building frontage shall be established along both streets to which the building has frontage or access.

Building Height. The vertical distance measured from the grade plane to the average roof height, as further defined by the appropriate building codes adopted by Robeson Township.

Building Length. The longest horizontal dimension of a building, as measured in a single straight direction.

Building Setback. The minimum distance a building or structure must be set back from the ultimate street right-of-way line (where it exists) or from the street legal right-of-way line (where the ultimate right-of-way does not exist) of the street immediately adjacent thereto.

Building Setback Line. The line within a property establishing the minimum required distance between any building or structure, or portions thereof, to be erected or altered and a street right-of-way (except the right-of-way of a service street). The distance shall be measured at right angles from the street right-of-way line, which abuts the property, and the building setback line shall be parallel to said right-of-way line.

Business or Office Park. A group of mixed uses within a planned non-residential development, which principally relate to office or business, as specified under Section 707 of this Zoning Ordinance.

Caliper or Caliper at Breast Height. The diameter of a tree trunk, as measured 54 inches from the ground surface.

Campground. A plot of ground upon which two (2) or more campsites are located for occupancy, regardless whether a fee has been charged for the occupancy of such space.

Campsite. A plot of ground within a campground for the use of a single camping unit.

Camping Unit. A tent or camping vehicle located on a campsite.
Carport. A building open on two (2) or more sides and used in association with a dwelling for the storage of private motor vehicles.

Cartway. The portion of a street right-of-way, whether paved or unpaved designed for vehicular use.

Cellar. A story partly below the finished grade, having at least one-half (1/2) of its height (measured from finished floor to finished ceiling) below the average level of the adjoining finished grade where such grade abuts the exterior walls of the building. A cellar shall not be considered a story in determining the permissible number of stories.

Cemetery. Land used or intended to be used for the burial of human remains and may include columbariums, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

Certificate of Use and Occupancy. A statement issued and enforced by the Zoning Officer or other code official designated by Robeson Township, whereas upon the completion, conversion, extension or modification of a new building or existing building, a certificate of compliance is issued and the building can be lawfully occupied for the intended use or activity.

Child. An individual considered by law to be a minor that is under the age of a person who is under 18 years of age. For the purposes of a day care center or facility, a child shall be considered any person who is under 15 years of age.

Church. A building used for public worship by a congregation, excluding buildings used primarily for residential, educational, burial, recreational or other uses not normally associated with worship.

Clear Cutting. The removal or destruction of all vegetation from an area of land, or the removal or cutting of more than ninety (90) percent of the woodlands on any lot or parcel of land.

Clear Sight Triangle. An area of unobstructed vision at a street intersection, as prescribed by Robeson Township and/or the Pennsylvania Department of Transportation, which shall be measured thirty (30) inches above the ground elevation and ten (10) feet below ground elevation, which is further defined by a line of sight between points at the centerlines of a street at the point of intersection of the proposed street.

Club or Lodge. An association of persons for some common nonprofit activity, not including groups organized primarily to render a service which is customarily carried on as a business.

Private Club or Country Club. Land and buildings containing private or semi-private recreation facilities, social quarters, restaurants, meeting rooms, banquet facilities, bars, taprooms, and similar uses, for the exclusive use of the members and their guests.

Social Club or Lodge. Land and buildings containing recreation facilities, social quarters, restaurants, meeting rooms, banquet facilities, bars, taprooms, and similar uses, owned and operated by non-profit organizations for the exclusive use of the members or guests.
Commercial Campground. A commercial use, whereas a lot or parcel of land are temporarily occupied by more than two (2) campsites during specified seasons, including tents and recreation vehicles.

Commercial Composting. A commercial use involving the accumulation of biodegradable and organic materials from approved uses including mushroom production uses; municipal uses; landscaping uses; nursery uses; forestry uses; and other similar uses, as determined appropriate by Robeson Township; whereas, the composted materials are packaged, processed and/or transported from the commercial composting facility and utilized for other applications.

Commercial Drive Through Establishment. A permitted commercial use, where the patrons have the option to be provided services without leaving their vehicle, as permitted in accordance with the provisions of Section 713 of this Zoning Ordinance.

Commercial Recreational Use. A use or activity operated as a business that is open to the public for the purpose of recreation and entertainment, including but not limited to, bowling alleys, health or fitness clubs, swimming pools, miniature golf courses, museums, theaters, amusement arcades, and other similar commercial recreational uses as determined by the Zoning Officer.

Commercial Schools. An educational facility carried on as a business and not operated by a public agency. The range of curriculums can include, but not limited to, academic instruction, business, technical programs, art, music, dance, language, and other similar commercial school uses as determined by the Zoning Officer.

Commercial Use. A use or activity that includes, but not limited to, retail sales, businesses, offices, personal services, banks, financial institutions, restaurants, communications, recreation, and other similar commercial uses as determined by the Zoning Officer.

Commercial Use of Water Resources. The use of naturally occurring water when 5,000 gallons or more of such water is used on site per day or when 5,000 gallons or more of such water is exported or transported for use off site. “Naturally occurring water” shall mean all water above and below the ground surface.

Commercial Vehicle. Any motor vehicle utilized for a business or trade activity of any kind, including construction, excavating, earthmoving equipment, or similar equipment, regardless of the use, excluding a Class I and II motor vehicle, which is properly licensed by the Commonwealth of Pennsylvania.

Common Open Space. A parcel or parcels of land or an area of water, or a combination of land and water, within a development, designed and intended for use or enjoyment of all residents of the development in which it is located. Common open spaces shall not include land areas within street rights-of-way; required open areas between buildings; between buildings and street rights-of-way, driveways and parking areas; and other areas that may be specified within this Zoning Ordinance. No dwelling unit, accessory building or parking area may be located within common open spaces.
Common Parking Area. A parking facility other than those provided within the lot lines of a lot on which one (1) single-family detached dwelling, one (1) single-family semi-detached dwelling, or one (1) townhouse is located.

Common Wall. A wall used or adopted for joint service between two (2) buildings or parts thereof.

Community Center. A public or quasi-public municipal, institutional or recreational use devoted exclusively to accommodate one or more group activities, including but not limited to, civic, social, recreational, educational, or cultural, or other similar activities determined appropriate by the Zoning Officer, and provided that the community center properly maintained and is not utilized as a residential use.

Completion. The act of bringing to a condition of physical completeness and readiness for use and occupancy.

Comprehensive Plan. The Southern Berks Regional Comprehensive Plan, or any part thereof, as adopted by the Robeson Township Board of Supervisors in July of 2004.

Conditional Use. A use in a particular zoning district by approval of the Board of Supervisors in accordance with the specific criteria set forth in this Zoning Ordinance.

Conference Center. A facility utilized for meetings and seminars, with accommodations for meeting rooms, food preparation, social quarters, restaurants, banquet facilities, bars, taprooms, recreation facilities, entertainment, overnight accommodations, and similar uses.

Conservation Overlay Districts. Overlay provisions established to consider conservation management, environmental resource protection, natural resources, and open space preservation. These provisions are intended to supplement and enhance the existing underlying zoning district regulations for certain land areas and water features including: the 100-year floodplain; wetlands and hydric soils; steep slopes; and woodlands.

Conservation Use. The preservation and utilization of land and surface water as wildlife habitats, forests, farmland, meadows, wetlands, lakes, streams, rivers, and other similar uses or features that involve no site improvements other than those required for education, recreation or municipal uses.

Consistency. An agreement or correspondence between matters being compared, which denotes a reasonable rational, similar, connection or relationship.

Construction. The placement of materials and equipment in a defined area to be assembled, built, applied and/or demolished in a temporary or permanent manner, as approved by the designated officials of Robeson Township.

Construction Site. The total necessary land area required for all buildings or uses within a unified development before a zoning permit may be issued.

Convalescent Home. A building containing sleeping rooms used by persons who are lodged and furnished with meals and are provided with needed support and recovery services, including the availability of basic nursing care. Such a facility may or may not include skilled
nursing or medical care. This definition shall be limited to facilities licensed by the Commonwealth of Pennsylvania as a convalescent home, nursing center, rehabilitation center, or personal care center.

Convenience Store or Mini-Market. An area of land, together with a building of not less than 4,000 square feet in gross floor area and not more than 10,000 square feet in gross floor area, which is opened to the general public for up to 24 hours per day, owned and operated by one entity, and designed and intended to be utilized solely for both the retail sale within the building of limited food items, beverages, take-out only delicatessen, newspapers, magazines, and incidental personal care items (but excluding the sale of prescription drugs and clothing) and the location within the building of not more than two ATM banking machines for the convenience of the general public, and the retail sale of gasoline outside of the building when dispensed from gasoline fueling positions located under a canopy. The sale of diesel fuel and/or the location of pay telephones are allowed only when permitted as an accessory conditional use by the Board of Supervisors.

Conversion. To change or adapt land or structures to a different use, occupancy or purpose.

County. The County of Berks, Commonwealth of Pennsylvania.

County Planning Commission. The Berks County Planning Commission.

Court. A portion of a lot unoccupied above grade but partially or wholly surrounded by the walls of a structure or buildings.

Critical Environmental Area. An area of land or water with one or more of the following characteristics: steep slopes; the 100-year floodplain; wetlands; hydric soils; high water table soils; land subject to hazardous, municipal or industrial waste; fault areas; sinkholes; stream corridors; estuaries; and habitats of endangered species.

Curb Line. The edge of the cartway.

Curative Amendment. A proposed zoning amendment made to the Board of Supervisors by any landowner/applicant who desires to challenge on substantial grounds the validity of an ordinance which prohibits or restricts the use or the development of land in which the landowner/applicant has an interest.

Day Care Use, Center or Facility. The offering of care or supervision to minors or adults with special needs. The following sub-categories are related to day-care centers and facilities.

Commercial Day Care Center. A facility which, on a daily basis, exclusively provides supplemental care and supervision and/or instruction to seven (7) or more children or adults simultaneously, who are not related to the caregiver or operator, where tuition, fees or other forms of compensation are charged, whether governmentally subsidized or not, and which is licensed or approved to dispense child or adult care by the Commonwealth of Pennsylvania, and whether operated by a for-profit entity or a not-for-profit entity.

Home Day Care. A building used principally as a residence by one adult caregiver resident thereof in which child day-care is provided simultaneously for three (3) to six
children who are unrelated to the resident caregiver. Such residential property shall have an outdoor play area in the rear of the property of sufficient size to accommodate six (6) children at once. For the purposes of this Zoning Ordinance, “home day care” shall be synonymous with “family day care”.

Deck. An open or partially enclosed area of a residential use, which is constructed in accordance with the provisions of Robeson Township and is occupied for seasonal activities.

Dedication. The deliberate appropriation of land by its owner for general public use.

Deed. A written document whereby an estate in real property is described, conveyed and recorded.

Deed Restriction. Clauses included in a deed or other recorded document, which restricts, controls or limits the general use of a defined parcel of land.

Demolition Recycling Facilities. The facilities utilized to recycle construction materials including lumber, glass and other materials associated with construction facilities. Such facilities shall not recycle materials commonly associated with any form of municipal waste, hazardous waste, toxic waste or other forms of solid waste commonly associated with landfill activities, resource recovery facility and/or solid waste disposal and reduction facilities.

Density. The total number of residential dwelling units per acre or lot area.

Designated Common Open Space. The area designated as “common open space” within a residential development, containing open areas for recreational uses and natural resource conservation.

Developer. Any landowner, agent of such landowner, equitable owner, or tenant with the permission of the landowner, for whom subdivision or land development plans are being or have been made.

Development. Any man made change to improved or unimproved land, including but not limited to buildings or other structures, the installation of utilities, filling, grading, paving, excavation, mining, dredging or drilling operations.

Development Plan. A proposal for the development of land, prepared in accordance with the provisions specified by Robeson Township, including a plan for subdivision or land development, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this Zoning Ordinance shall mean the written and graphic materials referred to in this definition.

Dinner Theater. A building occupied as a commercial establishment for the purposes of serving food as a restaurant and entertaining patrons with live on-stage theatrical performances, which are not considered to be an adult business or adult entertainment use.

Distance Between Buildings. The shortest horizontal distance between buildings.
District. A portion of the Township within which certain uniform regulations and requirements, or combinations thereof, apply under the provisions of this Zoning Ordinance.

Domestic Pets. The keeping and housing of non-farm animals as pets on a property in accordance with local, state and federal laws.

Drive-Through Establishment. A commercial establishment, whereas the patrons are provided specialty services without leaving their vehicle, as defined within this Zoning Ordinance.

Driveway. A privately owned and constructed access drive, providing vehicular access between a public road or an approved private road into the lot or parcel having frontage on the road.

Dump. A site utilized for the disposal, abandonment, dumping, burial, incineration, burning, or other means of discarding garbage, trash, junk, vehicles, automobile parts, or other forms of waste.

Dwelling. A building or structure or portion thereof arranged, intended, designed or used as the living quarters for one (1) or more families living independently of each other. Such buildings as hospitals, hotels, boarding, rooming, lodging houses, nursing homes, motels and institutional residences are not included in the definition of dwelling. The following dwelling types are further defined as follows.

Single-Family Detached Dwelling. A building arranged, intended or designed to be occupied exclusively as a residence for one (1) family and having no common wall with an adjacent building.

Single-Family Semi-Detached Dwelling. A building arranged, intended or designed to be occupied exclusively as a residence for two (2) families, one (1) family living on each side of a vertical common wall.

Two-Family Detached Dwelling (Duplex). A building arranged, designed or intended for occupancy of two (2) families, living independent of each other in separate dwelling units that are separated by horizontal floors as opposed to vertical walls.

Multi-Family Dwelling. A building arranged, designed and intended to be occupied exclusively as a residence for three (3) or more families. Individual dwelling units may share up to three (3) part walls with other units and either have a common outside access areas or have individual outside access areas. Types of such buildings shall include townhouses, apartments and/or condominiums.

Townhouse. A building arranged, designed and intended to be occupied exclusively as a residence for one (1) family, which is one (1) of a group of three (3) or more such buildings, placed side by side and separated by unpierced vertical common walls, each dwelling having at least one (1) separate entrance from the outside.

Apartment Building. A building on a single lot arranged, designed and intended to be occupied as a residence for two (2) or more families, and in which the dwelling units may be separated horizontally and/or vertically.
Condominium. A form of ownership involving real estate, whereas, portions of building space are designated for separate ownership and the remainder of which is designated for common open space solely for the owners of those portions, created under either the Pennsylvania Unit Property Act, as amended, or the Pennsylvania Uniform Condominium Act, as amended.

Mobile Home. A transportable, single-family dwelling constructed in accordance with the specifications of the Commonwealth of Pennsylvania intended for permanent occupancy contained in one (1) unit, or in two (2) or more 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.

Modular or Manufactured Home. Any structure designed primarily for residential occupancy, which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation on the building site. Housing units defined as mobile homes are excluded from this definition.

Secondary Housing Unit. A separate housing unit that is secondary or independent from the primary housing unit or permitted use, which may consist of ECHO housing units, in-law suites, and/or security guard quarters, that are designed in accordance with the provisions specified under Section 615 of this Zoning Ordinance.

ECHO House. A secondary housing unit that is temporarily placed on a property for an occupancy period not to exceed five (5) years for the purposes of providing family home care services to an elderly, handicapped, or disabled person, who shall be related to the care-giver by blood, marriage, or adoption.

In-Law Suites. A secondary housing unit that is an independent component or apartment unit, which is attached to the primary dwelling unit to be utilized for an occupancy by either an elderly, handicapped, or disabled person related by blood, marriage, or adoption, to the occupants of the principal dwelling.

Security Guard Housing. A secondary housing unit that is an independent component or mobile home, which is placed on a non-residential property for the purposes of housing a security guard during non-business hours.

Dwelling Unit. A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living sleeping, eating, cooking and sanitation.

Easement. A defined parcel area of land or right-of-way, which is granted or conveyed for the limited use of land for public, quasi-public or private purposes.

Educational Use. A use having one or more of the following purposes. to educate or instruct individuals in a school setting with instruction directed towards academic, moral, intellectual, mental, physical and vocational instruction. Excepted from this definition are uses devoted to driver training schools, heavy equipment training schools, riding schools, private recreational uses, day-care centers, and other uses that are not considered non-academic in character.
Egress. A point of exit from a property.

Electric Substation. An assemblage of equipment for purposes other than generation or utilization through which electric energy in bulk is passed for the purpose of switching or modifying its characteristics to meet the need of the general public.

Elevation. The horizontal alignment of a surface above mean sea level, as it exists in pre-development conditions or as it is proposed in post development conditions.

Centerline Elevation. The elevation of the street at the midpoint of the street.

Curb Elevation. The elevation of the street at the curb line.

First Floor Elevation. The elevation of the level of living space at the main entrance of the building.

Garage Elevation. The elevation of the garage floor at the center of the garage door.

Employees. The total number of workers (including both part-time and full-time) present on a parcel of land at any given time, other than temporary or occasional construction workers.

Engineer. A professional engineer, licensed as such in the Commonwealth of Pennsylvania.

Environmental Impact Assessment Report. A detailed written report that provides discussion of significant environmental impacts and provides reasonable alternatives, which would avoid or minimize adverse impacts or enhance the quality of the human environment.

Erosion. The removal of soil, rock or surface particles by the action of water, wind, ice or other agents.

Essential Services. The erection, construction, alteration, or maintenance by a public utility, municipality or governmental agency for general utility services, including gas, electric, steam, water, sewage disposal, telephone and similar utility services, excluding telecommunication and wireless communication providers.

Facade. The front of a building facing a public or private street or any other building face that is given special architectural treatment.

Family. A family as defined by the laws of the Commonwealth of Pennsylvania, which may include. one (1) person occupying a single dwelling; two (2) or more persons related by blood, marriage or adoption, living together in single dwelling and maintaining it as a functional common household; and/or a group of not more than four (4) persons unrelated by blood, marriage or adoption, living together in single dwelling and maintaining it as a functional common household. The term “family” shall be deemed to include any domestic employees or gratuitous guests but shall not include any roomer, boarder, lodger or persons residing in a group home.

Family Entertainment Complex. An indoor or outdoor commercial recreation facility providing recreational, educational, social and entertainment facilities suitable for children and their parents.
Farm. An area of land, including all buildings, accessory buildings, farm buildings and one (1) single-family detached principal dwelling, which are utilized as part of an agricultural operation and where the primary source of income is derived from property.

Farm Animals. The raising and ownership of chickens, turkey, sheep, goats, hogs, pigs, cattle, horses, and other similar animals, which are common to a farm in accordance with the provisions established by Robeson Township.

Farm Building. A barn, silo or any building used for the storage of agricultural equipment or farm produce, or housing livestock or poultry. The term "farm building" shall not include dwellings.

Farm-Related Business. A business substantially devoted to serving an agricultural operation on a farm, as further defined by this Zoning Ordinance.

Farm-Support Business. An accessory business that is not substantially devoted to serving an agricultural operation on a farm, which is intended to provide supplemental income, as further defined by this Zoning Ordinance.

Fence. A manmade barrier placed or arranged as a line of demarcation between lots or to enclose a lot or portion thereof. The term "fence" shall be deemed to include a wall.

Financial Institution. A bank, savings and loan, credit union, or similar use.

Fire Apparatus Access Road. A road that provides fire apparatus access from the fire station to a facility, building or portion thereof. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.

Flagpole. A flagstaff designed and solely intended for the patriotic display of the flag of the United States of America, or its armed forces, the Commonwealth of Pennsylvania or any political subdivision thereof, or the flag of a group or organization, or combination thereof, and for no other purpose. A flagpole shall not include a standard antenna, a standard antenna support structure, a commercial communications antenna support structure, tower, antenna or any other structure designed, intended or capable of supporting any other use or purpose.

Floodplain Overlay District. A conservation overlay of land and water, which have been defined within the Flood Insurance Study, as prepared by the Federal Emergency Management Agency, which principally include areas located along the major creeks and waterways of Robeson Township. The following sub-definitions and categories, which are further described and regulated under Section 502 shall apply to the Floodplain Overlay District.

Base Flood or Regulatory Flood. The flood that has been selected to serve as the basis upon which the floodplain management provisions of this Zoning Ordinance have been prepared. The Base Flood or Regulatory Flood shall also be known as the 100-year flood.

Floodplain. A relatively flat or lowland area adjoining a river, stream, or watercourse, which is subject to partial or complete inundation of water, which is subject to unusual
and rapid accumulation of water, or runoff of surface waters from any source. The term “floodplain” shall also be synonymous with the term “100-year floodplain”.

Floodplain Regulations Ordinance. An ordinance regulating application procedures, administrative controls, technical provisions, permitted land uses, activities requiring special exceptions, existing or non-conforming provisions, variance procedures, and technical definitions, as enacted by the Robeson Township Board of Supervisors on November 18, 1997, or as subsequently amended by Robeson Township.

Flood Hazard District. Those portions of land and water that are generally subject to the inundation of the 100-year flood, whereas base flood elevations have been determined or approximated by the most recent Flood Insurance Study, as conducted by the Federal Emergency Management Agency.

Flood Hazard Map. A map depicting those areas or features within the Flood Hazard District, including, but not limited to, the floodplain, floodway, floodway fringe, as well as other areas or features identified by the Federal Emergency Management Agency. The Flood Hazard Map shall also mean the Flood Insurance Rate Map.

Flood Insurance Study. The most recent study prepared by the Federal Emergency Management Agency.

100-Year Floodplain. A flood that, on the average, is likely to occur once every one hundred (100) years, or has a one (1) percent chance of occurring each year, although the flood may occur in any year.

Floodway. That portion of the Floodplain Overlay District that is required to carry and discharge the waters of the 100-year flood without increasing the water surface elevation at any point more than one (1) foot above existing conditions, as determined in the Flood Insurance Study for Robeson Township or the Federal Emergency Management Agency.

Floodway Fringe. That portion of the Floodplain Overlay District that is subject to inundation by the 100-year flood, lying beyond the floodway in areas where detailed study data and profiles are made available by the Flood Insurance Study.

Floor Area (Gross Floor Area). The gross floor space of the building or buildings, measured from the exterior faces of exterior walls or from the centerline of wall separating buildings. In particular, the floor area of a building or buildings shall include: basement space; all spaces other than cellar space with structural headroom of seven feet, six inches (7'6") or more; interior balconies and mezzanines; enclosed porches, terraces or other space which are attached to the principal structure on at least one (1) side; attic spaces (with or without a finished floor) providing structural headroom of seven feet, six inches (7'6") or more is available over fifty percent (50%) of such attic space. However, the "floor area" shall not include. cellar space, except that cellar space used for retailing; elevator shafts, stairwells, bulkhead, accessory water tanks or cooling towers; terraces; breezeways; uncovered steps; open space; and/or accessory buildings.

Floor Area Ratio. The floor area in square feet of all buildings on a lot divided by the gross area of such lot in square feet.
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.

Felling. The act of cutting a standing tree so it falls to the ground.

Landing. A place or area where logs, pulpwood or firewood are assembled for transportation to processing facilities.

Lop. To cut tops and slash into smaller pieces to allow the material to settle close to the ground.

Operator. An individual, partnership, company, firm, association, or corporation, which is engaged in timber harvesting or forestry operations, including the agents, subcontractors and employees thereof.

Skidding. Dragging trees on the ground from the stump to the landing area by any means.

Slash. Woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, broken or uprooted vegetation, or similar items.

Stand. Any area of the forest vegetation whose site conditions, past history and current species composition are sufficiently uniform to be managed as a unit.

Timber Harvesting, Tree Harvesting, or Logging. The process of cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.

Top. The upper portion of a tree that has little or no commercial resale value because of its small size, taper or defect.

Funeral Home. A building used for the preparation of the deceased for burial, including the viewing of the deceased and any lawful rituals connected therewith before burial or cremation.

Garage, Private Residential. An accessory building or a part of a principal building used for the storage of motor vehicles owned and used by the owner or tenant of the premises and for the storage of not more than three (3) motor vehicles owned and used by persons other than the owner or tenant of the premises. Not more than one (1) commercial vehicle or truck may be stored in a private garage.

Garage, Public or Repair. A building, other than a private or storage garage, one (1) or more stories in height, used solely for commercial storage service or repair of motor vehicles.

Garage, Storage. A building, not a private residential or a public garage, one (1) story in height, used solely for the storage of motor vehicles used in conjunction with a business or industry, but not for the sale, service or repair thereof nor for the sale of fuel, accessories or supplies.
Geometric Design. The dimensions of a facility and the relationships of its features such as alignment, profile, grades, widths, sight distances, clearances, and slopes.

Golf Course. A public or private course with a minimum of nine (9) holes and a length of more than 2,000 yards.

Governing Body. The Board of Supervisors of Robeson Township, Berks County.

Government Use. Any activities, services or uses conducted by any agency or department of local, county, state or federal government, which are not related to municipal uses owned or operated by Robeson Township.

Grade Plane. A reference plane representing the average of finished ground level adjoining the building at the exterior walls. Where the finished ground levels slope away from the exterior walls, the referenced plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building.

Greenway. A linear corridor of open space including natural features such as waterways, stream valleys, ridgelines, and scenic vistas, or along man-made features such as railroad beds or abandoned canals, which provide areas for wildlife habitats and recreational uses.

Group Home. A household of not more than five (5) persons, not necessarily related by blood, marriage, adoption, or legal guardianship, who, because of their physical or emotional condition, or their social or interpretation skills, otherwise would limit, inhibit, or prevent their ability to function as useful or productive members of society. All such group homes shall be provided with supported services through a licensed social service agency.

Hazardous Materials. Those chemicals or substances, which are physical hazards or health hazards as defined and classified by Robeson Township, whether the materials are in usable or waste condition.

Health and Recreation Club. A private or public indoor facility utilized for health, fitness and/or recreational activities. All activities relating to an adult business use shall be prohibited within a health club.

Height. The vertical distance measured from the average elevation of the ground or finished grade to the highest point of a building or structure.

Heliport. A defined area to accommodate all phases of operation of rotor-wing aircraft or helicopters, with sufficient space for all required safety controls and maneuvers in accordance with all state and federal requirements, as well as to allow for the provision of service facilities.

Helistop. A defined area on a roof or on the ground to accommodate touch down and lift-off of rotor-wing aircraft or helicopters. All such defined areas shall have sufficient space to accommodate all required safety controls and maneuvers in accordance with all state and federal requirements, but in no case shall such area provide service facilities.

High Water Table Soils. Surface soils, which are within three (3) feet of the seasonable high water table.
Highway Access Point. A place of ingress/egress from or access to a street or highway created by a driveway or another street or highway. Measurement between them shall be from the centerline of one (1) such point to the centerline of another such point.

Highway Frontage. The lot dimensions measured along the right-of-way line of any one (1) street or highway abutting a lot.

Historical Preservation Overlay. A special overlay district established to provide provisions for subdivision, land development, aesthetics, architectural appearance, landscaping, signs and streetscape design, as further specified in Section 506 of this Zoning Ordinance.

Historical Resource or Historical Site. A place, building, structure or site, whereas because of its’ local, state or national significance is considered as a historical site or resource. All such historical sites are identified as follows. by the National Register of Historical Places, by the Pennsylvania Historical and Museum Commission, as identified in the Joint Comprehensive Plan for Southern Berks County; and/or as identified in a planning document, reference manual, or publication that has been adopted by Robeson Township.

Home Center. A retail business establishment occupying a single permitted retail use, which sells a variety of home, construction, and building products or supplies.

Home Occupation. An accessory use, which is customarily conducted within a residential use or a structure accessory thereto, which is clearly secondary and incidental to the residential use in which the practitioner resides. The following categories of home occupation are hereby defined.

Category 1 Home Occupations. 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 a residential use. A “Category 1 Home Occupation” shall be synonymous with a “No Impact Home-Based Business”, as defined by the Pennsylvania Municipalities Planning Code.

Category 2 Home Occupations. A business or commercial activity administered or conducted as an accessory use, which is clearly secondary to a single family residential dwelling and which involves some 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 a residential use.

Horseback Riding School. A principal or subordinate use where equestrian lessons and practices are permitted within a defined area that is suitable for the size of the use.

Hospital or Medical Center. An institutional use, licensed by the Commonwealth of Pennsylvania, which provides for in-patient and out-patient medical care, twenty-four (24) hours per day, seven (7) day per week, as well as providing primary health services, medical care and surgical services to patients suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions. In addition, a hospital may also include accessory uses and facilities including, but not limited to, medical offices, administrative
offices, educational facilities, research centers, clinics, cafeterias, retail stores, and other uses considered customary to a hospital or medical campus.

Hotel. A building or group of buildings containing five (5) or more individual rooms for rental, primarily for transients, with common hallways for all rooms on the same floor, and where no provision is made for cooking in any individual room or suite. "Hotel" does not include institutional or educational uses and buildings where human beings are housed under legal constraint.

Hydric Soil. A soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. Hydric soils are identified within the Soil Survey of Berks County, as prepared by the United States Department of Agriculture and the Southern Berks Regional Comprehensive Plan.

Impervious Coverage. The percentage of lot area covered by any and all impervious materials, such as buildings, paved parking areas, paved walks, terraces and similar surfaces, which do not normally absorb rainfall.

Impervious Surface. All impervious materials, such as buildings, paved parking areas, paved walks, terraces and similar surfaces, which do not normally absorb rainfall.

Improvements. Any type of structure, paved area and/or physical changes to the land, including but not limited to, grading, paving, stormwater management facilities, sidewalks, street signs, traffic control devices, monuments, utilities, water supply facilities and sewage disposal facilities.

Improvement Setback. The minimum distance an improvement must be set back from a street right-of-way and/or property line.

Incinerator. A facility designed to reduce municipal solid waste, fuel, gas, refuse, or other material by combustion. This use may include heat exchange equipment for energy recovery.

Independent Living Care Facility. A residential community or use designed for those persons who are independent with respect to their daily living activities (bathing, dressing, grooming and eating) and choose to reside in a community with other seniors (55 years or older). These communities may offer amenities such as, but not limited to, security systems, recreational activities, social programs, meal services and transportation.

Industrial Park. A group of mixed uses within a planned non-residential development, which principally relate to industrial uses, as specified under Section 709 of this Zoning Ordinance.

Industrial Use. A use or activity that includes, but not limited to, assembling, manufacturing, distributing, processing, storing or warehousing of products and materials, and other similar industrial uses as determined by the Zoning Officer.

Ingress. A point of entrance to a property

Institutional Use. A use or activity that includes, but not limited to, educational uses, hospitals, medical centers, health care uses, churches, religious uses, assisted living care facilities, and other similar institutional uses as determined by the Zoning Officer.
Junk or Salvage. Discarded materials, including, but not limited to, waste, paper, rags, glass, containers, fabric, and similar material from vehicles, equipment or machinery.

Junk Yard or Salvage Yard. A lot, land or structure, or parts thereof, used for the collection, storage, dismantling, salvage, sale, exchange and/or recycling of used and discarded materials, including, but not limited to, waste, paper, rags, glass, containers, fabric, and similar material from vehicles, equipment or machinery. The deposit or storage of two (2) or more unlicensed, uninspected, abandoned, wrecked or disabled vehicles shall be deemed to be a junkyard, salvage yard or automobile impoundment area.

Jurisdictional Determination (JD) - A site survey performed by the United States Army Corps of Engineers to officially determine and document the limits of wetlands or other environmental features, whether or not a defined parcel of land is subject to wetlands regulations.

Kennel. Any property, including any building or structure thereon, where four (4) or more dogs, ten (10) weeks of age or older, are kept or maintained for boarding, grooming, breeding, training, showing, selling or exchange.

Kitchen Facilities. An enclosed and weatherproofed room consisting of a sink with plumbing facilities, permanent stove/oven and a refrigerator, which complies with all codes adopted by Robeson Township.

Laboratory. A building or group of buildings in which are located the facilities for scientific research, investigation, testing and experimentation, but not including the manufacture of products for sale. A medical research facility shall be considered as a laboratory.

Land Development. Any of the following activities.

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving.
   a. a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
   b. the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

2. A subdivision of land.

3. Development in accordance with the provisions established by Robeson Township and the Pennsylvania Municipalities Planning Code.

Landowner. The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition). A
lessee under a written lease who has written authorization of the legal owner shall be deemed to be a landowner for the purpose of this Zoning Ordinance.


Livestock. The raising and ownership of chickens, turkey, sheep, goats, hogs, pigs, cattle, horses, and other similar animals, which are common to a farm.

Loading Space. A defined space located within a lot or parcel of land, which has accessibility to a public street, for temporary use of commercial vehicles while loading or unloading merchandise and materials to the principal use and building contained on the lot or parcel of land.

Lot. A tract or parcel of land, regardless of size, held in single or joint ownership, not necessarily a lot or lots shown on a duly recorded map, which is occupied or capable of being occupied by buildings, structures and accessory buildings, including such open spaces as are arranged, designed or required. The term “lot” shall also mean parcel, plot, site or any similar term.

Corner Lot. A lot situated at and abutting the intersection of two (2) streets having an interior angle of intersection not greater than one hundred thirty five (135) degrees. The front yard and lot width requirements shall apply to each street to which the corner lot has frontage. The other yards shall be designated as side yards.

Interior Lot. A lot other than a corner lot, the sides of which do not abut a street.

Reverse Frontage Lots. Lots that have frontage on two (2) public streets while restricting vehicular access solely from the public street which would front along the commonly identified rear of the lot.

Through Lot. An interior lot having frontage on two (2) parallel or approximately parallel streets.

Flag Lot or Keyhole Lot. An irregularly shaped lot characterized by an elongated extension from a street to the principal part of the lot. The flag or keyhole shape of the lot is normally intended to provide for access to an otherwise land locked interior parcel.

Lot Area (Gross). The space contained within the lot lines, including land area within all existing and future/ultimate street rights-of-way, areas delineated as "wetlands", areas identified as common open space and land area within all utility, municipal and stormwater easements.

Lot Area (Net). The space contained within the lot lines, excluding any and all land areas as follows. areas within existing or required street rights-of-way; areas delineated as "wetlands"; areas within the floodway, where defined; areas within the 100-year floodplain, where defined or calculated; areas exceeding 30 percent in slope; areas identified as common open space; and areas within defined easements that are dedicated for utility, municipal, or stormwater purposes. Areas within easements dedicated for individual on-lot stormwater infiltration or to implement best management practices may be included as part of the net lot area calculations.
The net lot area for all proposed lots shall be no smaller than the minimum specified lot size for the zoning district in which the lot is located.

Lot Coverage. The percentage of a lot covered by all impervious surfaces.

Lot Depth. The mean average horizontal distance between the front and the rear lot lines.

Lot Frontage. That portion of a lot, which fronts on a single street.

Lot Line. The property line forming the front, rear or side boundary of a lot.

Front Lot Line. The line separating a lot from a street. The front lot line is also the street line.

Rear Lot Line. The lot line, which is opposite the front lot line. The rear line of any triangularly or irregularly shaped lot shall be established such that it will be at least ten (10) feet long.

Side Lot Line. Any lot line other than a front or rear lot line.

Street or Alley Lot Line. A lot line separating the lot from a street or alley.

Lot of Record. A lot or parcel recorded in the Office of the Recorder of Deeds of Berks County, Pennsylvania.

Lot Width. The width of a lot measured at the street line and at the street line, the legal right-of-way line and the ultimate right-of-way line (where it exists) of the street immediately adjacent thereto.

Manufacture or Manufacturing Use. The assembling, creating, cleaning, fabricating, processing, testing, recycling, packaging, converting, distributing and/or repairing of raw materials, with the use of labor and machinery, of products that will be made available for sale. The term “manufacture” shall not include retail sales, personal services, solid waste disposal, truck distribution, mineral extraction, woodland extraction, forestry, exportation of groundwater, warehousing, or similar uses determined by the Zoning Officer.

Massage Parlor or Therapeutically Massage Facility. A place of business where a person or persons engage in or carry on any method of pressure on, friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of any part of the body with the hands or with the aid of any mechanical or spa apparatus. This particular use shall only include licensed physicians or members of the American Massage Therapist Association.

Mean Sea Level. The average height of the sea for all stages of the tide, utilizing the most current National Geodetic Vertical Datum.

Mediation. A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.
Medical or Dental Clinic. A building, which primarily involves a health care use, where patients are admitted for examination and treatment on an outpatient basis by one (1) or more physicians, dentists, psychologist, social workers, or other similar licensed professional, whereas the patients are not typically lodged overnight or after normal office hours unless prescribed by the licensed professional.

Medical Research Center. A public or private facility utilized for medical testing, sampling or research in a controlled laboratory environment.

Medical Research Park. A group of mixed uses within a planned non-residential development, which principally relate to medical or institutional uses, as specified under Section 708 of this Zoning Ordinance.

Medical Rehabilitation and Physical Therapy. A public or private facility utilized for the treatment, rehabilitation and training of outpatients to regain, develop or enhance their physical skills, condition or stamina, which have been lost or impaired through injury or illness.

Mezzanine. An intermediate level or levels between the floor and ceiling of any story with an aggregate floor area of not more than one-third of the area of the room or space in which the level or levels are located.

Mineral Extraction. The act or process of mining or extracting minerals by activities conducted in accordance with the provisions of Robeson Township and the Commonwealth of Pennsylvania.

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

Mini-Mall. The multiple use of a single property for a planned group of non-residential uses, including retail operations, personal services, offices, financial institutions, medical and dental clinics, restaurants, taverns, and similar planned uses as determined by the Zoning Officer, where the uses are less than a cumulative total of 30,000 square feet of gross floor area and are owned and maintained by an individual, corporation, partnership or organization. All mini-malls shall be planned and designed as an integrated unit or converted as such, with common off-street parking facilities and stormwater management facilities.

Mini-Market. A commercial establishment usually not over 4,000 square feet in gross floor area, offering prepackaged foods, newspapers, magazines, and other similar items.

Mini-Warehouse or Self-Storage Facility. A building or group of buildings that are divided into individual units, each of which unit is available for rent or lease to the public for the self-storage of tangible personal property, as permitted under the provisions of Section 717 of this Zoning Ordinance.

Mixed-Use Commercial and Residential Uses. A combination of permitted uses within a single building including a permitted commercial use occupying the first floor and no more than two (2) residential rental units occupying the second floor, as permitted under the provisions of Section 614 of this Zoning Ordinance.
Mobile Home Lot. A parcel of land in a mobile home park improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which is leased by the park owner to the occupants of the mobile home erected on the lot.

Mobile Home Park. A parcel or contiguous parcels of land which has been so designated and improved that it contains two (2) or more mobile home lots for the placement thereon of mobile homes.

Motel. A building or group of attached or detached buildings containing individual living or sleeping units designed for temporary use by tourists or transients, each of which is provided with an independent exterior entrance and off-street parking space. The term “motel” includes, auto courts, motor courts, motor inns, motor lodges, roadside hotels, or similar accommodations.

Motor Freight Terminal. Any building or land area on which freight is delivered for transfer, assembly, storage or sorting, and then shipped to another location.

MPC. The Pennsylvania Municipalities Planning Code, as amended and codified.

Municipality. Robeson Township, Berks County, Pennsylvania.

Municipal Authority. The Robeson Township Municipal Authority, Berks County, Pennsylvania.

Municipal Use. A use owned and maintained by Robeson Township for public recreation area, park, swimming pool, golf course, spectator sports, municipal offices, police station, water and sewage facilities, utilities, community centers, solid waste disposal areas, recycling centers, composting facilities, road materials and equipment storage and similar governmental or municipal uses.

Night Club. Any building or establishment used for social and entertainment purposes, whereas food, music and beverages are provided to patrons for a fee.

Nonconforming Lot. A lot, which does not meet with the minimum lot width or area dimensions specified for the district where such lot is situated, but was lawfully in existence prior to the effective date of this Zoning Ordinance or is legally established through the granting of a variance by the Zoning Hearing Board.

Nonconforming Structure or Building. A structure or building, or part thereof, which does not meet the applicable provisions or requirements of the district in which it is located, either at the time of enactment of this Zoning Ordinance or as a result of subsequent amendments thereto, where such building or structure lawfully existed prior to the enactment of such Zoning Ordinance or amendment. Such nonconforming structures include, but are not limited to, nonconforming signs.

Nonconforming Use. A building, structure, sign or use of land which does not conform to the applicable regulations of the district in which it is located, either at the time of the enactment of this Zoning Ordinance or as a result of subsequent amendments thereto, but which did not
violate any applicable use regulations prior to the enactment of such Zoning Ordinance or amendments. However, no existing use shall be deemed nonconforming solely because of the existence of less than the required off-street parking spaces.

Nursery or Greenhouse. A use involving the raising of trees (for transplanting), ornamental, shrubs, flowers or house plants for any commercial purpose. All nursery/greenhouses that are designed and constructed to be one thousand (1,000) square feet or less shall be considered an accessory structure. All nursery/greenhouses that are designed and constructed to exceed one thousand (1,000) square feet in size shall be considered a principal structure.

Nursing Home. A building containing sleeping rooms used by persons who are lodged and furnished with meals and are provided with needed support services, including the availability of basic nursing care. Such a facility may or may not include skilled nursing or medical care. This definition shall be limited to facilities licensed by the Commonwealth of Pennsylvania as a nursing center or personal care center.

Obstruction. Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, culvert, building, structure, fence, stockpile, refuse, fill or other matter, which may impede, retard or change the normal direction or path of air, water or any modes of transportation.

Occupancy. The possession of any structure, building, land area or water body, with the intent to remain for the purpose of residing, conducting business, or performing social, recreational, cultural, educational, municipal, governmental, institutional, religious, charitable, or similar uses.

Permanent Occupancy. Occupancy for a period in excess of 120 consecutive days within one calendar year.

Temporary or Seasonal Occupancy. Occupancy for a period less than 120 consecutive days within one calendar year.

Office. A use that primarily involves professional or non-profit services relating to, but not limited to, administrative, business, clerical, financial, governmental, medical, municipal, political, religious, or similar office uses, as determined by the Zoning Officer.

Official Map. The Official Map, as adopted by the Board of Supervisors, showing the characteristics of streets, watercourses, public grounds and other topographic features.

Official Zoning Map. The Zoning Map of Robeson Township.

Open Area. Land or water areas in which no buildings or impervious surfaces are located.

Open Space. The unoccupied space, land area, or water body, that is located on the same lot with the principal use or development, which is open to the sky and not occupied by buildings, structures, sidewalks, off-street parking areas, access drives and/or other impervious areas.

Ordinance. The Robeson Township Zoning Ordinance of 2010 or any provisions or amendments thereof, enacted by the Board of Supervisors, including the Official Zoning Map.
Outdoor Storage. The external storage of materials, products and accessory components of a use, which conforms to the normal functions and procedures conducted on that use in accordance with this Zoning Ordinance.

Outside Sales. All sales conducted outside of a principal building.

PA. The Commonwealth of Pennsylvania.

Park. A tract of land, designed and utilized by the general public for active and/or passive recreation purposes.

Parking Lot. An off-street area designed solely for the parking of motor vehicles, including driveways, passageways and maneuvering space appurtenant thereto.

Parking Perimeter. The limit beyond the defined off-street parking area, which parking is not allowed or permitted.

Parking Space. A reasonably level space, available for the parking of one (1) motor vehicle, not less than nine (9) feet wide, eighteen (18) feet deep, and having an area of not less than one hundred and eighty (180) square feet exclusive of passageways or other means of circulation or access.

Patio. An area or courtyard, which is not covered by a roof or permanent awning, and is designed for outdoor living purposes, as an accessory use to the principal structure or building.

Paved Area. The percentage of lot area covered by any and all impervious materials, such as buildings, paved parking areas, paved walks, terraces and similar surfaces, which do not normally absorb rainfall.

Permit. A document issued by the proper regulatory agency authorizing the applicant to undertake certain activities as specified on the application or permit.

Building Permit. A permit issued for a specific building, structure or land use, which indicates that the proposed construction, alteration, development, reconstruction, or similar activities are in accordance with the appropriate construction provisions established by Robeson Township, and authorizes an applicant to commence with the activities specified on the application or the provisions of the permit.

Demolition Permit. A permit issued to demolish, remove, destroy and/or eliminate a building or structure.

Occupancy Permit. A permit issued for a building, structure or land use, which indicates that certain construction, alteration, reconstruction, development, or similar activities have been completed and inspected in accordance with the appropriate provisions established by Robeson Township, and allows the applicant to occupy the building, structure or land area in accordance with the provisions of the permit.

Seasonal or Temporary Permit. A permit issued for a specific building, structure or land use, which indicates that the seasonal or temporary activities are in accordance with the appropriate provisions established by Robeson Township, and authorizes an
applicant to commence with the seasonal or temporary activities for a defined period of time, not to exceed 60 cumulative days within a calendar year and as specified on the permit.

Sign Permit. A permit issued for a specific on-premises or off-premises sign.

Special Permit. A permit issued to non-profit organizations for specific use and event on land owned or leased by the applicant for a defined period of time, not to exceed 30 cumulative days within a calendar year and as specified on the permit. Such permitted uses may include carnivals, circuses, bazaars, fairs, seasonal sales or other non-profit fund raisers.

Permitted Use. A use permitted in a particular district to occupy or use land for a specific purpose in accordance with this Zoning Ordinance, when such use is permitted by right.

Person. An individual, corporation, partnership, organization, incorporator’s association, trust, or other similar entity.

Personal Care Facility. A facility owned and operated by a legal entity, which possesses the appropriate certifications and licenses issued by the Commonwealth of Pennsylvania for operating a personal care home at a defined location. The facility shall be used to provide dwelling units, food, personal assistance or supervision to adults of advanced age or otherwise who do not require services at a licensed long-term care facility, but who, because of their advanced age or other condition, require assistance or supervision in matters such as dressing, bathing, diet, financial management, emergency evacuation, and/or taking medication prescribed for self-administration.

Personal Service Establishment. A building or portion of a building in which the services of a person permitted to practice a specified profession are offered to the general public. Examples of such professions may include, accountants, agents, architects, barbers, beauticians, dentists, doctors, lawyers, optometrists, photographers, tailors, therapeutic massage, electronic repair technicians, or other similar personal service establishments as determined by the Zoning Officer.

Place of Worship. Land areas occupied by buildings, churches, synagogues, retreat centers, monasteries, seminaries, convents, shrines, cemeteries, and other similar non-profit facilities, as further defined under Section 706 of this Zoning Ordinance, which are primarily used for religious or spiritual worship.

Plan. A proposal for development, subdivision or land development, including all covenants, grants or easements and other conditions relating to use, location and bulk of buildings, density of development, common open space and public facilities, which complies with the provisions established by Robeson Township.


Porch. A roofed or unroofed structure projecting from the front, side or rear wall of a building.
Preservation or Protection. When used in connection with natural and historic resources, shall include means to conserve and safeguard these resources from wasteful or destructive use, but shall not be interpreted to authorize the unreasonable restriction of forestry, mining or other lawful uses of natural resources.

Prime Agricultural Land or Resources. Prime agricultural soils or land areas as defined by the Robeson Township Zoning Ordinance and/or the Southern Berks Regional Comprehensive Plan.

Principal Building. A building in which a principal use on a lot is carried on.

Principal Use. The main or primary purpose for which any land, structure or building is designed, arranged or intended, and for which they may be occupied or maintained under the terms of this Zoning Ordinance. Unless otherwise specified by this Zoning Ordinance, only one (1) principal use shall be permitted on a lot.

Professional. An occupation practiced or performed by an individual who has been formally educated or trained for such occupation and who is typically, but not necessarily, licensed or certified in such occupation.

Public Emergency Services Telecommunication Facility. A telecommunication facility intended for use as part of a public county-wide emergency services communications network providing communications services to the emergency responders that serve Robeson Township, Berks County, Pennsylvania and other Berks County municipalities.

Public Grounds or Land Areas. All such areas including, parks, playgrounds, trails, paths and other recreational areas and other public areas; sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities; and publicly owned or operated scenic and historic sites.

Public Hearing. A formal meeting held pursuant to public notice by Robeson Township the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

Public Meeting. A forum held pursuant to notice under the requirements of this Zoning Ordinance, the Pennsylvania Municipalities Planning Code and the “Pennsylvania Sunshine Law”.

Public Notice. Notice published once each week for two (2) successive weeks in a newspaper of general circulation within Robeson Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven (7) days from the date of the hearing.

Q-1 Quarry Plan. A plan approved by the Robeson Township Board of Supervisors depicting the limits of all existing quarry or mining uses, quarry support activities, buildings, structures and/or other uses within the limits of the Q-1 Zoning District as of January 1, 2007, which shall be kept on file at the Robeson Township Municipal Building.
Quarrying or Mining Activities. The removal or extraction of minerals, rock, natural resources, or other products of earth, either on the surface or below the surface, in accordance with the provisions of Robeson Township and Commonwealth of Pennsylvania.

Quarry Support Activities. Those activities or subordinate uses to a quarry operation, which may include a bituminous asphalt plant, concrete manufacturing facility, concrete plant, concrete and asphalt recycling facility, demolition recycling facility, manufacturing facility and/or similar quarry support uses that are intended to complement or support quarrying or mining activities, which are further permitted under Section 409 of this Zoning Ordinance and regulated under Section 729 of this Zoning Ordinance.

Recreation Area (Active). Land area containing recreational facilities, which may require visitors or participants to become involved in physical or energetic functions, primarily group functions. Active recreation areas may include, but not limited to, basketball courts, baseball fields, football fields, soccer fields, tennis courts, playgrounds, tot lots, community centers, golf courses, hockey rinks, skateboard areas, swimming pools and volleyball courts.

Recreation Area (Passive). Land area containing recreation facilities, which may require visitors or participants to become involved in quiet functions that do not require physical or energetic functions. Passive recreation areas may include, but not limited to, common open space, trails for walking or bicycling, surface water for canoeing, rafting or fishing, pavilions, picnic areas, cultural centers, scenic vistas and amphitheaters.

Recreation Facilities. Land, water, buildings, structures, apparatuses and/or equipment, which are required to accommodate recreational uses.

Recreational Uses. An active or passive recreational use designed to accommodate physical, leisure, sporting or relaxation activities on land or water. Recreational uses may include, basketball, baseball, football, bicycling, walking, jogging, running, golfing, fishing, boating, hunting, hockey, skating, skateboarding, soccer, swimming, tennis, volleyball, racquetball, exercise/fitness, bowling, billiards, bird watching, picnicking, or any other similar recreational uses, as determined by the Zoning Officer.

Recreational Uses, Commercial. An active or passive recreational or entertainment use in which a fee is generally paid to utilize the facilities. A family entertainment complex shall be considered as a commercial recreation use.

Recreational Vehicles. A vehicle of any size, which is designed as a temporary dwelling or living unit for travel, recreation and vacation uses. Recreation vehicles may include motorized vehicles designed to be self-propelled or non-motorized vehicles designed to be towed or carried by another vehicle including campers, pickup coaches, travel trailer, and similar vehicles.

Religious Use. Land areas occupied by buildings, churches, synagogues, retreat centers, monasteries, seminaries, convents, shrines, cemeteries, and other similar non-profit facilities, as further defined under Section 706 of this Zoning Ordinance, which are primarily used for religious or spiritual worship.

Rental Business. A commercial use in which machinery, equipment and goods, but not motor vehicles, are rented to customers for temporary use pursuant to a short-term rental contract,
including the sale of machinery, equipment and goods as an accessory use. For the purposes of this definition. “machinery” means equipment, which requires a motor to operate; “equipment” means any non-motorized device permanently attached to and movable on wheels; and “goods” means any other rental items.

Rental Unit. A defined area within a building or structure, which is rented or leased to accommodate residential or non-residential uses, as permitted by Robeson Township.

Residential Use. A use within a permitted dwelling unit, designed and utilized as the living quarters for one (1) or more families living independently of each other. Residential uses may be permitted within single family detached units, single family semi-detached units, two family attached units, mobile homes, apartment units and townhouse units, provided the type of dwelling unit is a permitted use within the zoning district to which it is located, and provided that the dwelling unit complies with the standards specified by this Zoning Ordinance.

Restaurant. A commercial establishment devoted to the sale and consumption of food and beverages to patrons within an enclosed building, while the patrons are seated at counters, booths, or tables. A restaurant may contain an accessory area or use devoted to outdoor eating, retail sales, social quarters, meeting rooms, bars, taprooms, and similar uses, provided the cumulative total area of the accessory use does not exceed 30 percent of the gross floor area of the restaurant. Taverns and taprooms shall be considered as subordinate uses to a restaurant.

Restaurant, Fast Food or Drive-Through. A restaurant devoted to the sale of food and beverages to patrons either within an enclosed building, at a pick-up counter, through a drive-through service lane, and/or through a delivery service. All such facilities may offer their patrons the option to consume the food and beverages either inside the restaurant or at an off-site location.

Resource Recovery Facility. A facility or land that is used for any one (1) or a combination of the following or similar uses. composting, incineration, material separation, recycling or trash transfer. A resource recovery facility shall be owned and operated by Robeson Township or a municipal authority by and on behalf of Robeson Township.

Composting Facility. A facility for the composting of the organic matter in municipal solid waste.

Incinerator. A facility designed to reduce municipal solid waste by combustion. This use may or may not include heat exchange equipment for energy recovery.

Refuse Derived Fuel (RDF) Facility. The extraction of materials from municipal solid waste for recycling or for use as refuse derived fuel (RDF).

Recycling Facility. A business that accumulates material such as paper, glass, aluminum and/or plastic that is no longer useful for its intended purpose. The materials are then sold to another business as a raw material, which can be used to manufacture a new product.

Transfer Station. A facility where municipal solid waste is delivered for the purpose of transferring the material into another container or vehicles for transport to a final
disposal site or processing facility. (A transfer station may include the separation and collection of material for the purpose of recycling).

Retail Business Establishment. A permitted business establishment occupying a single permitted retail use, whereas, depending upon its size, type, location or intensity may require distinct approval procedures.

Retail Use. A commercial establishment devoted to the sale of products and services to patrons within an enclosed building. Retail uses may include establishments selling food, groceries, beverages, clothing, business or office supplies, entertainment items, furniture, home improvement supplies, household products, personal care supplies, building supplies, sporting goods, equipment, machines, computers, electronics, pet supplies, medical supplies, agricultural supplies, automobile supplies, firearms, and other similar retail uses as determined by the Zoning Officer.

Right-Of-Way. The width or area of land, which is dedicated or reserved to accommodate streets, utilities, stormwater management facilities, traffic control facilities, curbs, sidewalks, bicycle lanes, street lights, and other public improvements.

Legal Right-Of-Way. The existing width or area of land, which is currently owned and maintained by Robeson Township, the Commonwealth of Pennsylvania, and/or other public agency or authority.

Required or Ultimate Right-Of-Way. The width or area of land, which is determined necessary to reserve and/or dedicate in order to accommodate future public improvements.

Rooming House. The use and occupancy of a single-family detached dwelling for the purpose of accommodating four (4) or less transient guests for rent or compensation.

Sanitary Facilities. The required plumbing fixtures within a dwelling unit including a sink, toilet, bathtub or shower, which are functioning and compliant with the provisions of Robeson Township.

Sanitary Sewage Disposal System. A system designed to collect, convey, treat and dispose of sewage from users in compliance with local, county, state and federal regulations.

On-Lot System. A sewage disposal system which collects, conveys, treats and disposes of sewage or holds sewage from only one (1) dwelling, principal use or lot.

Community System. A sewage disposal system which collects, conveys, treats and disposes of sewage from more than one (1) source by a system of pipes to a central treatment and disposal plant, generally serving a neighborhood area.

Public or Municipal System. A sewage disposal system which collects, conveys, treats and disposes of sewage from more than one (1) source by a system of pipes to a central treatment and disposal plant.

Optional System Requirement. A special or unique use of land, which because of its wastewater disposal needs may have the option to utilize on-lot sewage disposal.
methods or connect to a private, community, public or municipal treatment system. The selected method for wastewater collection, conveyance and treatment shall be consistent with the Robeson Township Act 537 Plan and Pennsylvania Sewage Facilities Act.

Satellite Dish Antenna. A device incorporating a reflective solid surface in the shape of a dish, cone or horn, which is used to transmit and/or receive signals.

School. A building or group of building intended to provide or facilitate an educational use including pre-schools, nursery schools, kindergartens, elementary schools, secondary schools, trade schools, vocational schools, colleges and/or universities.

Screen or Screening. An assemblage of permissible materials, which are strategically arranged so as to effectively block or obstruct the views between adjacent or adjoining properties from ground level to a height of six (6) feet above grade level, or as determined by the Zoning Officer.

Setback Requirements. The setback requirements as established for any building or structure within the applicable Zoning District for which it is located.

Shade Tree. A deciduous tree, which normally grows with a single trunk and has a canopy which screens and filters sunshine during specific seasons during the year.

Shopping Center or Shopping Mall. The multiple use of a single property for a planned group of non-residential uses, including retail operations, personal services, offices, financial institutions, medical and dental clinics, restaurants, family entertainment centers, taverns, night clubs, and similar planned uses as determined by the Zoning Officer, where the uses exceed a cumulative total of 30,000 gross square feet of floor area and are owned and maintained by an individual, corporation, partnership or organization. All shopping centers shall be planned and designed as an integrated unit or converted as such, with common off-street parking facilities, stormwater management facilities and utility services.

Sidewalk Sale. A seasonal or occasional sale conducted on the sidewalk or outside of the front or side of the principal building or establishment, whereas, goods are offered for sale to the public, provided that all such sales shall not exceed 60 cumulative days during the course of a calendar year.

Sign. Any structure, building, wall, or other outdoor surface, or any device or part thereof, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device or other representations utilized for announcement, direction, identification or advertisement. The word "sign" includes the word "billboard", but does not include the flag, pennant or insignia of any nation, state, city or other political unit, nor public traffic or directional signs.

Accessory Sign. A subordinate sign locate on the same property of the principal use, which is erected to further describe the products or services available to the general public.

Animated Sign. A sign or any device designed to attract attention by visual means through the movement or semblance of movement by mechanical, electrical or natural means.
Banner. A promotional sign for special community events including, educational, charitable, philanthropic, civic, cultural, municipal, fraternal, religious, or similar community events as determined by the Zoning Officer, whereas the promotional sign or banner shall be considered as temporary for a period of time not to exceed 30 cumulative days in a calendar year. All such signs or banners shall be made of nylon, canvas, or similar all-weather material.

Billboard. An off-premises sign erected by a professional sign company or by the outdoor advertising industry, on which advertisement space is leased for a fixed period of time.

Business or Non-Residential Sign. An on-premises sign designated for a permitted business or non-residential use, which identifies the written name, type of business, use, commodity sold, type of services, trademark and/or symbol.

Canopy Sign. A non-illuminated sign made of cloth, canvas, aluminum, metal, wood, or similar materials, which is affixed to a building and projects outward, whereas the sign or message is painted on, sewed, fastened or applied. All such signs may or may not be fixed or equipped with a mechanism for raising or holding the canopy or awning in a retracted position against the building.

Charitable or Community Service Sign. An on-premises sign identifying the charitable or community service organization, including religious facilities, volunteer fire companies, or other non-profit organization. All such signs may include supplemental information concerning hours, events, activities or messages.

Development Sign. An on-premises sign indicating that the property is actively in the process of subdivision or land development for residential or non-residential uses.

Directional Sign. An informational or functional on-premises sign, containing only information pertaining to direction, entrance, exit, off-street loading spaces, service areas, service lanes, fire lanes, handicapped parking spaces, and off-street parking areas. All such directional signs shall contain no advertisement messages.

Double-Faced Sign. A sign with two (2) faces that is parallel, facing opposite directions, and matching in size and shape.

Flashing Sign. A type of sign in which the illumination is not kept constant in intensity at all times of use, and which exhibits sudden, times or marked changes in lighting effects. Unless otherwise permitted by this Zoning Ordinance, flashing signs shall be prohibited.

Freestanding Sign. An on-premises sign displaying information pertaining to the existing use for which it is located, and is supported by, or suspended from a freestanding column or other support(s) located in or upon the ground surface.

Ground Sign. An on-premises sign displaying information pertaining to the existing use for which it is located, and is placed upon, supported by, and anchored to the ground. A ground sign shall not be considered as a freestanding sign or portable sign.
Identification Sign. An on-premises sign identifying a medical facility, hospital, school, institutional use, religious facility, municipal facility, recreational use, farm, historical site, or similar use as determined by the Zoning Officer.

Illuminated Sign. A sign designed to project or reflect artificial light from an internal or external source, which may be directly, indirectly illuminated, or through transparent or translucent material. Illuminated signs may include, billboards, freestanding signs, ground signs, or signs affixed to a building or structure, as permitted under the provisions of this Zoning Ordinance.

Marquee Sign. An on-premises sign attached to a building façade, which may include changeable letters, messages or displays.

Municipal or Official Sign. A sign erected by Robeson Township, Berks County, the Commonwealth of Pennsylvania, or other governmental organization.

Off-Premises Sign. A permitted sign, which directs attention to a business, commodity, service, entertainment, institution, or other use, which is offered elsewhere other than upon the premises where the sign is located.

On-Premises Sign. A permitted sign, which directs attention to a business, commodity, service, entertainment, institution, or other permitted use, which is offered on the same property or tract of land where the sign is located.

Portable Sign. A temporary sign designed to be moved from place to place, which is not affixed or anchored to the ground, structure or building.

Projecting Sign. An on-premises sign mounted upon a building so that its principal face is a right angle or perpendicular to the wall of the building. All such projecting signs shall extend at least one (1) foot from the building but no more than twelve (12) feet from the building.

Real Estate Sign. An on-premises sign pertaining to the sale or lease of the premises on which the sign is located.

Roof Sign. An on-premises sign, which is erected or displayed upon the roof of a building or exceeds the height of the building. Unless otherwise specified by this Zoning Ordinance, a roof sign shall be prohibited.

Special Event or Seasonal. A temporary sign, anchored or mounted to the ground by a cylinder or sleeve by which periodical advertisement of specials can be displayed during certain segments of the year in accordance with the provisions specified by this Zoning Ordinance.

Sports Facilities Business Sign. A business sign, erected and maintained only for a non-profit organization or entity organized to promote youth sports teams, advertising a business, service, product, or organization, restricted as to purpose and location, and conforming to the requirements of this Zoning Ordinance.
Sign Area. The area of a sign shall be construed to include all lettering, wording, border trim or framing, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself. Where the sign consists of individual letters or symbols attached to a surface, building, wall or window, the area shall be determined by calculating the smallest rectangle, which encompasses all of the letters and symbols used for the sign, regardless of the actual shape created by the letters and symbols.

Sign Erection. The installation, construction, placement, relocation, enlargement, alteration, attachment, suspension, painting, posting or displaying of a sign, including the replacement or substitution of face panels within a frame.

Sign Height. The height of the sign, as measured from the ground elevation to the highest and lowest parts of the sign.

Special Use or Temporary Sign. A permitted on-premises sign erected for a temporary period in accordance with the provisions specified by this Zoning Ordinance.

Vehicle Sign. A sign affixed or painted on a vehicle, trailer or similar device.

Wall Sign or Parallel Sign. An on-premises sign posted on, suspended from, or otherwise affixed to the wall, facade, or vertical surface of a building, which does not project or extend more than twelve (12) inches from the wall, facade, or vertical surface of the building to which it is attached. A wall sign may partially extend above the roofline by more than 20 percent of the sign height, as measured at the point where such sign are attached to the building.

Window Sign. A temporary or permanent on-premises sign, affixed to or visible through a window of a building.

Silo. A tall cylindrical structure that is located on a farm and generally used to store crops for animal feed.

Single and Separate Ownership. The ownership of a lot by one or more persons, whereas the ownership is separate and distinct from that of any adjoining land areas.

Sliding Scale. A method of allocating building lots within the Agricultural Preservation Zoning District.

Slope. Topographic conditions in which the percentage of vertical to horizontal relief is computed utilizing standard rise over run calculations and/or as regulated by this Zoning Ordinance.

Solicitor. The legal consultant or attorney appointed by the Robeson Township Board of Supervisors.

Solid Waste. Waste, including solid, liquid, semi-solid or contained gaseous materials.
Solid Waste Disposal and Reduction Facilities. A site in which engineering principles are owned, operated and utilized to bury, dispose, reduce, eliminate and/or incinerate deposits of solid waste without creating public health or safety hazards, nuisances, pollution or environmental degradation. All such facilities may include sanitary landfills, solid waste landfills, low level radioactive waste disposal facilities, resource recovery facilities, recycling centers and transfer stations.

Special Exception. A use by which the Zoning Hearing Board may grant permission to an applicant within a particular zoning district for the occupancy or use of land or water for a specific purpose, as specified within this Zoning Ordinance.

Stable. A building or structure in which horses, lamas, donkeys, and other similar animals, which are kept for remuneration, hire, sale or other lawful uses.

State. The Commonwealth of Pennsylvania and its designated agencies.

Steep Slopes. Areas of land in which the topographical conditions exceed a certain slope in pre-development conditions, as further defined under this Zoning Ordinance. The following slope categories are hereby defined as part of the Steep Slope Overlay District.

Category 1 Slopes. All land areas in which the topographical conditions have a range of slope between 20 to 30 percent in slope in pre-development conditions, whereas the difference in vertical elevation ranges between 10 to 15 feet over a horizontal distance of 50 feet, as measured in any given direction.

Category 2 Slopes. All land areas in which the topographical conditions exceed a slope of 30 percent in slope in pre-development conditions, whereas the difference in vertical elevation is 15 feet or more over a horizontal distance of 50 feet, as measured in any given direction.

Steep Slope Overlay District. A conservation overlay of land and water, which have been defined by Section 504 of this Zoning Ordinance.

Steeple. A tall tapering structure narrowing to a point on the top that is located on the roof of or is part of the superstructure of a church or other place of worship.

Stormwater. Drainage runoff from the surface of the land resulting from precipitation in the form of rain, snow, sleet, hail or ice.

Stormwater Management. A program of controls and measures designed to regulate the quantity and quality of stormwater runoff from a defined area or development, while promoting the protection and conservation of surface water, groundwater and groundwater recharge.

Stormwater Management Facilities. Those controls and measures including, by not limited to, berms, terraces, bridges, dams, storm sewers, basins, infiltration systems, swales, watercourses, and floodplains, used to implement a storm water management regulations.

Story. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above, including basements and mezzanines, and as further defined by the appropriate building codes adopted by Robeson Township.
A public or private right-of-way, excluding driveways, intended as a means of vehicular and pedestrian travel, furnishing access to abutting properties. The word "street" includes thoroughfare, avenue, boulevard, court, drive, expressway, highway and similar terms. The functional classification of all existing streets has been defined in the Southern Berks Regional Comprehensive Plan.

Expressways. Routes providing for corridor movements that represent substantial statewide, interstate, or regional travel and movements between major urban areas. Expressways contain the most heavily traveled routes (10,000 to 100,000 trips per day) and including multi-lane roadways. This system provides links between developed areas and adjacent towns and cities. The system is designed for relatively high speeds (50 to 65 MPH) with a minimum of interference to through traffic. Expressways facilitate truck transport by providing optimum conditions. Mobility is the principal function and accessibility should be limited to carefully planned interchanges to preserve the functional classification of expressways.

Arterials (Minor and Major Arterial). Routes providing for corridor movements that represent substantial statewide or regional travel and movements between major urban areas. Arterial routes contain heavily traveled routes (5,000 to 25,000) including multi-lane roadways. This system provides links between developed areas and adjacent towns and cities. The system is designed for relatively high speeds (40 to 55 MPH) with a minor interference to through traffic. Arterial routes facilitate truck transport by providing favorable conditions. Mobility is the major function and accessibility should be limited to preserve the functional classification of arterials roads.

Collectors (Minor and Major Collector). Routes that serves primarily regional or intra-county trips and represents those routes with shorter travel distances than arterial routes. Collector roads contain well-traveled roads (500 to 5,000 trips per day) leading to specific destinations or to expressways and arterial routes. The system is designed for moderate speeds (25 to 45 MPH) with some interference with designed intersections to permit through traffic. Depending upon its structural integrity and design, collector routes can facilitate lightweight truck transport. Mobility is a significant function and accessibility should be limited to street intersections and driveways in order to preserve the functional classification of collector roads.

Minor Streets or Local Access Streets. Roads that primarily serve local trips and represents those routes with shorter travel distances than collector routes. Local roads contain low volume to moderately traveled roads (less than 500 trips per day) leading to collector and arterial routes. The system is designed for lower speeds (20 to 35 MPH) with interference with a number of designed intersections. Local roads are typically designed to facilitate lightweight truck transport for local deliveries. Mobility is a minor function and accessibility to street intersections, driveways and adjacent land areas is significant for local roads.

Marginal Access Roads. Roads that serve specific land uses, which are parallel or adjacent to an expressway, arterial or major collector roads. Marginal access roads are typically designed to accommodate the use(s) they directly serve. Accessibility between selective points is an essential design element with control at the point of destination. Many marginal access roads are privately owned and maintained.
Cul-De-Sac Street. A minor street intersecting another street at one end, and terminating in a vehicular turnaround at the other end.

Internal Street. A minor street used for circulation and access within a development involving multi-residential, commercial and/or industrial land uses.

Service Street (Alley). A minor right-of-way providing secondary vehicular access to the side or rear of two (2) or more properties.

Street Frontage. The lot dimension measured along the street line or right-of-way line of any one street or highway abutting a lot.

Street Line. The dividing line between a lot and the outside boundary of a public street, road or highway right-of-way legally open or officially mapped by a municipality or higher governmental authority, between a lot and the outside boundary of a street shown on a recorded subdivision or land development plan, or between a lot and a private street or road over which the owners or tenants of one or more lots held in single and separate ownership have a right-of-way.

Structure. Any manmade object having an ascertainable stationary location or in land or water, whether or not affixed to the land. The term structure shall include, but not limited to, buildings, signs, fences, walls, towers, swimming pools, porches, garages, flagpoles, windmills, water towers, silos, solar energy collectors, and similar structures.

Permanent Structure. A structure to be utilized for a specific purpose for more than one (1) year, provided the structure complies with the provisions established by Robeson Township.

Temporary Structure. A structure to be utilized for a specific purpose for less than one (1) year, provided the structure complies with the provisions established by Robeson Township.

Subdivision. The division or re-division of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development. The subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Subdivision and Land Development Ordinance. The Robeson Township Subdivision and Land Development Ordinance.

Substantial Damage. Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its previous condition would equal or exceed 50 percent of the market value before the damage occurred.

Substantial Improvement. Any repair, addition, reconstruction, rehabilitation, or other improvement to a structure, whereby the cost of such improvement equals or exceeds 50 percent of the market value of the structure before the improvements occurred.
Subterranean Buildings. A building covered by land on at least 50 percent of the combined surface of its walls and roof.

Surface Mining. The extraction of minerals, rock and other products of the earth by activities conducted upon the surface of the land which require the removal of the overburden, strata or material overlying, above or between the minerals, rock and other products of the earth, or by otherwise exposing and retrieving the minerals from the surface. Mining activities carried out beneath the surface by means of shafts, tunnels or other underground mine openings are not included in this definition.

Surveyor. An individual registered with the Commonwealth of Pennsylvania, as authorized to measure the boundaries of tracts of land, establish locations, and perform the requirements of a survey.

Swimming Pool. Any structure intended for swimming or recreational bathing that contains water over twenty-four (24) inches deep, including in-ground swimming pools, above-ground swimming pools, on-ground swimming pools, hot tubs, and similar structures, which are further defined and regulated by Robeson Township.

Tavern or Taproom. An establishment where alcoholic beverages are served to the general public as the primary portion of the trade in accordance with local and state laws. All such uses shall be considered as a subordinate use to a restaurant.

Telecommunications. The science or technology of communications by electronic transmission of impulses as by telegraph, cable, cellular, telephone, radio, television, microwave, earth station broadcast/cable television communications and other similar technology not otherwise enumerated and as may evolve after enactment of this Ordinance.

Telecommunication Facility. A structure, building, tower, antennae and other types of facilities utilized as primary or accessory uses for telecommunications. The following sub-definitions of telecommunication facilities are provided as follows.

Colocation. The location of more than one (1) communications antenna on a communication tower, support structure, building, public utility transmission tower, or other similar structure.

Communications Antenna. A device used to receive and/or transmit wireless communications or radio signals, including panels, microwave dishes, wires, signal poles, whips, or similar communication devices.

Communications Support Structure or Tower. Any monopole or lattice structure designed and intended to be used for the support and attachment of one (1) or more commercial communications antennas, appurtenant communications equipment, or similar devices.

Communications Antenna Height. The vertical distance as measured from the base of the commercial communications antenna support structure at the undisturbed grade to the top of the highest point of the structure. If a commercial communications antenna support structure is located on a sloped grade, the average grade between the highest
and lowest elevations on either side of the support structure shall be utilized to calculate the height.

Directional Antenna. An antenna or array of antennas designed to concentrate a radio signal in a particular area.

Lattice Tower. A guyed or self-supporting three (3) or four (4) sided open, steel frame structure used to support telecommunications equipment.

Micro-Cell. A low power mobile radio service telecommunications facility used to provide increased capacity in high call demand areas or to improve coverage in areas of weak coverage. Micro-cells communicate with the primary low power mobile radio service facility in a coverage area via fiber optic cable or microwave. Coverage area for a micro-cell is typically a one (1) mile radius or less.

Microwave Antenna. A dish-like antenna manufactured in many sizes and shapes used to link communication sites together by wireless transmission of voice or data.

Monopole. A structure composed of a single spire used to support antenna, wireless communication equipment, and/or telecommunications equipment.

Omni Directional Antenna. An antenna that is equally effective in all directions, and whose size varies with the frequency and gain for which it is designed.

Repeater. A low power mobile radio service telecommunications facility that extends coverage of a cell or service area to areas not covered by the originating cell or service area.

Whip Antenna. An antenna that is cylindrical in shape, which can be directional or omni-directional. Their size varies based upon the frequency and gain for which they are designed.

Wireless Communications Equipment Building. A building or cabinet in which electronic receiving, relay or transmitting equipment for a wireless communications facility is housed. The equipment building shall be considered as a component of the commercial communications facility.

Wireless Communications Facility. The communications antenna(s), support structure, communications equipment building, if any, parking and/or other structures and equipment involved in receiving or transmitting wireless communications or radio signals. A wireless communications facility shall also be considered as a commercial communications facility.

Terrace. A hard-surfaced area of ground that is generally contiguous to a dwelling and utilized for outdoor living.

Therapeutic Massage. A legal method of applying pressure on, friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of any part of the body with the hands or with the aid of any mechanical or spa apparatus.
Therapeutic Spa or Hot Tub. Any structure intended for relaxation, physical therapy, bathing or wading that contains over a depth exceeding twenty-four (24) inches as further defined and regulated within Section 818 of this Zoning Ordinance.

Tourist Home. The temporary use and occupancy of a single-family detached dwelling for the purpose of accommodating transient guests for rent.

Township. Robeson Township, Berks County, Pennsylvania.

Township Engineer. The Robeson Township Engineer appointed by the Robeson Township Board of Supervisors.

Tract. One or more lots assembled for the purposes of subdivision or land development.

Transient. The temporary passing or crossing from one thing or person to another, or from place to place, provided the passing or crossing is temporary and not permanent.

Truck or Motor Freight Establishment. An area of land together with building, which can accommodate the transfer of cargo and freight with trucks or other motor vehicles.

Use. The specific purpose for which land, a sign, structure, or building is designed, arranged or intended, or for which it may be occupied or maintained, or any activity, occupation, business or operation, which may be carried on thereon or therein. The term "permitted use" or its equivalent shall not be deemed to include any “nonconforming use”, as defined by this Zoning Ordinance.

Permanent Use. A permitted use conducted on a lot for more than one (1) year, provided the permanent use complies with all provisions of Robeson Township.

Seasonal Use. A permitted use conducted on a lot during certain defined segments of the year, provided the seasonal use complies with all provisions of Robeson Township.

Temporary Use. A permitted use conducted on a lot for less than a one (1) year period of time, provided the temporary use complies with all provisions of Robeson Township.

Utility. A service, facility, apparatus or use, which provides electric, telephone, cable, sewer, water, natural gas, and similar utility services, to customers within a defined service area, grid, neighborhood region, or municipality.

Community Utility. A utility, which is owned, operated or maintained by a public utility provider, municipality, municipal authority, homeowners association, or private agency for the purposes of providing sanitary sewage disposal, water supply, energy, telephone, or other utility services within a defined service area.

Private Utility. A utility, which is owned, operated or maintained by a private or independent utility provider for the purposes of providing sanitary sewage disposal, water supply, energy, telephone, or other utility services within a defined service area.
Public Utility. A utility, which is owned, operated or maintained by a public utility provider for the purposes of providing sanitary sewage disposal, water supply, energy, telephone, or other utility services within a defined service area.

Variance. Relief granted by the Zoning Hearing Board from the terms and conditions of this Zoning Ordinance where literal enforcement would create unnecessary hardship and when granting of the relief would not be contrary to the public interest.

Vehicle. Any motor vehicle utilized for any lawful use, which is properly licensed and inspected in accordance with all local, state and federal laws.

Veterinary Hospital or Animal Clinic. A professional use operated by a doctor of veterinary medicine used for the diagnosis, care and treatment of domesticated animals, including dogs, cats, reptiles and birds, which may include the provision for a medical laboratory, operating theater and overnight boarding accommodations.

Wagering Establishment or Gambling Establishment. A use which provides facilities or locations where persons assemble for the purpose of any activity involving lawful gambling or wagering, including, but not limited to, bingo, games of chance, thoroughbred racing, harness racing, or other lawful activities, games and devices at which money or other valuable items may be played for, stacked, or betted upon in accordance with certain rules and regulations, whereas, a reward, win or loss may occur as a result of the activity. All such wagering or gambling establishments shall comply with all requirements and laws of Robeson Township and the Commonwealth of Pennsylvania.

Warehouse or Warehousing. A building or group of buildings primarily utilized for storage, transfer, loading and unloading of certain products or commodities, but shall not include retail uses or trucking establishment, unless such use is specifically permitted in that district.

Waste. A material whose original purpose has been completed and which is directed to a disposal or processing facility or is otherwise disposed. The term waste shall also include and apply to waste that may be considered as either hazardous, contaminated, toxic, residual, municipal or recyclable, as further defined by the Commonwealth of Pennsylvania, the United States Environmental Protection Agency, and/or other agency having jurisdiction.

Water Supply System. A system designed to transmit water from the source to users, in compliance with the requirements of the appropriate state agencies and the Township.

On-Lot Water Supply System. A water supply system, which transmits water from a source on the lot to one (1) dwelling, principal use or lot.

Community Water Supply System. A temporary water supply system which transmits from a common source to more than one (1) dwelling, principal use and/or lot within a single neighborhood. A community water supply system may be permitted on a temporary basis for developments, which are to be permanently serviced by a public water supply system. All such community water supply systems shall be designed to provide adequate pressure, distribution and storage for fire protection.

Public or Municipal Water Supply System. A system of water collection, storage, transmission and delivery, which are to service a community, but not confined to a
neighborhood. All such public or municipal water supply systems shall be designed to provide adequate pressure, distribution and storage for fire protection.

Optional System Requirement. A special or unique use of land, which because of its water supply needs may have the option to utilize on-lot water supply methods or connect to a private, community, public or municipal water supply system. The selected method for water supply shall be consistent with the provisions of Robeson Township and the Commonwealth of Pennsylvania.

Water Tower. A structure owned and operated by a company, which is regulated by the Pennsylvania Public Utility Commission, which is utilized to store water.

Watercourse. A permanent or intermittent stream, river, brook, run, channel, swale, pond, lake, or other body of surface water carrying or holding water, whether natural or artificial.

Watershed. The total land area where water drains into a particular watercourse.

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

Wetlands and Hydric Soil Overlay District. A conservation overlay of land and water, which include areas of wetlands, hydric soils and high water table soils with hydric components, as further defined and regulated under Section 503 of this Zoning Ordinance.

Wholesale or Wholesaling. A commercial use involving the sale of merchandise in large quantities or transactions of commodities to retailers, contractors, businesses, and their agents, but are not generally sold to the general public.

Woodlands. An area of land in which one (1) or more contiguous acres are mostly occupied or covered by mature trees (6 inches in caliper). The area of the woodlands shall be measured from the drip line of the outer trees.

Woodland Extraction. The clear cutting of mature trees (6 inches or more in caliper) to provide area for development on an individual lot.

Woodland Protection Overlay District. A conservation overlay of woodlands and forested areas, which are further defined, categorized and regulated under Section 505 of this Zoning Ordinance.

Yard. An open space on the same lot with a structure (or a group of structures) which lies between the structure (or a group of structures) and a lot line and which is unoccupied and unobstructed from the ground upward except as herein permitted.

   Front Yard. A yard extending the full width of the lot between a structure and the front lot line. On lots abutting more than one public street other than an alley the front yard requirement shall apply fronting each public street.
Rear Yard. A yard extending the full width of the lot between a structure and a rear lot line.

Side Yard. A yard extending from the front yard to the rear yard between a structure and the nearest side lot line.

Zoning. Division of all of the land of an entire political subdivision into districts having different regulations pertaining to use of land; height, area, bulk and use of buildings; yard requirements; and in some states density of population. Zoning is affected by local ordinance under the police power of the state granted by specific legislation generally termed an "enabling act".

Zoning Hearing Board. The Robeson Township Zoning Hearing Board, as established and appointed by the Board of Supervisors to hear matters in accordance with this Zoning Ordinance.

Zoning Map. The Robeson Township Zoning Map.

Zoning Officer. The agent or official designated by the governing body to administer and enforce this Zoning Ordinance, as appointed by the Robeson Township Board of Supervisors.

PART 3

ZONING MAP AND ZONING DISTRICTS

§ 301. Establishment of Zoning Districts and Overlay Districts

A. For the purpose of this Zoning Ordinance, Robeson Township is hereby divided into nine (9) base zoning districts, which shall be designated as follows:

AP: Agricultural Preservation District
R-1: Rural Residential District
R-2: Rural Suburban Residential District
R-3: High Density Residential District
VC: Village Commercial District
GC: General Commercial District
GI: General Industrial District
Q-1: Quarry District
Q-2: Quarry/Landfill District

B. For the purpose of this Zoning Ordinance, the following Conservation Overlay Districts shall be established in accordance with the provisions of Part 5 of this Zoning Ordinance:

Floodplain Overlay District
Wetlands and Hydric Soil Overlay District
Steep Slope Overlay District
Woodland Protection and Management Overlay District
Historic Preservation Overlay District
Riparian Buffer Overlay District

§ 302. Official Zoning Map

A. The boundaries of the zoning districts shall be depicted on the Zoning Map of Robeson Township. The Zoning Map and all notations, references and data illustrated thereon are hereby incorporated by reference into this Zoning Ordinance. The official copy of the Zoning Map shall be labeled as the Robeson Township Zoning Map and shall identify the signatures of the Board of Supervisors, attested by the Secretary of said Board of Supervisors, and bear the seal Robeson Township under the following words:

"This is to certify that this is the Official Zoning Map of Robeson Township, Berks County, Pennsylvania, as adopted by the Robeson Township Board of Supervisors on December 21, 2010, as part of the Robeson Township Zoning Ordinance of 2010".
B. If changes are made to district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be made in accordance with the provisions of Robeson Township and the Pennsylvania Municipalities Planning Code, and the changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the Board of Supervisors. No changes of any nature shall be made to the Official Zoning Map, or matter thereon shown, except in conformity with the applicable procedures established in this Zoning Ordinance. All changes shall be noted by date with a brief description of the nature of the change.

C. The Official Zoning Map shall be located in a place designated by the Board of Supervisors, and shall be the final authority as to the current zoning status of land and water area in Robeson Township regardless of unofficial copies, which may have been made or published from time to time.

D. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the Board of Supervisors may, by resolution, adopt a new Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the Board of Supervisors, attested by the Secretary, and bear the seal of Robeson Township under the following words:

"This is to certify that this Official Zoning Map of Robeson Township, Berks County, Pennsylvania, which supersedes and replaces the Official Zoning Map that has been adopted as part of Robeson Township Ordinance Number 10-08".

E. Unless the prior Official Zoning Map has been lost or has been destroyed, the prior Zoning Map or any significant parts thereof remaining shall be preserved together with all applicable records pertaining to its adoption or amendment.

§ 303. Interpretation of Zoning District Boundaries

Where uncertainty exists as to the boundaries of the base districts as indicated on the Official Zoning Map of Robeson Township, the following rules and guidelines, as provided within this section shall be applicable.

A. Where zoning district boundaries are indicated as approximately coinciding with the centerlines of streets, highways, lanes, alleys, railroad tracks, rivers or creeks, such centerline shall be construed to be such boundaries.

B. Where zoning district boundaries are indicated as approximately coinciding with lot lines or deed lines, which were in effect at the date of this Zoning Ordinance, such lines shall be construed to be such boundaries.

C. Where zoning district boundaries are indicated as approximately coinciding or municipal boundary lines, such lines shall be construed to be such boundaries.
**D.** Where zoning district boundaries are indicated as being approximately parallel to the center or right-of-way lines of streets or highways, lanes, alleys, railroad tracks, rivers or creeks, such zoning district boundaries shall be construed as being parallel to the center or right-of-way lines at such distance as may be indicated or depicted on the Official Zoning Map.

**E.** Where zoning district boundaries are indicated as being approximately perpendicular to the right-of-way lines of streets or highways, such zoning district boundaries shall be construed as being perpendicular to the right-of-way lines.

**F.** Where zoning district boundaries are referenced by a distance or measurement from a specific feature, such distance shall be measured in feet and the zoning district boundaries shall follow the specified setback. Where distances or measurements are not specifically referenced on the Official Zoning Map, the scale of the Official Zoning Map shall determine the unspecified setback.

**G.** Where a zoning district boundary line divides a lot which was in single ownership at the effective date of this Ordinance, at the election of the property owner, the regulations of either zoning district may be extended a distance of not more than fifty (50) feet beyond the district boundary line onto the remaining portion of the lot.

**H.** Where physical or cultural features existing on the ground are inconsistent with those indicated on the Official Zoning Map, or when circumstances not covered within the context of this Section of the Zoning Ordinance is applicable, Zoning Hearing Board shall interpret the district boundaries.

### § 304. Application of Zoning District Boundaries

The following standards indicated within this section shall be utilized for the generalized application of the base zoning district regulations in association with this Zoning Ordinance.

**A.** Unless otherwise provided by law or the provisions of this Zoning Ordinance, no building, structure or land area shall be used or occupied except for a permitted use in the zoning district within which the building, structure or land area is located.

**B.** Any legally established use of a building structure, lot, land area, or part thereof, which constitutes a conforming use under the provisions of this Zoning Ordinance, may be continued.

**C.** Any legally use which occupies a building structure, lot or land area prior to the effective date of this Zoning Ordinance or amendment thereto, but does not comply with the use regulations of the district in which it is situated after the effective date of this Zoning Ordinance or any amendment thereto, may be continued as a nonconforming use in accordance with the provisions of this Zoning Ordinance.

**D.** The regulations established within this Zoning Ordinance shall apply uniformly to building, structures or uses, unless otherwise specified by other codes or ordinances, as adopted by Robeson Township.
E. Permitted uses shall adhere to the dimensional requirements for lot area, lot width, yard, height and coverage as specified for the zoning district to which the use is located, unless otherwise specified by this Zoning Ordinance.

F. No building, structure or area of land shall be occupied without the issuance of a Certificate of Use and Occupancy by the Zoning Officer or other code official designated by Robeson Township.

G. No part of a yard, common open space, other open space, off-street parking area, or loading space required in connection with any structure, building or use of the land shall be included as part of a yard, common open space, open space, off-street parking area, or loading space similarly required for any other structure, building or use of the land, except as permitted or required by this Zoning Ordinance.

H. No yard or lot existing at the time of passage of this Zoning Ordinance, which meets the requirements of this Zoning Ordinance shall be reduced in dimension or area below the minimum requirements set forth in this Zoning Ordinance. A yard or lot existing at the time of passage of this Zoning Ordinance shall not be further reduced below the minimum requirements of this Zoning Ordinance.

I. Where district regulations specify a minimum lot width at the street line, the minimum lot width shall be provided contiguous along the street line of one (1) street. It is prohibited, when calculating the width of a lot, to add widths along the street lines of two (2) or more streets. In the case of a corner lot, the minimum lot width must be provided along each street on which the lot fronts.

J. In the case of a lot of irregular shape, the Zoning Officer shall designate or assign the front, side and rear yards, as considered appropriate for the configuration and conditions.

K. All territory or land area, which may be annexed to Robeson Township shall be considered to be zoned in the same manner as the contiguous territory inside the previous municipal limits until otherwise classified.
PART 4

ZONING DISTRICT REGULATIONS

§ 401. Statement of Intent

The intent of Part 4 of this Zoning Ordinance is to assign a list of uses, which are permitted by right, special exception and conditional use for each Zoning District, as well as establish the minimum and maximum dimensional requirements for each permitted use. The provisions of Part 4 are intended to be generally consistent with the Southern Berks Regional Comprehensive Plan of 2004. Where appropriate, special provisions shall be designated to the permitted uses by reference to other sections of this Zoning Ordinance.

§ 402. Agricultural Preservation (AP) Zoning District

A. Purpose. The AP Zoning District generally contains areas with existing agricultural, woodlands, stream valleys and residential uses. The presence of active and productive agricultural lands is a major land resource within the Robeson Township that is beneficial to the local and regional economy. The purpose of the AP Zoning District is to preserve and maintain large contiguous tracts of land for agricultural and conservation uses. Subdivision and land development activity should be limited based upon the sliding scale methodology, as originally developed as part of the Robeson Township Ordinance 03-01, as adopted on March 18, 2003, and further recommended as part of the Southern Berks Regional Comprehensive Plan of 2004. Conservation and best management practices should be encouraged to preserve or maintain the existing natural features, habitats and resources.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the AP Zoning District, provided that, the use is approved by the Zoning Officer; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.

2. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance.

3. Commercial Greenhouse Operation, within the limitations specified under Section 704.6.

4. Nursery or Landscape Center, subject to Section 704.6 of this Zoning Ordinance.

5. Single Family Detached Dwelling Units, subject to the sliding scale formula provisions contained under Section 704.7 of this Zoning Ordinance.

6. Horseback Riding School, subject to Section 705 of this Zoning Ordinance.

7. Veterinary Hospital or Animal Clinic, subject to Section 715 of this Zoning Ordinance.

Chapter 27, Page 62
8. Public Utilities, subject to Section 725 of this Zoning Ordinance.
9. Municipal Uses, subject to Section 727 of this Zoning Ordinance.
10. Category 1 Home Occupation, subject to Section 805 of this Zoning Ordinance.
11. Category 2 Home Occupation, subject to Section 805 of this Zoning Ordinance.
12. Forestry, subject to Section 505 of this Zoning Ordinance.

C. Uses by Conditional Use. The following principal uses and their accessory uses are permitted by conditional use within the AP Zoning District, provided that a conditional use is granted by the Board of Supervisors; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Recreational Uses, subject to Section 705 of this Zoning Ordinance.

D. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the AP Zoning District, provided that a special exception is granted by the Zoning Hearing Board; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Tourist or Bed and Breakfast, subject to Section 612 of the Zoning Ordinance.
2. Rooming or Boarding House, subject to Section 612 of this Zoning Ordinance.
3. Secondary Housing Unit, subject to Section 615 of this Zoning Ordinance.
4. Home Day Care, subject to Section 703 of this Zoning Ordinance.
5. Intensive Agricultural Uses, subject to Section 704.2 of this Zoning Ordinance.
6. Commercial Composting Operations, subject to Section 704.3 of this Zoning Ordinance.
7. Mushroom Production Facilities, subject to Section 704.3 of this Zoning Ordinance.
8. Farm-Support Business, subject to Section 704.5 of this Zoning Ordinance.
9. Commercial Greenhouse Operation, exceeding the limitations specified under Section 704.6.A.
10. Kennels, subject to Section 716 of this Zoning Ordinance.
11. Airports, Heliports and Helistops, subject to all local, state and federal laws.

E. Utility and Dimensional Requirements. Matrix Chart 1 on the following page provides the basic utility and dimensional requirements for all permitted uses within the AP Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 1, the provisions contained within the text shall prevail.

F. Accessory Uses and Structures. Accessory uses and/or structures to the permitted uses of the AP Zoning District shall be permitted provided they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the appropriate agencies having jurisdiction and they are necessary to support the principal use.

G. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the AP Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions established by Robeson Township.

H. Off-Street Parking and Loading. Where applicable, all permitted uses within the AP Zoning District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.

I. Signs. Where applicable, all permitted uses within the AP District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

J. Supplemental Regulations. Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the AP Zoning District.
<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Sewer</td>
<td>Water</td>
<td></td>
<td>Front</td>
<td>Side (each)</td>
</tr>
<tr>
<td>General Agricultural</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>1 acre</td>
<td>Refer to Section 704.1 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>Refer to Section 704.4 for additional requirements</td>
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</tr>
<tr>
<td>Comm. Greenhouse</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 704.6 for additional requirements and limitations</td>
<td></td>
</tr>
<tr>
<td>Nursery or Landscape Center</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 704.6 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Single Family Detached Units</td>
<td>By Right, subject to limitations</td>
<td>On-Lot</td>
<td>On-Lot</td>
<td>1 acre</td>
<td>Refer to Section 704.7 for additional requirements and development limitations</td>
<td></td>
</tr>
<tr>
<td>Horse Riding School</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>Refer to Section 705 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Veterinary Hospital or Animal Clinic</td>
<td>By Right</td>
<td>On-Lot</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
</tr>
<tr>
<td>Public Utilities</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 725 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Municipal Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 727 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Category 1 Home Occupation</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 805 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Category 2 Home Occupation</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 805 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Forestry</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 505 for additional requirements</td>
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</tr>
<tr>
<td>Recreational Uses</td>
<td>Conditional Use</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>Refer to Section 705 for additional requirements</td>
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</tr>
<tr>
<td>Bed and Breakfast, Tourist Est.</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
</tr>
<tr>
<td>Rooming /Boarding House</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
</tr>
<tr>
<td>Secondary Housing</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>On-Lot</td>
<td>Variable</td>
<td>Refer to Section 615 for additional requirements</td>
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</tr>
<tr>
<td>Home Day Care</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>On-Lot</td>
<td>2 acres</td>
<td>Refer to Section 703 for additional requirements</td>
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</tr>
<tr>
<td>Intensive Agricultural</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>25 acres</td>
<td>Refer to Section 704.2 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Comm. Composting</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>25 acres</td>
<td>Refer to Section 704.3 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Mushroom Prod.</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>25 acres</td>
<td>Refer to Section 704.3 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Farm-Support Bus.</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>Refer to Section 704.5 for additional requirements</td>
<td></td>
</tr>
<tr>
<td>Comm. Greenhouse</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 704.6.A for additional requirements and limitations</td>
<td></td>
</tr>
<tr>
<td>Kennels</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>Optional</td>
<td>25 acres</td>
<td>Refer to Section 716 for additional requirements</td>
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</tr>
<tr>
<td>Airport, Heliports and Helistops</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>300 feet</td>
<td>100 feet</td>
</tr>
</tbody>
</table>
§ 403. Rural Residential (R-1) Zoning District

A. Purpose. The R-1 Zoning District generally contains areas with existing agricultural, woodlands, stream valleys, steep slopes, and residential uses, as well as other natural and scenic features associated with the rural areas of Robeson Township. The purpose of the R-1 Zoning District is to preserve and maintain large contiguous tracts of land for woodland, ecological, environmental and conservation uses. Subdivision and land development activity should be limited as originally prescribed as part of the Robeson Township Comprehensive Plan of 1991 and further recommended as part of the Southern Berks Regional Comprehensive Plan of 2004. Conservation and best management practices should be encouraged to preserve or maintain the existing natural features, habitats and resources.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the R-1 Zoning District, provided that the use is approved by the Zoning Officer; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Single Family Detached Dwelling Units, subject to Section 602 of this Zoning Ordinance.
2. Conservation Development, subject to Section 607 of this Zoning Ordinance.
3. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.
4. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance.
5. Public or Private Golf Course, subject to Section 705 of this Zoning Ordinance.
6. Recreational Uses, subject to Section 705 of this Zoning Ordinance.
7. Horseback Riding School, subject to Section 705 of this Zoning Ordinance.
8. Public Utilities, subject to Section 725 of this Zoning Ordinance.
9. Municipal Uses, subject to Section 727 of this Zoning Ordinance.
10. Category 1 Home Occupation, subject to Section 805 of this Zoning Ordinance.
11. Category 2 Home Occupation, subject to Section 805 of this Zoning Ordinance.
12. Forestry, subject to Section 505 of this Zoning Ordinance.
13. Public Emergency Services Telecommunication Facility, subject to Section 730 of this Zoning Ordinance.
C. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the R-1 Zoning District, provided that: a special exception is granted by the Zoning Hearing Board; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Tourist or Bed and Breakfast, subject to Section 612 of the Zoning Ordinance.
2. Rooming or Boarding House, subject to Section 612 of this Zoning Ordinance.
3. Secondary Housing Unit, subject to Section 615 of this Zoning Ordinance.
4. Family Day Care, subject to Section 703 of this Zoning Ordinance.
5. Intensive Agricultural Uses, subject to Section 704.2 of this Zoning Ordinance.
6. Farm-Support Business, subject to Section 704.5 of this Zoning Ordinance.
7. Churches and Religious Uses, subject to Section 706 of this Zoning Ordinance.

D. Utility and Dimensional Requirements. Matrix Chart 2 on the following page provides the basic utility and dimensional requirements for all permitted uses within the R-1 Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 2, the provisions contained within the text shall prevail.

E. Accessory Uses and Structures. Accessory uses and/or structures to the permitted uses of the R-1 Zoning District shall be permitted provided they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the appropriate agencies having jurisdiction and they are necessary to support the principal use.

F. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the R-1 Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions established by Robeson Township.
G. Off-Street Parking and Loading. Where applicable, all permitted uses within the R-1 Zoning District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.

H. Signs. Where applicable, all permitted uses within the R-1 District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

I. Supplemental Regulations. Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the R-1 Zoning District.
<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Sewer</td>
<td>Water</td>
<td></td>
<td>Front</td>
<td>Side (each)</td>
<td>Rear</td>
</tr>
<tr>
<td>Single Family Units</td>
<td>By Right</td>
<td>On-Lot</td>
<td>On-Lot</td>
<td>3 acres</td>
<td>200 feet</td>
<td>60 feet</td>
<td>30 feet</td>
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<tr>
<td>Conservation Development</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>20 acres</td>
<td>Maximum Residential Density = 0.50 dwelling units per gross acre; Refer to Section 607 for additional requirements</td>
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<tr>
<td>General Agricultural</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>1 acre</td>
<td>Refer to Section 704.1 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td></td>
<td>Refer to Section 704.4 for additional requirements</td>
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<tr>
<td>Golf Course</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>25 acres</td>
<td>Refer to Section 705 for additional requirements</td>
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<td></td>
</tr>
<tr>
<td>Recreational Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>Refer to Section 705 for additional requirements</td>
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<td></td>
</tr>
<tr>
<td>Horse Riding School</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>Refer to Section 705 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Utilities</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 725 for additional requirements</td>
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</tr>
<tr>
<td>Municipal Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 727 for additional requirements</td>
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<td></td>
</tr>
<tr>
<td>Category 1 Home Occupation</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 805 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 2 Home Occupation</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 805 for additional requirements</td>
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</tr>
<tr>
<td>Forestry</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 505 for additional requirements</td>
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<tr>
<td>Conservation Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Part 5 for additional requirements</td>
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<tr>
<td>Bed and Breakfast, Tourist Est.</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
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<tr>
<td>Rooming or Boarding House</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Secondary Housing</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>On-Lot</td>
<td>Variable</td>
<td>Refer to Section 615 for additional requirements</td>
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</tr>
<tr>
<td>Home Day Care</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>On-Lot</td>
<td>2 acres</td>
<td>Refer to Section 703 for additional requirements</td>
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</tr>
<tr>
<td>Intensive Agricultural</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>50 acres</td>
<td>Refer to Section 704.2 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farm-Support Business</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>Refer to Section 704.5 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Religious Uses</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
</tbody>
</table>
§ 404. Rural Suburban Residential (R-2) Zoning District

A. Purpose. The R-2 Zoning District generally contains areas with low to medium density residential uses, agricultural uses, woodlands, and stream valleys, as well as public, municipal and institutional uses. Subdivision and land development activity should be carefully planned and encouraged to promote infill development or to serve as a planned growth area in accordance with the recommendations contained within the Southern Berks Regional Comprehensive Plan of 2004. Conservation management practices should be encouraged to preserve or maintain the existing natural features, habitats and resources features.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the R-2 Zoning District, provided that the use is approved by the Zoning Officer; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Single Family Detached Dwelling Units, subject to Section 602 of this Zoning Ordinance.

2. Single Family Semi-Detached Dwelling Units, subject to Section 603 of this Zoning Ordinance.

3. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.

4. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance.

5. Public or Private Golf Course, subject to Section 705 of this Zoning Ordinance.

6. Recreational Uses, subject to Section 705 of this Zoning Ordinance.

7. Utilities, subject to Section 725 of this Zoning Ordinance.

8. Municipal Uses, subject to Section 727 of this Zoning Ordinance.

9. Category 1 Home Occupation, subject to Section 805 of this Zoning Ordinance.

10. Forestry, subject to Section 505 of this Zoning Ordinance.

11. Traditional Neighborhood Development, subject to Section 608 of this Zoning Ordinance.

C. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the R-2 Zoning District, provided that a special exception is granted by the Zoning Hearing Board; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Adult or Age-Qualified Retirement Community, subject to Section 611 of this Zoning Ordinance.
2. Tourist or Bed and Breakfast, subject to Section 612 of the Zoning Ordinance.

3. Home Day Care, subject to Section 703 of this Zoning Ordinance.

4. Churches and Religious Uses, subject to Section 706 of this Zoning Ordinance.

5. Educational Uses, subject to Section 706 of this Zoning Ordinance.

6. Category 2 Home Occupation, subject to Section 805 of this Zoning Ordinance

D. Utility and Dimensional Requirements. Matrix Chart 3 on the following page provides the basic utility and dimensional requirements for all permitted uses within the R-2 Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 3, the provisions contained within the text shall prevail.

E. Accessory Uses and Structures. Accessory uses and structures to the permitted uses of the R-2 Zoning District shall be permitted provided they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the appropriate agencies having jurisdiction and they are necessary to support the principal use.

F. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the R-2 Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions established by Robeson Township.

G. Off-Street Parking and Loading. Where applicable, all permitted uses within the R-2 District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.

H. Signs. Where applicable, all permitted uses within the R-2 District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

I. Supplemental Regulations. Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the R-2 Zoning District.
<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Sewer</td>
<td>Water</td>
<td></td>
<td>Front</td>
<td>Side (each)</td>
<td>Rear</td>
</tr>
<tr>
<td>Single Family Detached Units</td>
<td>By Right</td>
<td>On-Lot</td>
<td>On-Lot</td>
<td>60,000 sq. feet</td>
<td>150 feet</td>
<td>50 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>On-Lot</td>
<td>Public</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>50 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public</td>
<td>On-Lot</td>
<td>30,000 sq. feet</td>
<td>125 feet</td>
<td>50 feet</td>
<td>15 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public</td>
<td>Public</td>
<td>10,000 sq. feet</td>
<td>80 feet</td>
<td>40 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Single Family Semi-Detached Units</td>
<td>By Right</td>
<td>Public</td>
<td>Public</td>
<td>8,000 sq. feet per lot or unit</td>
<td>60 feet</td>
<td>40 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>General Agricultural</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>1 acre</td>
<td>Refer to Section 704.1 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>Refer to Section 704.4 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golf Course</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>25 acres</td>
<td>Refer to Section 705 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreational Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>Refer to Section 705 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Utilities</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 725 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 727 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 1 Home Occupation</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 805 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forestry</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 505 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Traditional Neighborhood Dev.</td>
<td>By Right</td>
<td>Public</td>
<td>Public</td>
<td>25 acres</td>
<td>Maximum Residential Density = 4.00 dwelling units per gross acre; Refer to Section 608 of this Zoning Ordinance for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult/Age-Qualified Retirement Comm.</td>
<td>Special Exception</td>
<td>Public</td>
<td>Public</td>
<td>25 acres</td>
<td>Maximum Residential Density = 6.00 dwelling units per gross acre; Refer to Section 611 of this Zoning Ordinance for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast, Tourist Est.</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Home Day Care</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>50,000 sq. feet</td>
<td>Refer to Section 703 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Religious Uses</td>
<td>Special Exception</td>
<td>Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Educational Use</td>
<td>Special Exception</td>
<td>Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Category 2 Home Occupation</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 805 for additional requirements</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
§ 405. High Density Residential (R-3) Zoning District

A. Purpose. The R-3 Zoning District generally contains areas with medium to high density residential uses, agricultural uses, woodlands, and stream valleys, as well as public, municipal and institutional uses. Subdivision and land development activity should be carefully planned and encouraged to promote infill development or to serve as a planned growth area in accordance with the recommendations contained within the Southern Berks Regional Comprehensive Plan of 2004. Conservation management practices should be encouraged to preserve or maintain the existing natural features, habitats and resources features.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the R-3 Zoning District, provided that the use is approved by the Zoning Officer; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Single Family Detached Dwelling Units, subject to Section 602 of this Zoning Ordinance.
2. Single Family Semi-Detached Dwelling Units, subject to Section 603 of this Zoning Ordinance.
3. Multi-Family Townhouse Unit Development containing six (6) residential units or less and subject to Section 605 of this Zoning Ordinance.
4. Multi-Family Apartment Unit Development containing six (6) residential units or less and subject to Section 606 of this Zoning Ordinance.
5. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.
6. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance.
7. Public or Private Golf Course, subject to Section 705 of this Zoning Ordinance.
8. Recreational Uses, subject to Section 705 of this Zoning Ordinance.
9. Public Utilities, subject to Section 725 of this Zoning Ordinance.
10. Municipal Uses, subject to Section 727 of this Zoning Ordinance.
11. Category 1 Home Occupation, subject to Section 805 of this Zoning Ordinance.
12. Forestry, subject to Section 505 of this Zoning Ordinance.
14. Traditional Neighborhood Development, subject to Section 608 of this Zoning Ordinance.

C. Uses by Conditional Use. The following principal uses and their accessory uses are permitted by conditional use within the R-3 Zoning District, provided that a conditional use is granted by the Board of Supervisors; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Convenience Stores, subject to Section 722 of this Zoning Ordinance.

D. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the R-3 Zoning District, provided that a special exception is granted by the Zoning Hearing Board; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Multi-Family Townhouse Unit Development containing more than six (6) residential units and subject to Section 605 of this Zoning Ordinance.

2. Multi-Family Apartment Unit Development containing more than six (6) residential units and subject to Section 606 of this Zoning Ordinance.

3. Adult or Age-Qualified Retirement Community, subject to Section 611 of this Zoning Ordinance.

4. Tourist or Bed and Breakfast, subject to Section 612 of the Zoning Ordinance.

5. Home Day Care, subject to Section 703 of this Zoning Ordinance.

6. Churches and Religious Uses, subject to Section 706 of this Zoning Ordinance.

7. Educational Uses, subject to Section 706 of this Zoning Ordinance.

8. Convalescent Homes and Nursing Homes, subject to Section 706 of this Zoning Ordinance.

9. Category 2 Home Occupation, subject to Section 805 of this Zoning Ordinance.

E. Utility and Dimensional Requirements. Matrix Chart 4 on the following page provides the basic utility and dimensional requirements for all permitted uses within the R-3 Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 4, the provisions contained within the text shall prevail.
F. Accessory Uses and Structures. Accessory uses and structures to the permitted uses of the R-3 Zoning District shall be permitted provided they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the appropriate agencies having jurisdiction and they are necessary to support the principal use.

G. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the R-3 Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions established by Robeson Township.

H. Off-Street Parking and Loading. Where applicable, all permitted uses within the R-3 District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.

I. Signs. Where applicable, all permitted uses within the R-3 District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

J. Supplemental Regulations: Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the R-3 Zoning District.
<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Detached Units</td>
<td>By Right</td>
<td>Public On-Lot</td>
<td>30,000 sq. feet</td>
<td>125 feet</td>
<td>50 feet 15 feet 20 feet</td>
<td>35 feet</td>
<td>20 % 30 %</td>
</tr>
<tr>
<td>Single Family Semi-Detached Units</td>
<td>By Right</td>
<td>Public Public</td>
<td>10,000 sq. feet</td>
<td>80 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>25 % 40 %</td>
</tr>
<tr>
<td>Multi-Family TH 6 units or less</td>
<td>By Right</td>
<td>Public Public</td>
<td>8,000 sq. feet per lot or unit</td>
<td>60 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>25 % 40 %</td>
</tr>
<tr>
<td>Multi-Family Apts. 6 units or less</td>
<td>By Right</td>
<td>Public Public</td>
<td>5 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Agricultural</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>1 acre</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>10 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golf Course</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>25 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreational Uses</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>2 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Utilities</td>
<td>By Right</td>
<td>Optional Variable</td>
<td>25 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Uses</td>
<td>By Right</td>
<td>Optional Variable</td>
<td>25 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 1 Home Occupation</td>
<td>By Right</td>
<td>Optional Variable</td>
<td>25 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forestry</td>
<td>By Right</td>
<td>Optional Variable</td>
<td>25 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Services</td>
<td>By Right</td>
<td>Public Optional</td>
<td>60,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Traditional Neighborhood Dev.</td>
<td>By Right</td>
<td>Public Public</td>
<td>25 acres</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Convenience Store or Mini-Market</td>
<td>Conditional Use</td>
<td>Public Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Multi-Family TH 7 units or more</td>
<td>Special Exception</td>
<td>Public Public</td>
<td>25 acres</td>
<td></td>
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<tr>
<td>Multi-Family Apts. 7 units or more</td>
<td>Special Exception</td>
<td>Public Public</td>
<td>25 acres</td>
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</tr>
<tr>
<td>Adult/Age-Qualified Retirement Comm.</td>
<td>Special Exception</td>
<td>Public Public</td>
<td>25 acres</td>
<td></td>
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</tr>
<tr>
<td>Bed and Breakfast, Tourist Est.</td>
<td>Special Exception</td>
<td>On-Lot Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet 50 feet 50 feet</td>
<td>35 feet</td>
<td>10 % 20 %</td>
</tr>
<tr>
<td>Home Day Care</td>
<td>Special Exception</td>
<td>Public Optional</td>
<td>50,000 sq. feet</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Procedural Requirement</td>
<td>Utility Requirements</td>
<td>Minimum Net Lot Area</td>
<td>Minimum Lot Width</td>
<td>Minimum Yard Requirements</td>
<td>Maximum Height</td>
<td>Maximum Coverage</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>------------------------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>-------------------</td>
<td>----------------------------</td>
<td>----------------</td>
<td>------------------</td>
</tr>
<tr>
<td>Religious Uses</td>
<td>Special Exception</td>
<td>Public/ Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet, 50 feet, 50 feet</td>
<td>50 feet</td>
<td>25% / 50%</td>
</tr>
<tr>
<td>Educational Use</td>
<td>Special Exception</td>
<td>Public/ Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet, 50 feet, 50 feet</td>
<td>50 feet</td>
<td>25% / 50%</td>
</tr>
<tr>
<td>Convalescent Home or Nursing Home</td>
<td>Special Exception</td>
<td>Public/ Public</td>
<td>3 acres</td>
<td>250 feet</td>
<td>60 feet, 25 feet, 40 feet</td>
<td>35 feet</td>
<td>25% / 50%</td>
</tr>
<tr>
<td>Category 2 Home Occupation</td>
<td>Special Exception</td>
<td>Optional/ Optional</td>
<td>Variable</td>
<td></td>
<td>Refer to Section 805 for additional requirements</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
§ 406. Village Commercial (VC) Zoning District

A. Purpose. The VC Zoning District generally contains a mixture of residential, commercial, institutional, municipal and governmental uses. Subdivision and land development activity should be encouraged as originally prescribed as part of the Robeson Township Comprehensive Plan of 1991 and further recommended as part of the Southern Berks Regional Comprehensive Plan of 2004. The existing and/or proposed land uses should be planned considering a mixed-use concept, which are served by a road system and public utilities with sufficient capacities. Redevelopment opportunities through conversions, adaptive reuse and creative land development designs should be considered to accommodate new business opportunities and enhance economic development opportunities.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the VC Zoning District, provided that the use is approved by the Zoning Officer; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Single Family Detached Dwelling Units, subject to Section 602 of this Zoning Ordinance.

2. Single Family Semi-Detached Dwelling Units, subject to Section 603 of this Zoning Ordinance.

3. Multi-Family Townhouse Unit Development containing six (6) residential units or less and subject to Section 605 of this Zoning Ordinance.

4. Multi-Family Apartment Unit Development containing six (6) residential units or less and subject to Section 606 of this Zoning Ordinance.

5. Mixed Use, Commercial and Residential, subject to Section 614 of this Zoning Ordinance.

6. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.

7. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance.

8. Recreational Uses, subject to Section 705 of this Zoning Ordinance.

9. Convenience Store or Mini-Market, subject to section 722 of this Zoning Ordinance.

10. Mini-Malls, subject to Section 724 of this Zoning Ordinance.

11. Public Utilities, subject to Section 725 of this Zoning Ordinance.

12. Municipal Uses, subject to Section 727 of this Zoning Ordinance.
13. Category 1 Home Occupation, subject to Section 805 of this Zoning Ordinance.
14. Category 2 Home Occupation, subject to Section 805 of this Zoning Ordinance.
15. Retail Business Establishments.
17. Restaurants without drive-through service lanes.
18. Taverns and Taprooms.
19. Club or Lodge.
20. Personal Service Establishments.
22. Home Center or Lumber Yard.
23. Rental Business.
24. Nursery or Landscape Center, subject to Section 704.6 of this Zoning Ordinance.
25. Veterinary Hospital or Animal Clinic, subject to Section 715 of this Zoning Ordinance.
26. Church or Religious Uses, subject to Section 706 of this Zoning Ordinance.
27. Governmental Uses, subject to Section 727 of this Zoning Ordinance.
28. Funeral Homes.
29. Laundromats.
31. Forestry, subject to Section 505 of this Zoning Ordinance.
32. Mini-Warehouse or Self-Storage Facility, subject to Section 717 of this Zoning Ordinance.

C. Uses by Conditional Use. The following principal uses and their accessory uses are permitted by conditional use within the VC Zoning District, provided that a conditional use is granted by the Board of Supervisors; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use
complies with all other supplemental development and design requirements specified by Robeson Township.

1. Commercial Recreation Uses, subject to Section 705 of this Zoning Ordinance.

2. Commercial Drive-Through Establishments, subject to Section 713 of this Zoning Ordinance.

D. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the VC Zoning District, provided that: a special exception is granted by the Zoning Hearing Board; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Two-Family Detached Residential Uses, subject to Section 604 of this Zoning Ordinance.

2. Multi-Family Townhouse Unit Development containing more than six (6) residential units and subject to Section 605 of this Zoning Ordinance.

3. Multi-Family Apartment Unit Development containing more than six (6) residential units and subject to Section 606 of this Zoning Ordinance.

4. Tourist or Bed and Breakfast Establishment, subject to Section 612 of this Zoning Ordinance.

5. Rooming or Boarding House, subject to Section 612 of this Zoning Ordinance.

6. Commercial Day Care Center, subject to Section 703 of this Zoning Ordinance.

7. Home Day Care, subject to Section 703 of this Zoning Ordinance.

8. Farm-Support Business, subject to Section 704.5 of this Zoning Ordinance.

9. Educational Uses, subject to Section 706 of this Zoning Ordinance.

10. Convalescent Homes and Nursing Homes, subject to Section 706 of this Zoning Ordinance.

11. Hotel or Motel.

E. Utility and Dimensional Requirements. Matrix Chart 5 on the following pages provide the basic utility and dimensional requirements for all permitted uses within the VC Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 5, the provisions contained within the text shall prevail.
F. Accessory Uses and Structures. Accessory uses and/or structures to the permitted uses of the VC Zoning District shall be permitted provided they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the appropriate agencies having jurisdiction and they are necessary to support the principal use.

G. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the VC Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions established by Robeson Township.

H. Off-Street Parking and Loading. Where applicable, all permitted uses within the VC District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.

I. Signs. Where applicable, all permitted uses within the VC District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

J. Supplemental Regulations. Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the VC Zoning District.
## VC ZONING DISTRICT: UTILITY AND DIMENSIONAL REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 5)

<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
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<tr>
<td></td>
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<td>Sewer</td>
<td>Water</td>
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<td>Front</td>
<td>Side (each)</td>
<td>Rear</td>
</tr>
<tr>
<td>Single Family Detached Units</td>
<td>By Right</td>
<td>On-Lot</td>
<td>On-Lot</td>
<td>50,000 sq. feet</td>
<td>150 feet</td>
<td>50 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>On-Lot</td>
<td>Public</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>50 feet</td>
<td>20 feet</td>
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<tr>
<td></td>
<td></td>
<td>Public</td>
<td>On-Lot</td>
<td>20,000 sq. feet</td>
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<td>40 feet</td>
<td>15 feet</td>
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<tr>
<td></td>
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<td>Single Family Semi-Detached Units</td>
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<td>On-Lot</td>
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<td>100 feet</td>
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<td>15 feet</td>
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<td>Public</td>
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<td>8,000 sq. feet per lot or unit</td>
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<td>40 feet</td>
<td>10 feet</td>
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<tr>
<td>Multi-Family TH 6 units or less</td>
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<td>Public</td>
<td>Public</td>
<td>5 acres</td>
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<tr>
<td>Multi-Family Apts. 6 units or less</td>
<td>By Right</td>
<td>Public</td>
<td>Public</td>
<td>5 acres</td>
<td></td>
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<tr>
<td>Mixed Use</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>40,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet</td>
<td>20 feet</td>
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<tr>
<td>General Agricultural</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>1 acre</td>
<td></td>
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</tr>
<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreational Use</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience Store or Mini-Market</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>60,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet</td>
<td>20 feet</td>
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<tr>
<td>Mini-Malls</td>
<td>By Right</td>
<td>Public</td>
<td>Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>40 feet</td>
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<td>Public Utilities</td>
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<td>Variable</td>
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<td></td>
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<tr>
<td>Municipal Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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<td>Category 1 Home Occupation</td>
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<td>Variable</td>
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<tr>
<td>Category 2 Home Occupation</td>
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<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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<td>Retail Business Est.</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet</td>
<td>10 feet</td>
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<tr>
<td>Use</td>
<td>Procedural Requirement</td>
<td>Utility Requirements</td>
<td>Minimum Net Lot Area</td>
<td>Minimum Lot Width</td>
<td>Minimum Yard Requirements</td>
<td>Maximum Coverage</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------</td>
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<td>-------------------</td>
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<td>-----------------</td>
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<tr>
<td>Business and Professional Office</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Restaurant without drive-through lanes</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Taverns / Taprooms</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Club or Lodge</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Personal Service Est.</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Banks/Financial Inst.</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Home Center or Lumber Yard</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet, 50 feet, 50 feet</td>
<td>35 feet, 40 %, 60 %</td>
<td></td>
</tr>
<tr>
<td>Rental Business</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet, 50 feet, 50 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Nursery or Landscape Center</td>
<td>By Right</td>
<td>Optional, Optional</td>
<td>Variable</td>
<td>Variable</td>
<td>Refer to Section 704.6 for additional requirements</td>
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<tr>
<td>Veterinary Hospital or Animal Clinic</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet, 50 feet, 50 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<td>Religious Uses</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet, 50 feet, 50 feet</td>
<td>50 feet, 30 %, 50 %</td>
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<tr>
<td>Governmental Use</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Funeral Homes</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Laundromats</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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</tr>
<tr>
<td>Emergency Services Operation</td>
<td>By Right</td>
<td>Public, Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet, 10 feet, 20 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Mini-Warehousing or Self Storage Units</td>
<td>By Right</td>
<td>Optional, Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet, 50 feet, 50 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Comm. Recreation</td>
<td>Conditional Use</td>
<td>Public, Optional</td>
<td>2 acres</td>
<td>Refer to Section 705 for additional requirements</td>
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<td>Commercial Drive-Through Establish.</td>
<td>Conditional Use</td>
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<td>60,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet, 20 feet, 40 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Two-Family Detached Units</td>
<td>Special Exception</td>
<td>Public, Optional</td>
<td>60,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet, 20 feet, 40 feet</td>
<td>35 feet, 40 %, 60 %</td>
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<tr>
<td>Multi-Family TH</td>
<td>Special Exception</td>
<td>Public, Public</td>
<td>25 acres</td>
<td>Maximum Residential Density = 4.0 dwelling units per gross acre;</td>
<td></td>
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<tr>
<td>Use</td>
<td>Procedural Requirement</td>
<td>Utility Requirements</td>
<td>Minimum Net Lot Area</td>
<td>Minimum Lot Width</td>
<td>Minimum Yard Requirements</td>
<td>Maximum Height</td>
<td>Maximum Coverage</td>
</tr>
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<tr>
<td></td>
<td></td>
<td>Sewer</td>
<td>Water</td>
<td></td>
<td>Front</td>
<td>Side (each)</td>
<td>Rear</td>
</tr>
<tr>
<td>7 units or more</td>
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<td>Multi-Family Apts. 7 units or more</td>
<td>Special Exception</td>
<td>Public</td>
<td>Public</td>
<td>25 acres</td>
<td>Front 200 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Bed and Breakfast, Tourist Est.</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>Optional</td>
<td>2 acres</td>
<td>Front 200 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Rooming or Boarding House</td>
<td>Special Exception</td>
<td>On-Lot</td>
<td>Optional</td>
<td>2 acres</td>
<td>Front 200 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Comm. Day Care</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>60,000 sq. feet</td>
<td>Front 200 feet</td>
<td>40 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>Home Day Care</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>60,000 sq. feet</td>
<td>Front 200 feet</td>
<td>40 feet</td>
<td>20 feet</td>
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<tr>
<td>Farm-Support Business</td>
<td>Special Exception</td>
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<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 704.5</td>
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<tr>
<td>Educational Uses</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>5 acres</td>
<td>Front 300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
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<tr>
<td>Convalescent Home or Nursing Home</td>
<td>Special Exception</td>
<td>Public</td>
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<td>3 acres</td>
<td>Front 250 feet</td>
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<td>Hotel or Motel</td>
<td>Special Exception</td>
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<td>Optional</td>
<td>3 acres</td>
<td>Front 250 feet</td>
<td>60 feet</td>
<td>30 feet</td>
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<tr>
<td>Rental Business</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>60,000 sq. feet</td>
<td>Front 200 feet</td>
<td>40 feet</td>
<td>20 feet</td>
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</tbody>
</table>
§ 407. General Commercial (GC) Zoning District

A. Purpose. The GC Zoning District generally contains areas with wide-variety of commercial uses, which provides opportunities to accommodate the needs of the region and pass through traffic. Subdivision and land development activity should be carefully planned and encouraged on undeveloped parcels of land or as infill development in accordance with the recommendations contained within the Southern Berks Regional Comprehensive Plan of 2004. Redevelopment, interchange development, adaptive reuse and/or creative land development designs should be considered to accommodate new business opportunities and to enhance economic development opportunities.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the GC Zoning District, provided that, the use is approved by the Zoning Officer; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Mixed Use, Commercial and Residential, subject to Section 614 of this Zoning Ordinance.

2. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.

3. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance.

4. Recreational Uses, subject to Section 705 of this Zoning Ordinance.

5. Business and Office Parks, subject to Section 707 of this Zoning Ordinance.

6. Industrial Parks, subject to Section 709 of this Zoning Ordinance.

7. Commercial Drive-Through Establishments, subject to Section 713 of this Zoning Ordinance.

8. Convenience Store or Mini-Market, subject to section 722 of this Zoning Ordinance.

9. Mini-Malls, Shopping Centers and Shopping Malls, subject to Section 724 of this Zoning Ordinance.

10. Public Utilities, subject to Section 725 of this Zoning Ordinance.

11. Municipal Uses, subject to Section 727 of this Zoning Ordinance.

12. Category 1 Home Occupation, subject to Section 805 of this Zoning Ordinance.

13. Category 2 Home Occupation, subject to Section 805 of this Zoning Ordinance.

15. Business and Professional Offices.

16. Restaurants.

17. Club or Lodge.

18. Personal Service Establishments.


20. Hotel or Motel.

21. Home Center or Lumber Yard.

22. Rental Business.

23. Commercial Greenhouse Operation, within the limitations specified under Section 704.6.A of this Zoning Ordinance.

24. Nursery or Landscape Center, subject to Section 704.6 of this Zoning Ordinance.

25. Veterinary Hospital or Animal Clinic, subject to Section 715 of this Zoning Ordinance.

26. Church or Religious Uses, subject to Section 706 of this Zoning Ordinance.

27. Governmental Uses, subject to Section 727 of this Zoning Ordinance.

28. Funeral Homes.

29. Laundromats.


31. Wagering and Gambling Established, subject to all local, state and federal laws.

32. Forestry, subject to Section 505 of this Zoning Ordinance.

C. Uses by Conditional Use. The following principal uses and their accessory uses are permitted by conditional use within the GC Zoning District, provided that: a conditional use is granted by the Board of Supervisors; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Commercial Recreational Uses, subject to Section 705 of this Zoning Ordinance.
2. Telecommunication and Wireless Communication Facilities, subject to Section 726 of this Zoning Ordinance.

D. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the GC Zoning District, provided that: a special exception is granted by the Zoning Hearing Board; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Single Family Detached Dwelling Units, subject to Section 602 of this Zoning Ordinance.

2. Commercial Day Care Center, subject to Section 703 of this Zoning Ordinance.

3. Home Day Care, subject to Section 703 of this Zoning Ordinance.

4. Farm-Support Business, subject to Section 704.5 of this Zoning Ordinance.

5. Commercial Greenhouse Operation, exceeding the limitation specified under Section 704.6.A of this Zoning Ordinance.

6. Educational Uses, subject to Section 706 of this Zoning Ordinance.

7. Hospitals and Medical Centers, subject to Section 708 of this Zoning Ordinance

8. Automobile Sales and Service Stations, subject to Section 711 of this Zoning Ordinance.


10. Research Facilities

E. Utility and Dimensional Requirements. Matrix Chart 6 on the following page provides the basic utility and dimensional requirements for all permitted uses within the GC Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 6, the provisions contained within the text shall prevail.

F. Accessory Uses and Structures. Accessory uses and/or structures to the permitted uses of the GC Zoning District shall be permitted provided: they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the
appropriate agencies having jurisdiction and they are necessary to support the principal use.

G. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the GC Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions established by Robeson Township.

H. Off-Street Parking and Loading. Where applicable, all permitted uses within the GC District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.

I. Signs. Where applicable, all permitted uses within the GC District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

J. Supplemental Regulations. Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the GC Zoning District.
## GC Zoning District: Utility and Dimensional Requirements

### SUPPLEMENTAL MATRIX CHART 6

<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Use with Commercial/Resid.</td>
<td>By Right</td>
<td>Public  Optional</td>
<td>40,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>General Agricultural</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>1 acre</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>10 acres</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Recreational Use</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Business and Office Parks</td>
<td>By Right</td>
<td>Public Public</td>
<td>10 acres</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Industrial Parks</td>
<td>By Right</td>
<td>Public Public</td>
<td>10 acres</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Commercial Drive-Through Establish.</td>
<td>By Right</td>
<td>Public Public</td>
<td>60,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Convenience Store or Mini-Market</td>
<td>By Right</td>
<td>Public Optional</td>
<td>60,000 sq. feet</td>
<td>300 feet</td>
<td>60 feet 40 feet 50 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Mini-Malls</td>
<td>By Right</td>
<td>Public Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet 40 feet 50 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Shopping Centers and Shopping Malls</td>
<td>By Right</td>
<td>Public Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet 40 feet 50 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Public Utilities</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>Variable</td>
<td>Refer to Section 725 for additional requirements</td>
<td></td>
<td></td>
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<td>Municipal Uses</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>Variable</td>
<td>Refer to Section 727 for additional requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 1 Home Occupation</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>Variable</td>
<td>Refer to Section 805 for additional requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category 2 Home Occupation</td>
<td>By Right</td>
<td>Optional Optional</td>
<td>Variable</td>
<td>Refer to Section 805 for additional requirements</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail Business Est.</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Business and Professional Office</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Restaurants</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Club or Lodge</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Personal Service Est.</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Banks/Financial Inst.</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Hotel or Motel</td>
<td>By Right</td>
<td>Public Optional</td>
<td>3 acres</td>
<td>250 feet</td>
<td>60 feet 30 feet 50 feet</td>
<td>50 feet</td>
<td>25 % 50 %</td>
</tr>
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</table>
## GC ZONING DISTRICT: UTILITY AND DIMENSIONAL REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 6)

<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Center or Lumber Yard</td>
<td>By Right</td>
<td>Public Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet 50 feet 50 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
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<tr>
<td>Rental Business</td>
<td>By Right</td>
<td>Public Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet 50 feet 50 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Comm. Greenhouse</td>
<td>By Right</td>
<td>Optional Variable</td>
<td>Refer to Section 704.6 for additional requirements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nursery or Landscape Center</td>
<td>By Right</td>
<td>Optional Variable</td>
<td>Refer to Section 704.6 for additional requirements</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Hospital or Animal Clinic</td>
<td>By Right</td>
<td>Public Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet 50 feet 50 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Religious Uses</td>
<td>By Right</td>
<td>Public Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet 50 feet 50 feet</td>
<td>50 feet</td>
<td>30 % 50 %</td>
</tr>
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<td>Governmental Use</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
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<td>Funeral Homes</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Laundromats</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Emergency Services Operation</td>
<td>By Right</td>
<td>Public Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Wagering and Gambling Est.</td>
<td>By Right</td>
<td>Public Optional</td>
<td>60,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
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<tr>
<td>Comm. Recreation</td>
<td>Conditional Use</td>
<td>Public Optional</td>
<td>2 acres</td>
<td>Refer to Section 705 for additional requirements</td>
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<tr>
<td>Telecommunication, Wireless Comm.</td>
<td>Conditional Use</td>
<td>Optional Variable</td>
<td>Refer to Section 726 for additional requirements.</td>
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<tr>
<td>Singe Family Detached Units</td>
<td>Special Exception</td>
<td>On-Lot On-Lot</td>
<td>50,000 sq. feet</td>
<td>150 feet</td>
<td>50 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>10 % 20 %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>On-Lot Public</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>50 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>10 % 20 %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public On-Lot</td>
<td>20,000 sq. feet</td>
<td>100 feet</td>
<td>40 feet 15 feet 20 feet</td>
<td>35 feet</td>
<td>20 % 30 %</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public Public</td>
<td>10,000 sq. feet</td>
<td>80 feet</td>
<td>40 feet 10 feet 20 feet</td>
<td>35 feet</td>
<td>25 % 40 %</td>
</tr>
<tr>
<td>Day Care Center</td>
<td>Special Exception</td>
<td>Public Optional</td>
<td>60,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Family Day Care</td>
<td>Special Exception</td>
<td>Public Optional</td>
<td>60,000 sq. feet</td>
<td>200 feet</td>
<td>40 feet 20 feet 40 feet</td>
<td>35 feet</td>
<td>40 % 60 %</td>
</tr>
<tr>
<td>Farm-Support Business</td>
<td>Special Exception</td>
<td>Optional Variable</td>
<td>Refer to Section 704.5 for additional requirements</td>
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<tr>
<td>Use</td>
<td>Procedural Requirement</td>
<td>Utility Requirements</td>
<td>Minimum Net Lot Area</td>
<td>Minimum Lot Width</td>
<td>Minimum Yard Requirements</td>
<td>Maximum Height</td>
<td>Maximum Coverage</td>
</tr>
<tr>
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<tr>
<td>Comm. Greenhouse</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 704.6.A for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational Uses</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Hospitals or Medical Centers</td>
<td>Special Exception</td>
<td>Public</td>
<td>Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Automobile Sales and Service Stations</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Fabrication and Finishing</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Research Facilities</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
</tbody>
</table>
§ 408. General Industrial (GI) Zoning District

A. Purpose. The GI Zoning District contains areas with industrial uses or undeveloped parcels of land located within close proximity to highways and expressways, which provide employment opportunities for the residents within the region. The existing and/or proposed land uses should be served by a road system and by public utilities with sufficient capacities in accordance with the recommendations contained within the Southern Berks Regional Comprehensive Plan of 2004. Redevelopment, interchange development or adaptive reuse opportunities should be considered to accommodate new industrial opportunities and to enhance economic development opportunities.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the GI Zoning District, provided that: the use is approved by the Zoning Officer; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.
2. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance.
3. Recreational Uses, subject to Section 705 of this Zoning Ordinance.
4. Business and Office Parks, subject to Section 707 of this Zoning Ordinance.
5. Industrial Parks, subject to Section 709 of this Zoning Ordinance.
6. Mini-Malls, Shopping Centers and Shopping Malls, subject to Section 724 of this Zoning Ordinance.
7. Public and Private Utilities, subject to Section 725 of this Zoning Ordinance.
8. Municipal Uses, subject to Section 727 of this Zoning Ordinance.
11. Fabrication and Finishing Establishment.
15. Category 1 Home Occupation, subject to Section 805 of this Zoning Ordinance.
16. Category 2 Home Occupation, subject to Section 805 of this Zoning Ordinance.
17. Warehousing and Freight Terminals.
18. Mini-Warehouse or Self-Storage Units, subject to Section 717 of this Zoning Ordinance.
19. Restaurants.
20. Personal Service Establishments.
22. Hotel or Motel.
23. Home Center or Lumber Yard.
24. Rental Business.
25. Nursery or Landscape Center, subject to Section 704.6 of this Zoning Ordinance.
26. Church or Religious Uses, subject to Section 706 of this Zoning Ordinance.
27. Governmental Uses, subject to Section 727 of this Zoning Ordinance.
29. Forestry, subject to Section 505 of this Zoning Ordinance

C. Uses by Conditional Use. The following principal uses and their accessory uses are permitted by conditional use within the GI Zoning District, provided that: a conditional use is granted by the Board of Supervisors; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Commercial Recreational Uses, subject to Section 705 of this Zoning Ordinance.
2. Telecommunication and Wireless Communication Facilities, subject to Section 726 of this Zoning Ordinance.

D. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the GI Zoning District, provided that: a special exception is granted by the Zoning Hearing Board; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Mobile Home Parks, subject to Section 613 of this Zoning Ordinance.
2. Intensive Agricultural Uses, subject to Section 704.2 of this Zoning Ordinance.
3. Farm-Support Business, subject to Section 704.5 of this Zoning Ordinance.
4. Hospitals and Medical Centers, subject to Section 708 of this Zoning Ordinance.
5. Commercial Campgrounds, subject to Section 712 of this Zoning Ordinance.
6. Commercial Water Resource Use, subject to Section 714 of this Zoning Ordinance.
7. Research Facilities and Laboratories.
8. Airports, Heliports and Helistops, subject to all local, state and federal laws.
9. Trucking or Motor Freight Establishments, Terminals and Convenience Centers, subject to section 721 of this Zoning Ordinance.
10. Undefined Land Uses or Other Land Uses, subject to Section 728 of this Zoning Ordinance.

E. Utility and Dimensional Requirements. Matrix Chart 7 on the following pages provides the basic utility and dimensional requirements for all permitted uses within the GI Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 7, the provisions contained within the text shall prevail.

F. Accessory Uses and Structures. Accessory uses and/or structures to the permitted uses of the GI Zoning District shall be permitted provided they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the appropriate agencies having jurisdiction and they are necessary to support the principal use.

G. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the GI Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions established by Robeson Township.

H. Off-Street Parking and Loading. Where applicable, all permitted uses within the GI District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.
I. Signs. Where applicable, all permitted uses within the GI District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

J. Supplemental Regulations. Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the GI Zoning District.
<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Agricultural</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 704.1 for additional requirements</td>
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<td></td>
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<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>Refer to Section 704.4 for additional requirements</td>
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<tr>
<td>Recreational Use</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>Refer to Section 705 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business and Office Parks</td>
<td>By Right</td>
<td>Public</td>
<td>Public</td>
<td>10 acres</td>
<td>Refer to Section 707 for additional requirements</td>
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<tr>
<td>Industrial Parks</td>
<td>By Right</td>
<td>Public</td>
<td>Public</td>
<td>10 acres</td>
<td>Refer to Section 709 for additional requirements</td>
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<tr>
<td>Mini-Malls</td>
<td>By Right</td>
<td>Public</td>
<td>Public</td>
<td>5 acres</td>
<td>Refer to Section 725 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shopping Centers and Shopping Malls</td>
<td>By Right</td>
<td>Public</td>
<td>Public</td>
<td>5 acres</td>
<td>Refer to Section 727 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public and Private Utilities</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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<tr>
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<td>By Right</td>
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<td>Optional</td>
<td>Variable</td>
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<tr>
<td>Manufacturing</td>
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<tr>
<td>Wholesale and Distribution</td>
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<td>Public</td>
<td>Optional</td>
<td>2 acres</td>
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<td>Fabrication and Finishing Est.</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
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<td>Refer to Section 805 for additional requirements</td>
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<td></td>
</tr>
<tr>
<td>Printing and Publishing</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>2 acres</td>
<td>Refer to Section 805 for additional requirements</td>
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<tr>
<td>Business and Professional Offices</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>60,000 sq. feet</td>
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<tr>
<td>Contractor or Construction Services</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
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<tr>
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<td>Optional</td>
<td>Variable</td>
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<tr>
<td>Warehousing and Freight Terminals</td>
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<td>Optional</td>
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<td></td>
</tr>
<tr>
<td>Mini-Warehousing or Self Storage Units</td>
<td>By Right</td>
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<td>Optional</td>
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<tr>
<td>Restaurants</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
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<td>Personal Service Est.</td>
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<td>Public</td>
<td>Optional</td>
<td>40,000 sq. feet</td>
<td>Refer to Section 805 for additional requirements</td>
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</tr>
<tr>
<td>Use</td>
<td>Procedural Requirement</td>
<td>Utility Requirements</td>
<td>Minimum Net Lot Area</td>
<td>Minimum Lot Width</td>
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<td>Maximum Height</td>
<td>Maximum Coverage</td>
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<td></td>
<td></td>
<td>Sewer</td>
<td>Water</td>
<td></td>
<td>Front</td>
<td>Side (each)</td>
<td>Rear</td>
</tr>
<tr>
<td>Banks/Financial Inst.</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Hotel or Motel</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>3 acres</td>
<td>250 feet</td>
<td>60 feet</td>
<td>30 feet</td>
</tr>
<tr>
<td>Home Center or Lumber Yard</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Rental Business</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Nursery or Landscape Center</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 704.6 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Religious Uses</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Governmental Use</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Emergency Services Operation</td>
<td>By Right</td>
<td>Public</td>
<td>Optional</td>
<td>40,000 sq. feet</td>
<td>150 feet</td>
<td>40 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Forestry</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 505 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comm. Recreational</td>
<td>Conditional Use</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>Refer to Section 704.2 for additional requirements</td>
<td></td>
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<tr>
<td>Telecommunication, Wireless Comm.</td>
<td>Conditional Use</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Section 726 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile Home Parks</td>
<td>Special Exception</td>
<td>Public</td>
<td>Public</td>
<td>25 acres</td>
<td>Maximum Residential Density = 6.0 dwelling units per acre; Refer to Section 613 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intensive Agricultural Business</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>25 acres</td>
<td>Refer to Section 704.2 for additional requirements</td>
<td></td>
<td></td>
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<tr>
<td>Farm-Support Business</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>Refer to Section 704.5 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospitals or Medical Centers</td>
<td>Special Exception</td>
<td>Public</td>
<td>Public</td>
<td>5 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Commercial Campgrounds</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>25 acres</td>
<td>Refer to Section 712 for additional requirements.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Water Resource Use</td>
<td>Special Exception</td>
<td>Public</td>
<td>Public</td>
<td>10 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>40 feet</td>
</tr>
<tr>
<td>Research Facilities</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>2 acres</td>
<td>200 feet</td>
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<tr>
<td>Airport, Heliports and Helistops</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>300 feet</td>
<td>100 feet</td>
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<tr>
<td>Trucking or Motor Freight Establishment</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>10 acres</td>
<td>Refer to Section 721 for additional requirements</td>
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</tr>
<tr>
<td>Undefined Land Uses or Other Land Uses</td>
<td>Special Exception</td>
<td>Public</td>
<td>Optional</td>
<td>5 to 20 acres</td>
<td>Refer to Section 728 for additional requirements</td>
<td></td>
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</tr>
</tbody>
</table>
§ 409. Quarry (Q-1) Zoning District

A. Purpose. The Q-1 Zoning District contains areas with industrial uses or undeveloped parcels of land located within close proximity to highways and expressways, which provide employment opportunities for the residents within the region. The existing and/or proposed quarry related uses should be served by a road system and by public utilities with sufficient capacities in accordance with the recommendations contained within the Southern Berks Regional Comprehensive Plan of 2004. Development and redevelopment opportunities should be considered to accommodate industrial, quarry, conservation, municipal and similar uses.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the Q-1 Zoning District, provided that: the use is approved by the Zoning Officer; the principal use complies with the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.
2. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance.
3. Quarrying and Mining Operations, including all principal and accessory uses as further defined under Section 718 of this Zoning Ordinance.
5. Fabrication and Finishing Establishment.
8. Public and Private Utilities, subject to Section 725 of this Zoning Ordinance.
9. Municipal Uses, subject to Section 727 of this Zoning Ordinance.
11. Forestry, subject to Section 505 of this Zoning Ordinance.
12. Retail sales, wholesale trade and distribution of quarry related products that are produced, mined or extracted on the same site of the permitted quarry operation.
13. Bituminous Asphalt Plants, subject to Section 729 of this Zoning Ordinance. All such uses and facilities shall be located within the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.
14. Concrete Plants, subject to Section 729 of this Zoning Ordinance. All such uses and facilities shall be located within the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.

15. Concrete and Asphalt Recycling, as an accessory or subordinate use to a permitted principal use and subject to Section 729 of this Zoning Ordinance. All such uses and facilities shall be located within the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.

16. Concrete Manufacturing, as an accessory or subordinate use to a permitted principal use and subject to Section 729 of this Zoning Ordinance. All such uses and facilities shall be located within the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.

17. Demolition Recycling, as an accessory or subordinate use to a permitted principal use and subject to Section 729 of this Zoning Ordinance. All such uses and facilities shall be located within the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.

C. Uses by Conditional Use. The following principal uses and their accessory uses are permitted by conditional use within the Q-1 Zoning District, provided that, a conditional use is granted by the Board of Supervisors; the principal use complies with the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Recreational Uses, subject to Section 705 of this Zoning Ordinance.

D. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the Q-1 Zoning District, provided that, a special exception is granted by the Zoning Hearing Board; the principal use complies with the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Commercial Water Resource Use, subject to Section 714 of this Zoning Ordinance.

2. Bituminous Asphalt Plants, subject to Section 729 of this Zoning Ordinance. All such uses and facilities may be located outside the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.
3. Concrete Plants, subject to Section 729 of this Zoning Ordinance. All such uses and facilities may be located outside the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.

4. Concrete and Asphalt Recycling, as an accessory or subordinate use to a permitted principal use and subject to Section 729 of this Zoning Ordinance. All such uses and facilities may be located outside the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.

5. Concrete Manufacturing, as an accessory or subordinate use to a permitted principal use and subject to Section 729 of this Zoning Ordinance. All such uses and facilities may be located outside the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.

6. Demolition Recycling, as an accessory or subordinate use to a permitted principal use and subject to Section 729 of this Zoning Ordinance. All such uses and facilities may be located outside the limits of an existing quarry use as of January 1, 2007, which has been depicted on the Q-1 Quarry Plan approved by the Robeson Township Board of Supervisors and kept on file and the Robeson Township Municipal Building.

E. Utility and Dimensional Requirements. Matrix Chart 8 on the following pages provides the basic utility and dimensional requirements for all permitted uses within the Q-1 Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 8, the provisions contained within the text shall prevail.

F. Accessory Uses and Structures. Accessory uses and/or structures to the permitted uses of the Q-1 Zoning District shall be permitted provided, they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the appropriate agencies having jurisdiction and they are necessary to support the principal use.

G. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the Q-1 Zoning District. If a subdivision or land development plan is required, the plan
shall be prepared to comply with the appropriate provisions established by Robeson Township.

H. Off-Street Parking and Loading. Where applicable, all permitted uses within the Q-1 District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.

I. Signs. Where applicable, all permitted uses within the Q-1 District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

J. Supplemental Regulations. Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the Q-1 Zoning District.
<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Sewer</td>
<td>Water</td>
<td></td>
<td>Front</td>
<td>Side (each)</td>
<td>Rear</td>
</tr>
<tr>
<td>General Agricultural</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td></td>
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<td></td>
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<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>10 acres</td>
<td>245 feet</td>
<td>75 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Quarrying and Mining Operations</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>20 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>5 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Fabrication and Finishing Est.</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>5 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
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<tr>
<td>Business and Professional Office</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>5 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Contractor and Constructing Services</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>5 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
</tr>
<tr>
<td>Public Utilities</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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<tr>
<td>Municipal Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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<td></td>
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</tr>
<tr>
<td>Bituminous Asphalt Plants</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concrete Plants</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td></td>
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</tr>
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<td>Concrete and Asphalt Recycling</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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<td></td>
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<tr>
<td>Concrete Manufacturing</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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<tr>
<td>Demolition Recycling</td>
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<td>Optional</td>
<td>Variable</td>
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<td></td>
<td></td>
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<tr>
<td>Emergency Services Operation</td>
<td>By Right</td>
<td>Optional</td>
<td>Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>50 feet</td>
<td>20 feet</td>
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<tr>
<td>Forestry</td>
<td>By Right</td>
<td>Optional</td>
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<td>Variable</td>
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<tr>
<td>Recreational Uses</td>
<td>Conditional Use</td>
<td>Optional</td>
<td>Optional</td>
<td>5 acres</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Water Resource Use</td>
<td>Special Exception</td>
<td>Public</td>
<td>Public</td>
<td>10 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>40 feet</td>
</tr>
<tr>
<td>Bituminous Asphalt Plants</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Concrete Plants</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
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</tr>
</tbody>
</table>
### Q-1 ZONING DISTRICT: UTILITY AND DIMENSIONAL REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 8)

<table>
<thead>
<tr>
<th>Use</th>
<th>Procedural Requirement</th>
<th>Utility Requirements</th>
<th>Minimum Net Lot Area</th>
<th>Minimum Lot Width</th>
<th>Minimum Yard Requirements</th>
<th>Maximum Height</th>
<th>Maximum Coverage</th>
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</thead>
<tbody>
<tr>
<td>Concrete and Asphalt Recycling</td>
<td>Special Exception</td>
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<td>Variable</td>
<td>Refer to Sections 409.D and 729 for additional requirements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concrete Manufacturing</td>
<td>Special Exception</td>
<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Sections 409.D and 729 for additional requirements</td>
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<td></td>
</tr>
<tr>
<td>Demolition Recycling</td>
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<td>Optional</td>
<td>Optional</td>
<td>Variable</td>
<td>Refer to Sections 409.D and 729 for additional requirements</td>
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<td></td>
</tr>
</tbody>
</table>
§ 410. Quarry/Landfill (Q-2) Zoning District

A. Purpose. The Q-2 Zoning District contains areas with industrial uses or undeveloped parcels of land located within close proximity to highways and expressways, which provide employment opportunities for the residents within the region. The existing and/or proposed land uses should be served by a road system and by public utilities with sufficient capacities in accordance with the recommendations contained within the Southern Berks Regional Comprehensive Plan of 2004. Development and redevelopment opportunities should be considered to accommodate industrial, quarry, conservation, municipal and similar uses.

B. Uses by Right. The following principal uses and their accessory uses are permitted by right within the Q-2 Zoning District, provided that the use is approved by the Zoning Officer; the principal use complies with the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. General Agricultural Uses, subject to Section 704.1 of this Zoning Ordinance.
2. Farm-Related Business, subject to Section 704.4 of this Zoning Ordinance
3. Quarrying and Mining Operations, including all principal and accessory uses as further defined under Section 718 of this Zoning Ordinance.
4. Asphalt and Concrete Manufacturing Plants.
5. Manufacturing.
6. Fabrication and Finishing Establishment.
7. Contractor and Construction Services
8. Public and Private Utilities, subject to Section 725 of this Zoning Ordinance.
9. Municipal Uses, subject to Section 727 of this Zoning Ordinance.
10. Emergency Service Operation Uses
11. Forestry, subject to Section 505 of this Zoning Ordinance.

C. Uses by Conditional Use. The following principal uses and their accessory uses are permitted by conditional use within the Q-2 Zoning District, provided that a conditional use is granted by the Board of Supervisors; the principal use complies with the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.
1. Recreational Uses, subject to Section 705 of this Zoning Ordinance.

D. Uses by Special Exception. The following principal uses and their accessory uses are permitted by special exception within the Q-2 Zoning District, provided that a special exception is granted by the Zoning Hearing Board; the principal use complies with the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified by Robeson Township.

1. Adult Business and Entertainment Uses, subject to Section 710 of this Zoning Ordinance.

2. Commercial Water Resource Use, subject to Section 714 of this Zoning Ordinance.

3. Solid Waste Disposal and Reduction Facilities, subject to Section 719 of this Zoning Ordinance.

4. Junk Yards or Salvage Yards, subject to Section 720 of this Zoning Ordinance.

E. Utility and Dimensional Requirements. Matrix Chart 9 on the following pages provides the basic utility and dimensional requirements for all permitted uses within the Q-2 Zoning District. Unless otherwise specified by Robeson Township, all permitted uses shall comply with these requirements. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 9, the provisions contained within the text shall prevail.

F. Accessory Uses and Structures. Accessory uses and/or structures to the permitted uses of the Q-2 Zoning District shall be permitted provided they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use, or other approval requirements; and/or they comply with all other supplemental development and design requirements specified by Robeson Township. Accessory uses and structures may also include transportation facilities and utility provisions that have been approved by the appropriate agencies having jurisdiction and they are necessary to support the principal use.

G. Subdivision and Land Development Requirements. Where required to comply with the provisions of applicable Township Ordinances, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for any permitted use within the Q-2 Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions established by Robeson Township.
H. Off-Street Parking and Loading. Where applicable, all permitted uses within the Q-2 District shall comply with the off-street parking and loading requirements specified under Part 9 of this Zoning Ordinance.

I. Signs. Where applicable, all permitted uses within the Q-2 District shall comply with the requirements for signs, as specified under Part 10 of this Zoning Ordinance.

J. Supplemental Regulations. Where applicable, all sections of this Zoning Ordinance shall apply as supplementary regulations and specifications for permitted uses within the Q-2 Zoning District.
<table>
<thead>
<tr>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>General Agricultural</td>
<td>By Right</td>
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<td>Variable</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farm-Related Business</td>
<td>By Right</td>
<td>Optional</td>
<td>10 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>75 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Quarrying and Mining Operations</td>
<td>By Right</td>
<td>Optional</td>
<td>20 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>75 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Asphalt and Concrete Plants</td>
<td>By Right</td>
<td>Optional</td>
<td>10 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>75 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>By Right</td>
<td>Optional</td>
<td>5 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>35 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Fabrication and Finishing Est.</td>
<td>By Right</td>
<td>Optional</td>
<td>5 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>35 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Contractor and Constructing Services</td>
<td>By Right</td>
<td>Optional</td>
<td>5 acres</td>
<td>250 feet</td>
<td>75 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>35 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Public Utilities</td>
<td>By Right</td>
<td>Optional</td>
<td>5 acres</td>
<td>200 feet</td>
<td>50 feet</td>
<td>20 feet</td>
<td>40 feet</td>
<td>35 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Municipal Uses</td>
<td>By Right</td>
<td>Optional</td>
<td>Variable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency Services Operation</td>
<td>By Right</td>
<td>Optional</td>
<td>2 acres</td>
<td>200 feet</td>
<td>50 feet</td>
<td>20 feet</td>
<td>40 feet</td>
<td>35 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Forestry</td>
<td>By Right</td>
<td>Optional</td>
<td>Variable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreational Uses</td>
<td>Conditional Use</td>
<td>Optional</td>
<td>5 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult Business and Entertainment Use</td>
<td>Special Exception</td>
<td>Optional</td>
<td>2 acres</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial Water Resource Use</td>
<td>Special Exception</td>
<td>Public</td>
<td>10 acres</td>
<td>300 feet</td>
<td>60 feet</td>
<td>40 feet</td>
<td>40 feet</td>
<td>35 feet</td>
<td>20 %</td>
<td>40 %</td>
</tr>
<tr>
<td>Solid Waste Disposal and Reduction</td>
<td>Special Exception</td>
<td>Optional</td>
<td>10 acres</td>
<td>300 feet</td>
<td>75 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>35 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
<tr>
<td>Junk/Salvage Yards</td>
<td>Special Exception</td>
<td>Optional</td>
<td>10 acres</td>
<td>300 feet</td>
<td>75 feet</td>
<td>50 feet</td>
<td>50 feet</td>
<td>35 feet</td>
<td>40 %</td>
<td>60 %</td>
</tr>
</tbody>
</table>
PART 5
CONSERVATION OVERLAY DISTRICTS

§ 501. Statement of Intent

A. The purpose and objective of the Conservation Overlay Districts is to implement the goals, objectives and policies of the Southern Berks Regional Comprehensive Plan, which pertain to conservation management, environmental resource protection, natural resources, and open space preservation. In order to strategically implement these goals, objectives and policies, the following Conservation Overlay Districts are hereby established:

Floodplain Overlay District
Wetlands and Hydric Soil Overlay District
Steep Slope Overlay District
Woodland Protection and Management Overlay District
Historic Preservation Overlay District
Riparian Buffer Overlay District

B. The Conservation Overlay Districts incorporated under this Part include provisions to supplement and enhance the existing underlying district regulations for certain land areas and water features. These supplemental regulations should not replace the existing underlying zoning district regulations. In cases where the Conservation Overlay Districts should overlap, the more restrictive standards and specifications shall apply.

C. The land and water areas encompassed by the Conservation Overlay Districts shall be subject to the interpretation of the Zoning Officer.

D. Should a dispute arise concerning the interpretation of the boundaries or limits of those land or water areas encompassed by the Conservation Overlay Districts, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board in accordance with Section 1211. In all cases, the burden of proof and submission of technical evidence shall be the responsibility of the person appealing the interpretation of the Zoning Officer.
§ 502. Floodplain Overlay District

A. The Floodplain Overlay District shall be a conservation overlay to the underlying zoning districts of Robeson Township. The purpose and objective of the Floodplain Overlay District is outlined as follows:

1. To promote the general health, welfare and/or safety of the community.

2. To encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.

3. To minimize danger to public health by protecting water supply and natural drainage.

4. To reduce the financial burdens imposed on the community, its governmental or municipal units, and its resident, by preventing excessive development in areas subject to flooding.

5. To require all those uses, activities and development that do occur in flood-prone areas to be protected and or flood-proofed against flooding and flood damage.

6. To comply with federal and state floodplain management requirements.

7. To implement the recommendations concerning natural features, conservation management and land use, as outlined within the Robeson Township Comprehensive Plan of 1991 and the Southern Berks Regional Comprehensive Plan of 2004.

B. The Floodplain Overlay District shall include the land or water areas, which are inundated or contained within such flood-prone features including: the floodway; the floodway fringe; the 100-year floodplain; the special floodplain area; and the general floodplain area. These flood-prone features are further defined by the Federal Emergency Management Agency and are regulated under Robeson Township Floodplain Regulations Ordinance, as enacted on November 18, 1997, or as subsequently amended by Robeson Township. Supplementing the requirements of the Robeson Township Floodplain Ordinance:

1. The lowest habitable space of any new structure must be positioned a minimum of two (2) feet above the 100 year Base Flood Elevation

2. On properties, existing as of the adoption of this Ordinance, which include 50% or less of the total tract area within the Floodplain Overlay District, no new principal or accessory buildings may be erected within the Flood Overlay District.
3. On properties, existing as of the adoption of this Ordinance, which include more than 50% of the total tract area within the Floodplain Overlay District, development is permitted within the Floodplain Overlay District. On such tracts, the permitted development density of the site shall be determined as follows:

\[ N = \left[ \frac{O}{A} \right] + \left[ \frac{F}{3A} \right] \]

Where:
- \( N \) = Total number of permitted units
- \( O \) = Net tract area outside of the Floodplain Overlay District
- \( F \) = Net tract area within the Floodplain Overlay District
- \( A \) = Minimum Lot Area of the underlying Zoning District

except that in no case shall “\( N \)” be less than one (1). Fractional values of \( N \) shall be rounded up from 0.75 and down from values less than 0.75.

5. Newly established units shall be accessible via individual driveways which are constructed not lower than one (1) foot below the 100 year Base Flood Elevation.

6. Newly established units shall be accessible via new public or private streets constructed not lower than the 100 year Base Flood Elevation or via existing public streets.

C. The limits of the Floodplain Overlay District are identified in the most recent Flood Insurance Rate Study and Flood Insurance Rate Maps, as prepared and issued by the Federal Emergency Management Agency.

D. All proposed uses, improvements and development requirements shall conform to the provisions specified under Robeson Township Floodplain Regulations Ordinance, as enacted on November 18, 1997, or as subsequently amended by Robeson Township.

E. All application procedures, administrative controls, technical provisions, permitted land uses, activities requiring special exceptions, existing or non-conforming provisions, variance procedures, and technical definitions are specified within Robeson Township Floodplain Regulations Ordinance, as enacted on November 18, 1997, or as subsequently amended by Robeson Township.

§ 503. Wetlands and Hydric Soil Overlay District

A. The Wetlands and Hydric Soil Overlay District shall be a conservation overlay to the underlying zoning districts of Robeson Township. The purpose and objective of the Wetlands and Hydric Soil Overlay District Overlay District is outlined as follows:

1. To direct growth, development and revitalization efforts by considering environmentally sensitive land areas.
2. To achieve and sustain a high quality natural resource system and to protect a natural diversity of ecosystems.

3. To provide aquatic habitats, which are essential breeding, rearing and feeding grounds for many species of fish, plants and other wildlife.

4. To develop a protective zone to serve as a natural filter in the removing of pollutants such as bacteria, acid and sediment from groundwater and surface water.

5. To implement an effective hydrological and stormwater management program that adequately addresses surface drainage, groundwater recharge and soil erosion control measures.


7. To implement the recommendations concerning natural features, conservation management and land use, as outlined within the Southern Berks Regional Comprehensive Plan.

B. The Wetlands and Hydric Soil Overlay District shall include the following land and water features:

1. All areas delineated as wetlands on the most recent National Wetlands Inventory Maps as prepared by the United States Fish and Wildlife Service.

2. All areas delineated as wetlands by a qualified professional or soil scientist with experience in delineating wetlands.

3. All areas delineated as wetlands by the United States Army Corps of Engineers, as part of a Jurisdictional Determination.

4. All areas encompassed by hydric soils, as defined and mapped by the United States Department of Agriculture, National Resources Conservation Service.

5. All areas encompassed by high water table soils with hydric characteristics, as defined and mapped by the United States Department of Agriculture, National Resources Conservation Service.

C. All uses permitted within the underlying zoning districts shall be permitted as part of the Wetlands and Hydric Soil Overlay District, provided that the land area intended to facilitate the proposed use and related site improvements has not been delineated as a wetlands area by the United States Army Corps of Engineers, the Pennsylvania Department of Environmental Protection, the Berks County Conservation District, or by a qualified professional or soil scientist with experience in delineating wetlands.
D. For all subdivision or land development applications involving areas with hydric soils and/or areas considered to be wetlands, a qualified professional or soil scientist with experience in delineating wetlands shall conduct a field investigation and delineate the limits of the wetlands on the parcel of land being subdivided or developed. As part of this requirement, a report containing the field investigation notes, wetland data sheets, summary, conclusions and resume of the person(s) responsible for the field investigation shall be issued to Robeson Township for review and consideration. Further, the subdivision plan or land development plan shall contain a certification note that has been endorsed by the qualified person(s) responsible for the field investigation and the wetlands delineation, as accurately depicted on the subdivision plan or land development plan.

E. For all areas that are located within the Wetlands and Hydric Soil Overlay District the following provisions and restrictions shall specifically apply:

1. All areas delineated as wetlands within Robeson Township are subject to the land use restrictions and controls, as specified by Robeson Township, the Pennsylvania Department of Environmental Protection and/or the United States Army Corps of Engineers. No wetland encroachment or earth disturbance activities shall be permitted unless the appropriate permits or approvals have been obtained from the Pennsylvania Department of Environmental Protection, the United States Army Corps of Engineers and/or Robeson Township.

2. For residential developments with five (5) or fewer lots, a 100 foot buffer zone shall be applied to areas encompassed by hydric soils or high water table soils with hydric characteristics, as defined and mapped by the United States Department of Agriculture, National Resources Conservation Service. Unless otherwise permitted by Robeson Township, no encroachment or earth disturbance activities shall be permitted within the required buffer zone. The buffer zone may be reduced if a wetlands delineation has been performed by the applicant, which can support a reduction in the buffer zone to thirty-five (35) feet and that there will be no degradation or negative impacts to the wetlands as a result of the reduction of the buffer zone.

3. For residential developments with more than five (5) lots and/or non-residential developments, a wetlands delineation of the site shall be performed on areas encompassed by hydric soils or high water table soils with hydric characteristics, as defined and mapped by the United States Department of Agriculture, National Resources Conservation Service. A thirty-five (35) foot buffer zone shall be applied to areas that have been delineated as wetlands. Unless otherwise permitted by Robeson Township, no encroachment or earth disturbance activities shall be permitted within the required buffer zone.

4. For all residential and non-residential developments, if a Jurisdictional Determination has been conducted and issued by the United States Army Corps of Engineers, a twenty (20) feet buffer zone shall be applied to areas that have been delineated as wetlands.
5. If a Jurisdictional Determination has not been issued by the United States Army Corps of Engineers, the limits of the required buffer zone shall be measured from the outer perimeter of the areas delineated as wetlands or from the outer perimeter of the soils group that may be indicative of a wetlands area. The orientation of the required buffer yard shall be subject to the approval of the Robeson Township Engineer. Unless otherwise permitted by Robeson Township, no encroachment or earth disturbance activities shall be permitted within the required buffer zone.

F. Unless otherwise permitted by the Pennsylvania Department of Environmental Protection, no on-lot sewage disposal system shall be located within any area of the Wetlands and Hydric Soil Overlay District.

G. Unless otherwise required by Robeson Township, a wetlands delineation shall be conducted for all areas in which earth disturbance activities or improvements are proposed within the Wetlands and Hydric Soil Overlay District.

H. All development impacting or potentially impacting wetlands shall further comply with the wetland protection requirements of the Robeson Township Subdivision and Land Development Ordinance.

§ 504. Steep Slope Overlay District

A. The Steep Slope Overlay District shall be a conservation overlay to the underlying zoning districts of Robeson Township. The purpose and objective of the Steep Slope Overlay District is outlined as follows:

1. To protect certain land areas classified as “steep slopes” from inappropriate subdivision and land development activity, which could result in accelerated erosion, increased volume and velocity of stormwater, and degradation of surface waters.

2. To permit only those uses of steep slopes, which are compatible with the conservation of the natural conditions, habitats and environment by maintaining existing topographical conditions and minimizing earth disturbance activities.

3. To encourage the utilization of appropriate construction and land development practices.

4. To direct growth, development and revitalization efforts by considering environmentally sensitive land areas.

5. To implement the recommendations concerning natural features, conservation management and land use, as outlined within the Southern Berks Regional Comprehensive Plan.
B. The Steep Slope Overlay District shall include the following two (2) slope categories:

Category 1 Slopes: All land areas in which the topographical conditions have a range of slope between 20 to 30 percent in slope in pre-development conditions, whereas the difference in vertical elevation ranges between 10 to 15 feet over a horizontal distance of 50 feet, as measured in any given direction.

Category 2 Slopes: All land areas in which the topographical conditions exceed a slope of 30 percent in slope in pre-development conditions, whereas the difference in vertical elevation is 15 feet or more over a horizontal distance of 50 feet, as measured in any given direction.

C. All uses permitted within the underlying zoning districts shall be permitted as part of the Steep Slope Overlay District, provided that the lot or parcel intended to facilitate the proposed use and related site improvements does not conflict with the provisions of the Steep Slope Overlay District.

D. The following subdivision and land development provisions shall apply to all lots or parcels, regardless of their size, whereas at least 10 percent of the lot or parcel includes Category 1 Slopes:

1. The principal building and use may be located on Category 1 Slopes, provided that the principal building and use is designed by a qualified and licensed professional.

2. Accessory buildings, uses and driveways may be located on or traverse through Category 1 Slopes, provided that the accessory buildings, uses and driveways are designed by a qualified and licensed professional.

3. The maximum building coverage for the proposed use, as specified by the zoning district requirements, shall be reduced by 15 percent.

4. The maximum lot coverage for the proposed use, as specified by the zoning district requirements, shall be reduced by 15 percent.

5. Unless otherwise permitted by the Robeson Township Board of Supervisors as part of a subdivision or land development plan application, the final grading on any lot or parcel with Category 1 Slopes shall not exceed a 3 to 1 side slope or horizontal to vertical ratio for any area, which has been disturbed as a result of the site improvements. Grades exceeding a 3 to 1 ratio may be permitted by Robeson Township provided the following conditions apply: the grading and earth disturbance impacts will be minimized; the stabilization of adjacent land areas will be enhanced; the stormwater runoff will be sufficiently controlled; the site improvements will be designed, constructed and installed considering best engineering practices that are acceptable to the Robeson Township Engineer and Zoning Officer; and that the health, safety and general welfare of the community has been considered.
6. Municipal, utility and conservation uses shall be permitted on Category 1 Slopes.

7. No more than forty (40) percent of the delineated Category 1 slopes on the site may be disturbed.

E. The following subdivision and land development provisions shall apply to all lots or parcels, regardless of their size, whereas at least 10 percent of the lot or parcel includes Category 2 Slopes:

1. The principal building and use shall not be located on Category 2 Slopes.

2. All accessory buildings, uses and driveways shall not be located on or traverse through Category 2 Slopes.

3. The maximum building coverage for the proposed use, as specified by the zoning district requirements, shall be reduced by 20 percent.

4. The maximum lot coverage for the proposed use, as specified by the zoning district requirements, shall be reduced by 20 percent.

5. Unless otherwise permitted by the Robeson Township Board of Supervisors as part of a subdivision or land development plan application, the final grading on any lot or parcel with Category 2 Slopes shall not exceed a 3 to 1 side slope or horizontal to vertical ratio for any area, which has been disturbed as a result of the improvements. Grades exceeding a 3 to 1 ratio may be permitted by Robeson Township provided the following conditions apply: the grading and earth disturbance impacts will be minimized; the stabilization of adjacent land areas will be enhanced; the stormwater runoff will be sufficiently controlled; the site improvements will be designed, constructed and installed considering best engineering practices that are acceptable to the Robeson Township Engineer and Zoning Officer; and that the health, safety and general welfare of the community has been considered.

6. Municipal, utility and conservation uses shall be permitted on Category 2 Slopes.

7. A registered engineer and/or architect shall design all construction activities and site improvements on Category 2 Slopes. The responsible person for the design shall sign and seal the plans and permits that are associated with such construction activities and site improvements.

8. No more than twenty (20) percent of the delineated Category 2 slopes on the site may be disturbed.

F. Where a lot or parcel of land includes more than one slope category, the more restrictive provisions specified by this section shall apply.
G. All applications involving a building permit, subdivision and/or land development plan shall include a detailed topographical analysis, which includes a depiction of the slope categories at a scale of one (1) inch equaling fifty (50) feet. The Robeson Township Engineer and/or Zoning Officer shall review the accuracy of the topographical analysis. Where necessary, field verification shall be conducted to verify the accuracy of the topographical analysis.

§ 505. Woodland Protection and Management Overlay District

A. The Woodland Protection and Management Overlay District shall be a conservation overlay to the underlying zoning districts of Robeson Township. The Woodland Protection and Management Overlay District shall be defined as the predevelopment area of a tract encompassing all mature trees of six (6) inch caliper and greater plus the associated drip zone. The purpose and objective of the Woodland Protection and Management Overlay District is outlined as follows:

1. To protect areas classified as woodlands from inappropriate subdivision, land development and conservation management activities.

2. To acknowledge that woodlands are a vital resource and provide a number of community benefits including: minimizing erosion on areas of steep slopes and stream banks; improving groundwater quality and quantity by filtering out pollution and sediment; providing wildlife habitats for plants and animals; providing effective stormwater management and erosion control; providing shade from direct sunlight and reduces temperatures; stabilizing adverse climate conditions by providing buffer and wind breaks; providing active and passive recreation opportunities; enhancing the scenic characteristics; and reducing air pollution by absorbing airborne pollutants.

3. To establish forestry and timber regulations that will effectively promote good forest stewardship, protect the rights of adjoining property owners, and minimize the potential of adverse environmental impacts created by inappropriate timber harvesting.

4. To minimize the clear cutting of woodlands and other earth disturbance activities, which may create adverse environmental and ecological impacts.

5. To implement the recommendations concerning natural features, conservation management and land use, as outlined within the Southern Berks Regional Comprehensive Plan.

B. The Woodland Protection and Management Overlay District shall include the following activities:

1. Woodland extraction and tree replacement provisions, which apply to all subdivision and land development activities, subject to Section 505.1 of this Zoning Ordinance.
2. Forestry, timber harvesting, tree harvesting and logging regulations, which apply to all operations involved with the cutting down of trees and removal of logs from woodlands or forests for the primary purpose of sale and commercial processing into wood products, subject to Section 505.2 of this Zoning Ordinance.

C. These regulations related to Woodland Protection and Management are to be considered separately from any requirements related to landscaping as found in Section 813. To the extent that these requirements are in conflict or that compliance with the requirements of Sections 505 and 813 in combination result in an undesirable design, the Township Planning Commission, considering the recommendation of the Township Engineer and/or Code Officer, may permit a modified design which complies with the general intent of these requirements.

§ 505.1. Woodland Extraction and Replacement

A. Woodland extraction shall be permitted within all underlying zoning districts, provided it is conducted in a manner to facilitate all necessary site improvements, as identified on an approved subdivision plan, land development plan, erosion and sedimentation control plan, and/or building permit. For the purposes of this Zoning Ordinance, “woodland extraction” is hereby defined as the clear cutting or removal of mature trees, as measured six (6) inches or more in caliper, to provide area for improvements on an individual lot or parcel of land, as the mature trees exist in pre-development conditions.

B. The following provisions shall apply to all lots or parcels, regardless of their size, where woodland extraction measures are proposed based upon the total percentage of woodland extraction within the Woodland Protection and Management Overlay District on the site as determined for the extent of mature trees existing in pre-development conditions:

1. The removal of mature trees and other significant vegetation shall be mitigated by tree replacement as follows:

<table>
<thead>
<tr>
<th>TOTAL EXTENT OF SITE WOODLAND EXTRACTION</th>
<th>REPLACEMENT RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TREES PER LOT</td>
</tr>
<tr>
<td>0% - 20%</td>
<td>2</td>
</tr>
<tr>
<td>20% - 40%</td>
<td>3</td>
</tr>
<tr>
<td>40% - 60%</td>
<td>4</td>
</tr>
</tbody>
</table>

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replacement shall be the greater of “Trees Per Lot” plus “Common Area” vs. the “Minimum Tree Replacement Caliper” based upon 2” caliper trees.

2. Replacement trees shall have a minimum caliper of two (2) inches at breast height and shall be of shade tree species as listed on the table below. Substitution of two (2) evergreen trees or four (4) small trees / shrubs are permitted for each required shade tree if incorporated into a common landscaped area.

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Botanical Name</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Shade Trees</strong></td>
<td></td>
</tr>
<tr>
<td>Red Maple, ST</td>
<td>Acer rubrum</td>
</tr>
<tr>
<td>Sugar maple, ST</td>
<td>Acer saccharum</td>
</tr>
<tr>
<td>White ash, ST</td>
<td>Fraxinus Americana</td>
</tr>
<tr>
<td>Green ash, ST</td>
<td>Fraxinus pennsylvanica</td>
</tr>
<tr>
<td>Sycamore</td>
<td>Platanus occidentalis</td>
</tr>
<tr>
<td>White oak, ST</td>
<td>Quercus alba</td>
</tr>
<tr>
<td>Northern red oak, ST</td>
<td>Quercus rubra</td>
</tr>
<tr>
<td>Tulip poplar</td>
<td>Liriodendron tulipifera</td>
</tr>
<tr>
<td>Scarlet oak, ST</td>
<td>Quercus coccinea</td>
</tr>
<tr>
<td>Pin oak, ST</td>
<td>Quercus palustris</td>
</tr>
<tr>
<td>Shagbark hickory</td>
<td>Carya ovata</td>
</tr>
<tr>
<td>American basswood</td>
<td>Tilia Americana</td>
</tr>
<tr>
<td>American beech</td>
<td>Fagus grandifolia</td>
</tr>
<tr>
<td>Black cherry</td>
<td>Prunus serotina</td>
</tr>
<tr>
<td>London plane tree</td>
<td>Platanus acerifolia</td>
</tr>
<tr>
<td>“ST” indicates suitability for street tree placement</td>
<td></td>
</tr>
</tbody>
</table>

| **Evergreen Trees**       |                                   |
| Eastern redcedar          | Juniperus virginiana              |
| Canadian Hemlock          | Tsuga Canadensis                  |
| Norway spruce             | Picea abies                       |
| Eastern White Pine        | Pinus strobes                     |

| **Small Trees and Shrubs**|                                   |
| Rhododendron              | Rhododendron sp.                  |
| Black chokecherry         | Aronia melanocarpa                |
| Shadbush/Serviceberry     | Amelanchier Canadensis            |
| Redbud                    | Cercis Canadensis                 |
| Flowering dogwood         | Cornus florida white              |
| Winterberry               | Ilex verticulata                  |
| Washington hawthorn       | Crataegus phaemopyrum             |
| Sourwood                  | Oxydendrum arboretum              |
| Ironwood                  | Ostrya virginiana                 |
| Arrowwood                 | Viburnum dentatum                 |
| Black Haw                 | Viburnum prunifolium              |
| Maple leaf viburnum       | Viburnum acerifolium              |
| Mountain laurel           | Kalmia latifolia                  |

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3. In order to satisfy these conditions, the applicant shall submit a landscaping plan to Robeson Township for review and consideration. Unless otherwise permitted by the Robeson Township Board of Supervisors as part of a subdivision or land development plan application, the landscaping plan shall be prepared by a Landscape Architect, registered within the Commonwealth of Pennsylvania. The size, type or species, location, and planting specification of the replacement trees as well as all vegetative shall be specified on the landscaping plan.

4. Where the provisions of this section cannot be feasibly implemented, the required replacement trees shall be planted in an area designated as common open space within the development or any parcel of land owned and maintained by Robeson Township. The location of these replacement trees shall be subject to the approval by the Board of Supervisors.

5. No improvements are permitted within the inner 75% (measured radially from the trunk) of the drip zone of a tree, 6” caliper and greater, protected as part of the undisturbed area.

6. Prior to any tree removal, a plan must be submitted to Robeson Township indicating: limits of the Woodland Protection and Management Overlay District on the site, locations and diameters of trees to be removed must be noted on the plans. Likewise, locations, caliper and species of replacement trees must be indicated. Replacement species shall be representative of native species in the area. Protected woodland areas must be marked / protected from damage by 4 feet high orange construction fence of other suitable means approved by the Township Engineer.

7. All trees of 24” caliper and larger within the removal area(s) must be individually located and indicated on the plans. All trees of 6” to 24” caliper must be counted where possible. On sites where an efficient individual count is not possible due to the size of the site or quantity of trees, an estimation shall be calculated by the following method:

a. Three, 100 foot by 100 foot square areas will be staked out in locations acceptable to the developer’s representative and Township Engineer

b. The quantity of trees in each area will be counted and the totals averaged to determine the number of trees per 10,000 square feet of wooded area.

c. The average quantity per area will be used to determine the quantity being removed and required replacement quantity.
C. Unless otherwise approved by the Board of Supervisors, woodland extraction measures should not account for the removal or clear cutting of sixty (60) percent or more of the mature trees that are located on a lot or parcel in pre-development conditions.

D. If additional trees are removed or extracted for the purposes of grading or municipal improvements during the construction sequence, the applicant shall replace all such trees at a rate to be determined by the Board of Supervisors. The type and location of all such replacement trees shall be subject to the approval of the Board of Supervisors.

E. Unless otherwise specified by the requirements of this section, all replacement trees must comply with all pertinent landscaping provisions, as adopted by Robeson Township.

§ 505.2. Forestry, Timber Harvesting, Tree Harvesting and Logging

A. Forestry, timber harvesting, tree harvesting and/or logging shall be permitted within all underlying zoning districts, provided it is conducted in accordance with the provisions of this Zoning Ordinance. The removal of dead and/or hazardous trees and removal of wood by Owner for personal use shall be excluded from these requirements.

B. A permit shall be required from Robeson Township for any forestry, logging, timber harvesting and/or tree harvesting activities, whereas fifty (50) or more mature trees per acre are removed from any lot or parcels per year. It shall be unlawful for any person to engage in any forestry, timber harvesting, tree harvesting and/or logging on any lot or parcel of land within Robeson Township without first submitting a forest management plan and securing the proper permits. Unless otherwise required, the following permit application requirements shall apply:

1. A complete application and filing fee shall be submitted by the applicant or person engaged with the proposed forestry, timber harvesting, tree harvesting or logging activities, as imposed by resolution by the Board of Supervisors.

2. A forest management plan of the property where the proposed forestry, timber harvesting, tree harvesting or logging activity shall occur, which includes the following:

   a. An identification of the concerned property; the legal owners of the property; the mailing address(s) and phone number(s) of the legal property owners, operators, and applicant, at which they can be reached during normal business hours.

   b. A plan drawn to scale depicting the property boundaries, the areas of the site on which the work is to be performed, the topographic features, soils, existing vegetation, watercourses, man-made features, the affected watersheds and other natural features. The use of tax maps, topographic maps, aerial photography and soils maps may be utilized to prepare the plan.

   c. A description of the planned forestry, timber harvesting, tree harvesting or logging operation as well as a description of the planned replanting of the lot, as prepared and submitted by a forester or qualified person.
Where no replanting is planned, a statement from the approved forester describing the reasons why, in his opinion, the characteristics of the lot and vegetation situate thereon make natural regeneration appropriate or why such replanting is not otherwise necessary.

d. An estimated starting and completion date for the timber harvesting, tree harvesting or logging activities.

e. The location of the proposed temporary off-street parking and loading spaces, which shall be located outside the street right-of-way, constructed as a mud-free condition, and provide at least one (1) space per vehicle on the site of the timber harvesting activities.

3. A soil erosion and sediment control plan of the property where the proposed forestry, timber harvesting, tree harvesting or logging activity shall be submitted in accordance with the provisions of the Commonwealth of Pennsylvania.

4. A stormwater management design and report must be submitted to Robeson Township based upon the requirements of the Robeson Township Stormwater Management Ordinance. The design must include evaluation of the proposed stormwater impacts resulting from the proposed timber harvesting, tree harvesting and / or logging and shall indicate proposed stormwater management Best Management Practices to be installed to mitigate the impacts of runoff increases and changes in stormwater runoff flow patterns.

5. A complete copy of any other permits or licenses, as may be required by federal or state laws.

C. Where applicable, a separate application shall be required for each permit. Three (3) copies of all permit and plan documents, as referred to in this section shall be submitted with each application, one (1) of which, at the discretion of the Robeson Township Zoning Officer or Engineer shall be submitted to the Berks County Conservation District for review and comment.

D. The following regulations shall apply to all forestry, timber harvesting, tree harvesting and logging operations within Robeson Township:

1. Felling or skidding on or across any public road is prohibited without the express written consent of Robeson Township or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the public road.

2. No tops or slash shall be left within 25 feet of any public road right-of-way.

3. All tops and slash, between 25 and 50 feet from a public road right-of-way or private road providing access to adjoining residential property or within 50 feet of adjoining residential property, shall be lopped to a maximum height of four (4) feet above the surface of the ground.

4. No tops or slash shall be left on or across the boundary of any property adjoining the operation.
5. Litter resulting from the forestry, timber harvesting, tree harvesting or logging operation shall be removed from the property at least once every seven (7) days.

6. All holes created in the course of any tree harvesting operation shall be filled or regraded.

7. No timber harvesting, tree harvesting or logging operation shall occur within 100 feet of any perennial watercourse without a harvesting plan specifying specific trees to be removed and the method(s) to be used to protect the quality of the stream. Nor shall such harvesting or logging be permitted without appropriate required approvals.

8. All land areas and properties, which are used for timber harvesting, tree harvesting or a logging operation, shall be reseeded in compliance with the forest management plan and erosion and sediment control plan.

E. The following provisions for inspections, permit fees, and permit approval shall apply to all forestry, timber harvesting, tree harvesting and logging operations within Robeson Township:

1. The Board of Supervisors shall by resolution, establish a schedule of fees for all permit applications required this Zoning Ordinance. The required fee shall be submitted with the application, which shall not be considered for approval until the application fee is paid.

2. The Robeson Township Zoning Officer or Engineer shall review the applicant's permit application, together with all plans, surveys, schedules, design criteria and other documents submitted or required to be submitted as part of the permit application procedure, together with any and all amendments thereto, and shall prepare a report of his findings and recommendations with respect to the same, as he shall determine necessary prior to the issuance of any permit or permits. The applicant shall pay for the cost of all such plan reviews and inspections.

3. To ensure payment of all review and inspection fees, at the time of application, the applicant shall deposit with Robeson Township, a sum sufficient to cover the costs of such plan review, together with the cost of any inspections by the Robeson Township Zoning Officer or Engineer.

4. The Robeson Township Zoning Officer or Engineer shall approve and issue all permits and no work shall commence without the issuance of such permit approval.

F. Any permit issued under this section may be revoked or suspended by the Robeson Township Zoning Officer or Engineer after notice to the permit holder for:

1. Violation of any provision of this Zoning Ordinance or any other applicable law, ordinance, rule or regulation relating to the forestry, timber harvesting, tree harvesting or logging operations.

2. Any conditions or activities conducted on the property, which constitutes or creates a nuisance, hazard or endangers human life or the property of others.
G. The landowner and the operator shall be responsible for repairing any excess damage to public or private roads caused by traffic associated with a timber harvesting, tree harvesting or logging operation. Pursuant to Title 67 Pennsylvania Code, Chapter 189, the landowner or operator shall furnish a bond in an amount determined by the Robeson Township Zoning Officer or Engineer to guarantee the repair of such damages.

H. The landowner and/or operator shall clean any mud or debris that is tracked onto public roads and shall be responsible for repairing berms, shoulders, swales and/or stormwater management facilities on public roads, which may be damaged due to the timber harvesting, tree harvesting or logging operation. All soil and debris washed or carried onto public streets during timber harvesting, tree harvesting or logging operations shall be cleaned immediately after the occurrence.

I. The Robeson Township Zoning Officer or Engineer may go upon the property where any forestry, timber harvesting, tree harvesting or logging operation is occurring to determine if the requirements of this section and of the permit, including conditions thereof, or to the plans and specifications submitted with the permit application, including modifications thereof, or to the approved runoff and erosion control plan are being followed. If Robeson Township determines that the landowner or operator are not complying with permit application, supporting plans, or other provisions established within this Zoning Ordinance, Robeson Township shall send a written notice to the landowner, operator and applicant, which notice shall set forth the nature of corrections required and the time within which corrections shall be made. If the landowner, operator or applicant fails to comply with the notice in the time specified, the applicant shall be considered in violation of this Zoning Ordinance, in which case Robeson Township is entitled to seek all appropriate remedies by law.

§ 506. Historic Preservation Overlay District

A. The Historical Preservation Overlay District shall be a special overlay to the underlying zoning district within Robeson Township. The objectives of this special overlay district are outlined as follows:

1. To establish a zone that emphasizes the preservation of selected areas having historical significance.

2. To establish effective historical enhancement provisions, which consider provisions for buffer yards, scenic vistas, landscaping, signs and other visual enhancements.

3. To initiate a process of public and technical review prior to the demolition or relocation of historic structures.

4. To promote tourism within this historical region of Berks County.

5. To implement the recommendations concerning historical and cultural resources, natural features and land use planning, as outlined within the Joint Comprehensive Plan for Southern Berks County
B. The Historical Preservation Overlay District shall include the land areas within Robeson Township that are located within 500 feet of an historical resource or a feature which is considered to be historically significant, as referenced within the Joint Comprehensive Plan for Southern Berks County or as referenced as part of an inventory maintained by Robeson Township or the Berks County Planning Commission or within 200 feet of the boundary of a property containing such an historical resource or a feature which is considered to be historically significant. Where necessary, the limits of the Historical Preservation District shall be determined by the Robeson Township Zoning Officer.

C. All proposed land uses, developments and/or site improvements within the Historical Preservation Overlay District shall be reviewed by the Robeson Township Planning Commission prior to any approvals or the issuance of any permits. When deemed appropriate by the Robeson Township Planning Commission, Applicant will be required to provide a review prepared by a licensed professional architect. Where proposed improvements are located within the Historical Preservation Overlay District but not directly involving modification of the historical resource or feature, such report shall include an assessment of the impacts of the proposed improvements on the historical resource or feature of interest as well as an assessment of the architectural compatibility of the proposed improvements. Where proposed improvements directly involve modification of an historical resource or feature, the architectural review must include an assessment of architectural compatibility and documentation as to maintenance of the historical integrity of the resource or feature.

D. All permitted uses within the underlying zoning district to which the historical resource or historically significant structure is located may be permitted within the Historical Preservation Overlay District by Conditional Use. Also, alternative uses may be permitted by the Robeson Township Board of Supervisors, acting upon the recommendation of the Robeson Township Planning Commission, which have been determined to be: compatible with the adjacent land uses; enabling preservation, restoration or rehabilitation of the historical resource or historical structure; and meeting the overall purpose statements and objectives of this Zoning Ordinance. Alternative uses are only permitted by Conditional Use approved by the Board of Supervisors.

E. As part of all future subdivision and land development applications within the Historical Preservation Overlay District, the following design requirements and site improvements shall be considered:

1. All proposed buildings or structures located within the Historical Preservation District shall be reviewed in accordance with Section 506.C.

2. All proposed buildings or structures, which are permitted within the Historical Overlay District, shall be designed to consider the architectural characteristics of the existing properties within the Historical Preservation Overlay District. Where appropriate, the developer shall utilize building materials that are either compatible to these existing properties or will compliment the historical character of Robeson Township.
3. Where feasible, street trees and other aesthetic landscaping improvements should be incorporated into the design of the subdivision or land development plan.

4. The total number and size of all signs within the Historical Preservation Overlay District should be limited to avoid clutter and to serve the basic needs of the use. All proposed signs shall comply with the provisions of Part 10 of this Zoning Ordinance.

5. Unless otherwise directed by the utility company providing service, all proposed utilities shall be installed underground and within a utility easement or right-of-way.

6. All proposed developments shall be designed with regard to the topographic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are preserved and protected to the extent that it is not necessary to disturb the site in order to implement the criteria and standards of this Zoning Ordinance. All natural features not proposed for disturbance, as otherwise permitted by the objective standards and criteria of this Zoning Ordinance shall be preserved and incorporated into the final landscaping and open space design of the development.

7. All proposed developments and site improvements shall be designed to preserve and incorporate scenic, natural, historical and cultural features. Where feasible, the development shall incorporate, locate and identify scenic vista points, which will remain after construction of the proposed residential dwellings, other permitted uses, and related site improvements, and which will provide visual amenities to the development. The vista points may include unobstructed views looking into the development from adjacent public roads and unobstructed views within the development, each incorporating open space and/or other preserved natural features.

F. The following provisions shall apply to the demolition or relocation of historical resources and historically significant structures:

1. No historical resource or historically significant structure shall be demolished and/or relocated until it has been reviewed in accordance with Section 506.C. and reviewed by the Robeson Township Planning Commission.

2. The landowner or applicant shall provide documentation or evidence that the historical resource or historically significant structure cannot be rehabilitated, revitalized, reused or redeveloped as a viable land use within the community.

3. Deterioration of the historical resource or historically significant feature resulting from failure by the Applicant to adequately maintain the resource or feature shall not be permitted. Failure to provide adequate maintenance resulting in deterioration of the resource or feature is in violation of this Ordinance and
such deterioration shall not be considered as justification for demolition of the resource or feature.

4. The Robeson Township Board of Supervisors shall consider all proposals involving the demolition or relocation of historical resources and historically significant structures within the Historical Overlay District. If acceptable, the Robeson Township Board of Supervisors shall authorize the Robeson Township Zoning Officer to issue the appropriate permits.

§ 507. Riparian Buffer Overlay District

A. The Riparian Buffer Overlay District shall be a conservation overlay to the underlying zoning districts of Robeson Township. The purpose and objective of the Riparian Buffer Overlay District Overlay District is outlined as follows:

1. To achieve and sustain a high quality natural resource system and to protect a natural diversity of ecosystems.

2. To provide biodiversity corridors enabling wildlife habitats to prosper, migrate, breed and feed within close proximity to surface water features.

3. To develop a protective zone to serve as a natural filter in the removing of pollutants such as bacteria, acid and sediment from surface water.

4. To implement an effective hydrological and stormwater management program that adequately addresses surface drainage, groundwater recharge and soil erosion control measures

5. To implement Best Management Practices.

6. To implement the recommendations concerning natural features, conservation management and land use, as outlined within the Joint Comprehensive Plan for Southern Berks County.

7. To implement the goals and objectives of the Berks County Conservation Zoning Incentive Program.

B. The Riparian Buffer Overlay District shall apply to all perennial stream corridors within Robeson Township. The following provisions shall apply:

1. The limits of the Riparian Buffer Overlay District shall be recognized as a conservation overlay as part of the Robeson Township Zoning Ordinance. The design standards and specifications for the Riparian Buffer Overlay District shall be contained within the Robeson Township Subdivision and Land Development Ordinance.

2. Properties located along or adjacent to a perennial stream corridor, which are not subject to subdivision and land development activity shall be subject to an
education and volunteer effort, whereas, the landowner may implement the design standards contained within the Robeson Township Subdivision and Land Development Ordinance. All such efforts may be coordinated with local, county, state or federal agencies, provided that such efforts enhances, restores, stabilizes and/or maintains the integrity of woodland and vegetation within the of the Riparian Buffer Overlay.

3. Properties located along or adjacent to a perennial stream corridor, which are subject to subdivision and land development activity shall be subject to a mandatory effort, whereas, the landowner or developer shall be required to implement the design standards contained within the Robeson Township Subdivision and Land Development Ordinance. All such efforts may be coordinated with local, county, state or federal agencies, provided that such efforts enhances, restores, stabilizes and/or maintains the integrity woodland and vegetation within the of the Riparian Buffer Overlay.

4. All land uses and site improvements should be located, design and conducted in a manner that meet the design standards contained within the Robeson Township Subdivision and Land Development Ordinance.

C. To the extent that plans providing either Riparian Buffer areas and/or Riparian Forest Buffer areas are presented to Robeson Township for consideration in accordance with the Robeson Township Subdivision and Land Development Ordinance and the requirements of PA Code Chapter 102.14 as amended or updated from time to time, the Applicant may elect to adjust the total required minimum lot area as required for the underlying Zoning District in accordance with the following:

Where:

- \( TA = \) total net tract area (see definition of “Lot Area (Net)” in Section 202
- \( RA = \) required minimum lot area as specified for the underlying Zoning District
- \( RB = \) area of Riparian Buffer provided
- \( RFB = \) area of Riparian Forest Buffer provided
- \( MRA = \) modified required minimum lot area

Then:

\[
MRA = RA \times \left[ (1) - \left( \frac{RB}{TA} \right) - (1.5) \times \left( \frac{RFB}{TA} \right) \right] \geq \frac{2}{3} \times RA
\]
PART 5-1
AIRPORT ZONING REQUIREMENTS

§ 501-1. Definitions

The following words and phrases when used in this ordinance shall have the meaning given to them in this section unless the context clearly indicates otherwise:

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

Airport. Reading Airport. Any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities or rights-of-way, together with all airport buildings and facilities thereon. As used herein, the term “Airport” includes public airports but excludes private airports and heliports. Public and private airports are defined separately in this section.

Airport Elevation. Three hundred forty-four feet (344’). The highest point of an airport’s usable landing area measured in feet above sea level.

Airport Hazard. Any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined by “airport hazard” in 74 Pa. Cons. Stat. §5102.

Airport Hazard Area. Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this ordinance and the act 164 of 1984 (Pennsylvania Laws Relating to Aviation).

Approach Surface. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach surface zone height limitation slope set forth in section 502-1 of this Ordinance. In plan the perimeter of the approach surface coincides with the perimeter of the approach surface zone.

Approach, Transitional, Horizontal, and Conical Surface Zones. These zones are set forth in section 502-1 of this Ordinance.

Board of Appeals of Adjustment. A Board appointed by the authority adopting these regulations. The number of members, powers, governing rules, etc., of the Board are set forth in section 507-1 of this Ordinance. Joint Airport Zoning Board is Defined in Section 508-1.

Conical Surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) to one (1) for a horizontal distance of four thousand (4,000) feet.

Department. Pennsylvania Department of Transportation.

FAA. Federal Aviation Administration of the United States Department of Transportation.
Height. For the purpose of determining the height limits in all zones set forth in this ordinance and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

Horizontal Surface. A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal surface zone.

Larger Than Utility Runway. A runway that is constructed for and intended to be used by propeller-driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight and jet-powered aircraft.

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

Non-Precision Instrument Runway. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

Obstruction. Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in section 502-1 of this Ordinance.

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

Precision Instrument Runway. A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precisions Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

Primary Surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of that runway. for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. the width of the primary surface is set forth in section 502-1 of this Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Private Airport. An airport which is privately owned and which is not open or intended to be open to the public as defined in 74 Pa. Cons. Stat. §5102.

Public Airport. An airport which is either publicly or privately owned and which is open to the public as defined in 74 Pa. Cons. Stat. §5102.

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

Structure. An object, including a mobile object, constructed or installed by man, including but
without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

Transitional Surfaces. These surfaces extend outward at 90° angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet measured horizontally from the edge of the approach surface and at 90° angles to the extended runway centerline.

Tree. Any object of natural growth.

Utility Runway. A runway that is constructed for and intended to be used by propeller-driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.

Visual Runway. A runway intended solely for the operation of aircraft using visual approach procedures.

§ 502-1. Airport Surface Zones

In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to the Reading Airport. Such zones are shown on the Reading Airport Height Limitation and Zoning District Map prepared by the Pennsylvania Department of Transportation, Bureau of Aviation, and dated Spring, 1989, which is attached to this Ordinance and made a part hereof. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

A. Utility Runway Visual Approach Surface Zone. Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is two hundred fifty (250) feet wide. The zone expands outward uniformly to a width of one thousand two hundred fifty (1,250) feet at a horizontal distance of five thousand (5,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

B. Utility Runway Non-precision Instrument Approach Surface Zone. Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is five hundred (500) feet wide. The zone expands outward uniformly to a width of two thousand (2,000) feet at a horizontal distance five thousand (5,000) feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

C. Runway Larger Than Utility Visual Approach Surface Zone. Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is five hundred (500) feet wide. The zone expands outward uniformly to a width of one thousand five hundred (1,500) feet at a horizontal distance of five
thousand (5,000) feet from the primary surface. Its centerline is the continuation of the
centerline of the runway.

D. Runway Larger Than Utility With A Visibility Minimum Greater than Three-Quarter Mile
Non-Precision Instrument Approach Surface Zone. Established beneath the non-precision
instrument approach surface. The inner edge of this zone coincides with the width of the
primary surface and is five hundred (500) feet wide. The zone expands outward uniformly
to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten
thousand (10,000) feet from the primary surface. Its centerline is the continuation of the
centerline of the runway.

E. Runway Larger Than Utility With A Visibility Minimum As Low As Three-Quarter Mile
Non-Precision Instrument Approach Surface Zone. Established beneath the non-precision
instrument approach surface. The inner edge of this zone coincides with the width of the
primary surface and is one thousand (1,000) feet wide. The zone expands outward
uniformly to a width of four thousand (4,000) feet at a horizontal distance of ten thousand
(10,000) feet from the primary surface. Its centerline is the continuation of the centerline
of the runway.

F. Precision Instrument Runway Approach Surface Zone. Established beneath the precision
instrument approach surface. The inner edge of this zone coincides with the width of the
primary surface and is one thousand (1,000) feet wide. The zone expands outward
uniformly to a width of sixteen thousand (16,000) feet at a horizontal distance of fifty
thousand (50,000) feet from the primary surface. Its centerline is the continuation of the
centerline of the runway.

G. Transitional Surface Zones. Established beneath the transitional surfaces adjacent to each
runway and approach surface as indicated on the Height Limitation and Zoning District
Map.

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

I. Conical Surface Zone. Established beneath the conical surface. This zone commences at
the periphery of the horizontal surface and extends outward therefrom a horizontal
distance of four thousand (4,000) feet.

§ 503-1. Airport Surface Zone Height Limitations

Except as otherwise provided in this Ordinance, no structure shall be erected, altered, or maintained, and
no tree shall be allowed to grow in any zone created by this Ordinance to a height in excess of the
applicable height limit herein established for such zone. Such applicable height limitations are hereby
established for each of the zones in question as follows:
A. Utility Runway Visual Approach Surface Zone. Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand (5,000) feet along the extended runway centerline.

B. Utility Runway Non-Precision Instrument Approach Surface Zone. Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand (5,000) feet along the extended runway centerline.

C. Runway Larger Than Utility Visual Approach Surface Zone. Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand (5,000) feet along the extended runway centerline.

D. Runway Larger Than Utility With A Visibility Minimum Greater Than Three-Quarter Mile Non-Precision Instrument Approach Surface Zone. Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand (10,000) feet along the extended runway centerline.

E. Runway Larger Than Utility With A Visibility Minimum As Low As Three-Quarter Mile Non-Precision Instrument Approach Surface Zone. Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand (10,000) feet along the extended runway centerline.

F. Precision Instrument Runway Approach Surface Zone. Slopes fifty (50) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand (10,000) feet along the extended runway centerline; thence slopes upward forty (40) feet horizontally for each foot vertically to an additional horizontal distance of forty thousand (40,000) feet along the extended runway centerline.

G. Transitional Surface Zones. Slopes seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of one hundred fifty (150) feet above the airport elevation which is three hundred forty-four feet (344') above mean sea level. In addition to the foregoing when an airport has a precision instrument runway approach zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to a horizontal distance of five thousand (5,000) feet measured 90° angles to the extended runway centerline.

H. Horizontal Surface Zone. Established at one hundred fifty (150) feet above the established
airport elevation or at a height of four hundred ninety-four feet (494’) above mean sea level.

I. Conical Surface Zone. Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal surface and at one hundred fifty (150) feet above the established airport elevation and extending to a height of three hundred fifty feet (350’) above mean sea level.

J. Excepted Height Limitations. Nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to thirty-five feet (35’) above the surface of the land.

§ 504-1. Airport Zoning Requirements

A. Reasonableness. All airport zoning regulations adopted under this subchapter shall be reasonable; none shall impose any requirement or restriction unless it is reasonably necessary to effectuate the purpose of this subchapter. In determining what regulations it may adopt, each municipality and joint airport zoning board shall consider, among other factors, the character of the flying operations expected to be conducted at the airport, the nature of the terrain which the airport hazard area, the character of the neighborhood, and the uses to which the property to be zoned is put and adaptable.

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

C. Nonconforming Uses

1. Regulations Not Retroactive. The regulations prescribed by this Ordinance shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of any nonconforming use, except as provided in Section 507-1 (relating to permits and variances). Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which has begun prior to the effective date of this Ordinance, and is diligently executed.

2. Marking and Lighting. Notwithstanding the preceding provision of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon or nearby of such markers and lights as shall be deemed necessary by the Airport to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the owner.
§ 505-1. Permits and Variances

A. Future Uses. Except as specifically provided in a, b, or c hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with this Section.

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

2. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than four thousand two hundred (4,200) feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limit prescribed for such approach zones.

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

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

B. Existing Uses. Before any nonconforming structure may be replaced, substantially altered or rebuilt or trees allowed to grow higher or replanted, a permit must be secured from the municipality authorizing the replacement or change. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made.
C. Nonconforming Uses Abandoned or Destroyed. Whenever the Code Official of Robeson Township determines that a nonconforming tree or structure has been abandoned or more than eighty percent (80%) torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from this Ordinance.

D. Variance. Any person desiring to erect any structure or increase the height of any structure or permit the growth of any object of natural growth or otherwise use his property in violation of airport zoning regulations may apply to the Board of Adjustment for a variance from the zoning regulations in question. A variance shall only be granted after the requirements of Section 508-1 are satisfied. A variance may be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and would be in accordance with the spirit of the regulations and this Ordinance. Any variance may be granted subject to any reasonable conditions that the Board of Adjusters may deem necessary to effectuate the purposes of this Ordinance.

The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Additionally, no application for variance to the requirements of this Ordinance may be considered by the Board of Adjustment unless a copy of the application has been furnished to the Airport Manager (or person of equivalent description) for advice as to the aeronautical effects of the variance. If the Airport Manager (or person of equivalent description) does not respond to the application within fifteen (15) days after receipt, the Board of Adjustment may act without such input to grant or deny said application.

E. Hazard Marking and Lighting. In granting any permit or variance under this Section, the Board shall, if it deems the action advisable to effectuate the purpose of this Ordinance and reasonable under the circumstances, so condition the permit or variance as to require the owner of the structure or object of natural growth in question to permit the municipality, at its town expense, or require the person or persons requesting the permit or variance, to install, operate and maintain thereon such markers and lights as may be required by guidelines or regulations adopted by the FAA.

§ 506-1. Enforcement/Notice

A. Local Enforcement. It shall be the duty of the Code Officer of Robeson Township to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Code Officer of Robeson Township upon a form published for that purpose. Applications required by this Ordinance to be submitted to the Code Officer shall be promptly considered and granted or denied. Application for action by the Board of Adjustment shall be forthwith transmitted by the Code Officer of Robeson Township.

B. Notice to Department. Notwithstanding any other provision of law, a municipality or board which decides to grant a permit or variance under this Ordinance shall notify the
Department of Transportation of its decision. This notice shall be in writing and shall be sent so as to reach the department at least ten (10) days before the date upon which the decision is to issue.

§ 507-1. Board of Adjustment

A. Powers. There is hereby created a Board of Adjustment to have and exercise the following powers: (1) to hear and decide appeals from any order, requirement, decision, or determination made by the Code Officer in the enforcement of this Ordinance; (2) to hear and decide special exceptions to the terms of this Ordinance upon which such Board of Adjustment under such regulations may be required to pass; and (3) to hear and decide specific variances.

B. Creation. The Zoning Hearing Board of Robeson Township is hereby appointed as the Board of Adjustment.

C. Governing Rules. The Board of Adjustment shall adopt rules for its governance and in harmony with the provisions of this Ordinance. Meetings of the Board of Adjustment shall be held at the call of the Chairperson and at such other times as the Board of adjustment may determine. For conduct of any hearing or taking of any action, a quorum shall not be less than a majority of all members. The Chairperson or, in the absence of the Chairperson, the Acting Chairperson, may administer oaths and compel the attendance of witnesses. All hearings of the Board of Adjustment shall be public. The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the Code Officer and on due cause shown.

D. Findings of Fact/Conclusions of Law. The Board of Adjustment shall make written findings of facts and conclusions of law giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of this Ordinance.

E. Voting. The concurring vote of a majority of the members of the Board of Adjustment shall be sufficient to reverse any order, requirement, decision, or determination of the Code officer or decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to effect variation to this Ordinance.

§ 508-1. Joint Airport Zoning Board

Joint Airport Zoning Board. Where any airport hazard appertaining to an airport is located outside the territorial limits of the municipality encompassing the airport, all of the municipalities involved may, by ordinance or resolution, create a joint airport zoning board which shall have the same power to adopt, administer and enforce airport zoning regulations applicable to the airport hazard area in question as that vested (by the police power) in the municipality within which the area is located. Each joint airport zoning board shall have as members two (2) representatives appointed by each municipality participating in its creation and, in addition, a chairman elected by a majority of the members so appointed.
§ 509-1. Appeals

A. Right of Appeal. Any person aggrieved or taxpayer affected by any decision of the municipality or joint zoning hearing board may appeal to the Board of Adjustment as provided by law.

B. Reasonable Time Requirement. All appeals hereunder must be taken within a reasonable time as provided by the rules of the Board of Adjustment. The Board shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

C. Stay of Proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from unless the municipality or Joint Zoning Hearing Board certifies to the Board, after the notice of appeal has been filed with it, that, by reason of the facts stated in the certificate, a stay would in its opinion cause imminent peril to life or property. In such cases proceedings shall not be stayed otherwise than by order of the Board or notice to the municipality or joint zoning appeal board.

D. Power to Reverse, Affirm or Modify Orders. The Board of Adjustment may, in conformity with the provisions of this Ordinance, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as may be appropriate under the circumstances.

§ 510-1. Acquisition of Air Rights

In any case in which it is desired to remove, lower or otherwise terminate a nonconforming structure or use, or the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations, or it appears advisable that the necessary approach protection be provided by acquisition of property rights, rather than by airport zoning regulations, the municipality within which the property or nonconforming use is located, or the municipality or municipal authority owning the airport or served by it, may acquire by purchase, grant or condemnation, in the manner provided by the law under which municipalities are authorized to acquire real property for public purposes, such air right, aviation easement or other estate or interest in the property or nonconforming structure or use in question as may be necessary to effectuate the purpose of this Ordinance. In the case of the purchase of any property or any easement or estate, or interest therein, or the acquisition thereof by the power of eminent domain, the municipality making the purchase of exercising the power shall, in addition to the damages for the taking, injury or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility which is required to be moved to a new location.

§ 511-1. Relation to Other Zoning Regulations

A. Incorporation. In the event that a municipality has adopted or hereafter adopts a comprehensive zoning ordinance regulating, among other things, the height of buildings, any airport zoning regulations applicable to the same area or portion thereof may be incorporated in and made a part of the comprehensive zoning regulations and be administered and enforced in connection therewith.
B. Conflicts. In the event of conflict between the airport zoning regulations adopted under this Ordinance and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, and whether the other regulations were adopted by the municipality which adopted the airport zoning regulations or be some other municipality or otherwise, the more stringent limitation or requirement shall govern and prevail.

§ 512-1. Judicial Review

Any person aggrieved, or any taxpayer affected, by any decision of the Board of Adjustment, may appeal to the Court of Common Pleas as provided by law. In cases where applicable law does not provide an appeal from a municipality to a Board, a person or tax payer may appeal from a decision of a municipality or joint airport zoning board, as provided by law for similar zoning proceedings.

§ 513-1. Interpretation of Language and Caption

A. Use of Language. Words of any gender used in this Part shall be held and construed to include any other gender, and words in the singular shall be sued to include the plural, unless the context otherwise requires.

B. Use of Captions. The captions or headings of sections in this Part are inserted for convenience only, and shall not be considered in construing the provisions herein if any question of intent should arise.

§ 514-1. Penalties

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of any provision of this Part or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than Five Hundred and 00/100 Dollars ($500.00) plus all court costs, including reasonable attorneys’ fees incurred by a municipality as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, cost and reasonable attorneys’ fees collected for the violation of zoning ordinances shall be paid over to the municipality whose ordinance has been violated.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the municipality the right to commence any action for enforcement pursuant to this section.
PART 6
RESIDENTIAL LAND USE AND DEVELOPMENT REQUIREMENTS

§ 601. Statement of Intent

A. The intent of Part 6 is to develop certain land use and development requirements for the residential uses within Robeson Township. The provisions of Part 6 are intended to supplement and not replace the zoning district regulations, which are further specified under Part 4 of this Zoning Ordinance.

B. For the purposes of this Zoning Ordinance, “residential uses” shall include all single family detached dwelling units, single family semi-detached dwelling units, two family detached dwelling units, townhouse units, apartment units, condominiums, multi-family units, mobile homes, echo housing, or other residential use specified within under this Zoning Ordinance, whereas, primary occupancy for residential uses shall apply to the existing or proposed use.

C. The regulations established under Part 6 shall be subject to the interpretation of the Robeson Township Zoning Officer. Should a dispute arise concerning the interpretation of these supplementary regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

§ 602 Single Family Detached Residential Uses

A. Single family detached residential units, as defined under Part 2 of this Zoning Ordinance, are permitted within Robeson Township as follows:

1. Permitted by right within the AP Zoning District, subject to the sliding scale formula provisions contained under Section 704.7 of this Zoning Ordinance.

2. Permitted by right in the R-1, R-2, R-3 and VC Zoning Districts.

3. Permitted by special exception within the GC Zoning District.

B. All single family detached dwelling units shall be located on approved residential lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the single family detached residential unit is located.

C. Where required to comply with the provisions established by Robeson Township, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for a single family detached residential use. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions of the Subdivision and Land Development Ordinance.
D. All typical accessory uses and structures to a single family detached residential unit shall be permitted provided: they are located on the same lot as the single family detached unit; they are clearly subordinate to the single family detached residential unit; they have been properly addressed as part of the application for a building permit, subdivision plan or land development plan; and/or they comply with all other supplemental development and design requirements specified by Robeson Township.

§ 603. Single Family Semi-Detached Residential Uses

A. Single family semi-detached residential units, as defined under Part 2 of this Zoning Ordinance, are permitted by right within the R-2, R-3 and VC Zoning Districts.

B. All single family semi-detached dwelling units shall be located on individually approved residential lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the single family semi-detached residential unit is located.

C. Each residential semi-detached unit shall be considered as a principal use and shall comply with the individual dimensional and utility requirements for a semi-detached unit. Each residential lot shall be accurately described by bearings and distances, which shall be recorded as a separate deed.

D. The common wall separating the residential semi-detached units shall be considered the common lot line, as extended from the front property line to the rear property line. The side yard setback requirements shall not apply to any part of the principal residential use, however, the side yard setback requirement for all accessory buildings and/or uses should be measured at least ten (10) feet from the common lot line.

E. Where required to comply with the provisions established by Robeson Township, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for a single family semi-detached residential use. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions of the Subdivision and Land Development Ordinance.

F. All typical accessory uses and structures to a single family semi-detached residential unit shall be permitted provided: they are located on the same lot as the single family semi-detached unit; they are clearly subordinate to the single family semi-detached residential unit; they have been properly addressed as part of the application for a building permit, subdivision plan or land development plan; and/or they comply with all other supplemental development and design requirements specified by Robeson Township.

§ 604. Two Family Detached Residential Uses

A. Two family detached residential units, as defined under Part 2 of this Zoning Ordinance, are permitted by special exception within the VC Zoning District.
B. All two family detached dwelling units shall be located on approved residential lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the two family detached residential unit is located.

C. Each two family detached residential unit, which shall be contained within a residential lot meeting the dimensional requirements for two family detached residential units, which shall have separate utility connections to each residential unit.

D. Where required to comply with the provisions established by Robeson Township, a subdivision plan and/or land development plan shall be submitted to Robeson Township for review and consideration, prior to the issuance of a building permit for a two family detached residential use. The plan shall be prepared to comply with the appropriate provisions of the Subdivision and Land Development Ordinance.

E. All typical accessory uses and structures to a two family detached residential unit shall be permitted provided: they are located on the same lot as the two family detached unit; they are clearly subordinate to the two family detached residential unit; they have been properly addressed as part of the application for a building permit, subdivision plan or land development plan; and/or they comply with all other supplemental development and design requirements.

§ 605. Multi-Family Townhouse Uses and Developments

A. Multi-family townhouse units, as defined under Part 2 of this Zoning Ordinance, are permitted within Robeson Township as follows:

1. Permitted by right within the R-3 and V-C Zoning Districts, provided there are six (6) or fewer total townhouse units within the development.

2. Permitted by special exception within the R-3 and V-C Zoning Districts, provided there are seven (7) or more total townhouse units within the development.

B. All multi-family townhouse unit developments shall be designed in accordance with the following general design requirements.

1. The minimum amount of contiguous land area required for a multi-family townhouse unit development shall be as follows:

   a. A minimum of five (5) contiguous total acres shall be required for a development containing a total of six (6) or fewer townhouse units.

   b. A minimum of twenty-five (25) contiguous total acres shall be required for a development containing a total of seven (7) or more townhouse units
Contiguous land area shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. Contiguous parcels of land that are physically separated by existing public roads, utility easements or rights-of-way, streams and/or other natural features, may be considered provided that the multi-family townhouse unit development can be harmoniously designed.

2. The maximum permitted residential density (townhouse units per gross acre) for multi-family townhouse unit developments shall not exceed 4.0 townhouse units per gross acre.

3. A minimum of fifty (50) percent of the gross area of the multi-family townhouse unit development shall be set aside as common open space.

4. All of the uses contained within the development shall be served by public sanitary sewage disposal facilities. The applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all pertinent municipal agreements.

5. All of the uses contained within the development shall be served by public water supply facilities. The applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all pertinent municipal agreements.

C. The multi-family townhouse unit development shall be designed to comply with the following minimum and maximum dimensional requirements:

1. The minimum width of a townhouse unit shall be 24 feet per unit.

2. The building setback line should be established 30 feet from the right-of-way line or 40 feet from the curb line.

3. The minimum building separation from other groups of townhouse units within the development shall be as follows:
   a. The separation shall be 40 feet when the townhouse unit groups are side to side.
   b. The separation shall be 50 feet when the townhouse unit groups are side to rear.
   c. The separation shall be 60 feet when the townhouse unit groups are rear to rear.
4. All townhouse units within the development shall be located at least fifty (50) feet from any property line or property, which is not owned by the applicant in pre-development conditions.

5. The number of townhouse units, attached in a common row, shall not exceed eight (8) attached townhouse units.

6. The maximum height of a townhouse unit shall be 35 feet.

7. No more than twenty-five (25) percent of the total area of the development shall be covered by buildings.

8. No more than forty (40) percent of the total area of the development shall be covered by impervious surfaces.

D. The multi-family townhouse unit development shall be designed in accordance with following architectural, landscaping and exterior enhancement standards:

1. The development shall be designed with regard to the topographic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are preserved and protected to the extent that it is not necessary to disturb the site in order to implement the plan utilizing the objective criteria and standards of Robeson Township relating to the proposed housing types, street locations and required infrastructure and their intended location within the site.

2. A grading plan shall be developed identifying the limits of disturbance for all site improvements within the multi-family townhouse unit development, depicting the proposed location thereof in relation to lakes, ponds, streams, 100-year floodplain, wetlands, tree masses and hedgerows. Design components shall be implemented to minimize extensive earthmoving, utilizing typical planning and engineering practices.

3. The applicant shall give special attention to the main entrance(s) to the multi-family development. The use of lighting, water and/or landscaping products in conjunction with a boulevard street design shall be provided and considered as a prominent feature of the development.

4. A landscaping plan shall be prepared and submitted to Robeson Township. The applicant shall provide three (3) new trees per townhouse unit. The trees should be a minimum caliper of two (2) inches in caliper and shall be planted either as street trees, as part of the buffer yard, or within the areas designated as common open space.

5. The multi-family development shall provide a 20 foot wide buffer yard and planting screen along the property lines at the perimeter of the development tract to enhance the privacy of the adjacent property owners. The design of the landscape and planting screen shall be subject to the reasonable approval of
Robeson Township. The use of existing mature trees (6 inches in caliper at breast height) should be encouraged and may be utilized as part of the required buffer yard.

6. Townhouse units shall be constructed utilizing mansards, gables and/or hip roofs as part of the architectural design. The front building lines or facade of any two (2) adjoining townhouse units shall be staggered or offset, so that each townhouse unit will have a minimum horizontal separation (front to back at full height) of two (2) feet.

7. The common off-street parking areas and access drives shall be designed considering the provisions of Part 10 of this Zoning Ordinance as well as the following requirements:

a. The parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All dead-end parking lots shall provide adequate areas in which emergency and commercial vehicles can safely maneuver.

b. Common parking areas and access drives shall be located a minimum of twenty (20) feet from all structures and from the exterior lot lines of the development. Common parking areas shall be a minimum of twenty (20) feet from all street rights-of-way and exterior lot lines of the development.

c. The entrance and exit ways to parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.

d. Parking areas shall be designed to prevent through traffic to other parking areas. No more than sixty (60) off-street parking spaces shall be accommodated in any one (1) parking area. All common parking areas shall be sufficiently screened and landscaped in accordance with the standards specified under Section 813 of this Zoning Ordinance.

e. Entrances to and exits from common parking areas shall be located a minimum of one hundred fifty (150) feet from the point of intersection of the nearest street curb lines.

8. Exterior storage areas for trash and rubbish shall be completely screened from view on three (3) sides by fencing and landscaping. All trash and rubbish shall be contained in vermin-proof containers.

E. The design of the land or water areas designated as common open space shall comply with the following standards and specifications:

1. A minimum of fifty (50) percent of the gross area of the development tract shall be set aside as common open space.
2. No more than fifty (50) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty (20) percent in slope.

3. No more than fifty (50) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities, as further described under Robeson Township Subdivision and Land Development Ordinance.

4. At least twenty-five (25) percent of the common open space shall be utilized to accommodate active and passive recreation uses.

5. The common open space shall be planned and located as a contiguous accessible area within the development. Existing and/or proposed roads may bisect the areas designated as common open space, provided a cross walk at grade is safely designed to link the common open space areas. Planned linkages to other common open space areas within other adjacent residential developments shall be considered.

6. Significant natural features shall be incorporated into the overall schematic of the design as common open space areas whenever possible.

7. A system for pedestrian circulation throughout the development shall be provided by utilizing sidewalks and trails.

8. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than 50 feet in width and shall not contain less than one (1) contiguous acre of land. In addition, there shall be at least one (1) designated common area that is contiguous within the multi-family townhouse unit development containing no less than twenty-five (25) percent of the required open space.

9. For all common open spaces, satisfactory written agreements approved by the Board of Supervisors shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, and shall be recorded with the approved plan.

10. The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:

a. Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;
b. Dedicate the land encompassing the common open space to a legally recognized non-profit preservation or conservation group; or

c. Dedicate the land encompassing the common open space to Robeson Township, who shall have the option to accept or refuse the land offered for dedication

11. The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by Robeson Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.

F. In addition to the townhouse units, the multi-family development may contain the following non-residential uses, provided they are considered as part of the special exception application:

1. Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, sales, meetings and/or maintenance, which are directly associated with the multi-family townhouse unit development and which are owned and operated by the developer or homeowners association.

2. Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the multi-family townhouse unit development.

3. Active and passive recreation uses conducted on the areas designated as common open space.

§ 606. Multi-Family Apartment Uses and Developments

A. Multi-family apartment units, as defined under Part 2 of this Zoning Ordinance, are permitted within Robeson Township as follows.

1. Permitted by right within the R-3 and V-C Zoning Districts, provided there are six (6) or fewer total apartment units within the development.

2. Permitted by special exception within the R-3 and V-C Zoning Districts, provided there are seven (7) or more total apartment units within the development.

B. All multi-family apartment unit developments shall be designed in accordance with the following requirements:

1. The minimum amount of contiguous land area required for a multi-family apartment unit development shall be as follows.
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a. A minimum of five (5) contiguous total acres shall be required for a development containing a total of six (6) or fewer apartment units.

b. A minimum of twenty-five (25) contiguous total acres shall be required for a development containing a total of seven (7) or more apartment units

Contiguous land area shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. Contiguous parcels of land that are physically separated by existing public roads, utility easements or rights-of-way, streams and/or other natural features, may be considered provided that the multi-family apartment unit development can be harmoniously designed.

2. The maximum permitted residential density (apartment units per gross acre) for multi-family apartment unit developments shall be 4.0 apartment units per gross acre.

3. A minimum of sixty (60) percent of the gross area of the multi-family apartment unit development shall be set aside as common open space.

4. All of the uses contained within the development shall be served by public sanitary sewage disposal facilities. The applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all pertinent municipal agreements.

5. All of the uses contained within the development shall be served by public water supply facilities. The applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all pertinent municipal agreements.

C. The multi-family apartment unit development shall be designed to comply with the following minimum and maximum dimensional requirements:

1. The total number of individual apartment units contained within a single building shall not exceed twenty-five (25) apartment units.

2. The building setback line should be established 50 feet from the right-of-way line or 60 feet from the curb line.

3. The minimum building separation from other groups of apartment units within the development shall be as follows:

a. The separation shall be 60 feet when the apartment unit groups are side to side.
b. The separation shall be 70 feet when the apartment unit groups are side to rear.

c. The separation shall be 80 feet when the apartment unit groups are rear to rear.

4. The maximum height of any building occupying individual apartment units shall not exceed 35 feet.

5. The maximum length of any building occupying individual apartment units shall not exceed 160 feet.

6. The maximum depth of any building occupying individual apartment units shall not exceed 80 feet.

7. All apartment units within the development shall be located at least 60 feet from any property line or property, which is not owned by the applicant in pre-development conditions.

8. No more than twenty-five (25) percent of the total area of the development shall be covered by buildings.

9. No more than forty (40) percent of the total area of the development shall be covered by impervious surfaces.

D. The multi-family apartment unit development shall be designed in accordance with following architectural, landscaping and exterior enhancement standards:

1. The development shall be designed with regard to the topographic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are preserved and protected to the extent that it is not necessary to disturb the site in order to implement the plan utilizing the objective criteria and standards relating to the proposed housing types, street locations and required infrastructure and their intended location within the site.

2. A grading plan shall be developed identify the limits of disturbance for all municipal site improvements within the multi-family apartment unit development, depicting the proposed location thereof in relation to lakes, ponds, streams, 100-year floodplain, wetlands, tree masses and hedgerows. Design components shall be implemented to minimize extensive earthmoving, utilizing typical planning and engineering practices.

3. The applicant shall give special attention to the main entrance(s) to the multi-family development. The use of lighting, water and/or landscaping products in conjunction with a boulevard street design shall be provided and considered as a prominent feature of the development.
4. A landscaping plan shall be prepared and submitted to Robeson Township. The applicant shall provide three (3) new trees per apartment unit. The trees should be a minimum caliper of two (2) inches in caliper and shall be planted either as street trees, as part of the buffer yard, or within the areas designated as common open space.

5. The multi-family development shall provide a 20 foot wide buffer yard and planting screen along the property lines at the perimeter of the development tract to enhance the privacy of the adjacent property owners. The design of the landscape and planting screen shall be subject to the reasonable approval of Robeson Township. The use of existing mature trees (6 inches in caliper at breast height) should be encouraged and may be utilized as part of the required buffer yard.

6. Apartment units shall be constructed utilizing courtyards, common porticos, mansards, gables and/or hip roofs as part of the architectural design. Where feasible, the front building lines or facade of the common apartment building should be staggered or offset.

7. The common off-street parking areas and access drives shall be designed considering the provisions of Part 10 of this Zoning Ordinance as well as the following requirements:

   a. The parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All dead-end parking lots shall provide adequate areas in which emergency and commercial vehicles can safely maneuver.

   b. Common parking areas and access drives shall be located a minimum of twenty (20) feet from all buildings and structures within the development. Common parking areas shall be a minimum of twenty (20) feet from all street rights-of-way and exterior lot lines of the development.

   c. The entrance and exit ways to parking areas shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.

   d. Parking areas shall be designed to prevent through traffic to other parking areas. No more than sixty (60) off-street parking spaces shall be accommodated in any one (1) parking area. All common parking areas shall be sufficiently screened and landscaped in accordance with the standards specified under Section 813 of this Zoning Ordinance.

   e. Entrances to and exits from common parking areas shall be located a minimum of one hundred fifty (150) feet from the point of intersection of the nearest street curb lines.
8. Exterior storage areas for trash and rubbish shall be completely screened from view on three (3) sides by fencing and landscaping. All trash and rubbish shall be contained in vermin-proof containers.

E. The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:

1. A minimum of sixty (60) percent of the gross area of the development tract shall be set aside as common open space.

2. No more than fifty (50) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty (20) percent in slope.

3. No more than fifty (50) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities, as further described by the Robeson Township Subdivision and Land Development Ordinance.

4. At least twenty-five (25) percent of the common open space shall be utilized to accommodate active and passive recreation uses.

5. The common open space shall be planned and located as a contiguous accessible area within the development. Existing and/or proposed roads may bisect the areas designated as common open space, provided a cross walk at grade is safely designed to link the common open space areas. Planned linkages to other common open space areas within other adjacent residential developments shall be considered.

6. Significant natural features shall be incorporated into the overall schematic of the design as common open space areas whenever possible.

7. A system for pedestrian circulation throughout the development shall be provided by utilizing sidewalks and trails.

8. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than 50 feet in width and shall not contain less than one (1) contiguous acre of land. In addition, there shall be at least one (1) designated common area that is contiguous within the multi-family apartment unit development containing no less than twenty-five (25) percent of the required open space.

9. For all common open spaces, satisfactory written agreements approved by the Board of Supervisors shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, and shall be recorded with the approved plan.
10. The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:

   a. Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;

   b. Dedicate the land encompassing the common open space to a legally recognized non-profit preservation or conservation group; or

   c. Dedicate the land encompassing the common open space to Robeson Township, who shall have the option to accept or refuse the land offered for dedication.

11. The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by Robeson Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.

F. In addition to the proposed apartment units, the multi-family development may contain the following non-residential uses, provided they are considered as part of the special exception application:

   1. Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, sales, meetings and/or maintenance, which are directly associated with the multi-family apartment unit development and which are owned and operated by the developer or homeowners association.

   2. Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the multi-family apartment unit development.

   3. Active and passive recreation uses conducted on the areas designated as common open space.

§ 607. Conservation by Design Developments

A. The purpose of this section of the Zoning Ordinance is to provide development and design standards for conservation developments. The objectives of these provisions are outlined as follows:

   1. To provide an optional approach to community development with provisions to permit more efficient utilization of land and of community facilities and services;
2. To encourage innovative residential land development within rural areas that will conserve open space and protect environmentally sensitive areas.

3. To endorse smart growth techniques and conservation design practices within rural areas.

4. To implement the recommendations concerning natural features, development, utilities, transportation, housing, and land use, as outlined within the Southern Berks Regional Comprehensive Plan.

B. Conservation developments containing single family detached residential units, as further defined under Part 2 of this Zoning Ordinance, are permitted by right within the R-1 Zoning District.

C. All conservation developments shall be designed in accordance with the following general design and eligibility requirements:

1. The minimum amount of land in the development shall be twenty (20) contiguous acres. Contiguous land area shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. Robeson Township may consider contiguous parcels of land that are physically separated by existing public roads, utility easements or rights-of-way, streams and/or other natural features, provided that the applicant demonstrate that the conservation by design development can be harmoniously designed.

2. The maximum permitted base residential density provision for the conservation development shall be 0.50 dwelling units per gross acre.

3. A minimum of fifty (50) percent of the gross area of the conservation development shall be set aside as common open space. The area designated as common open space shall comply with all provisions of this section of the Zoning Ordinance.

4. All residential lots shall be serviced by public sanitary sewer facilities or by private sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. The proposed method of sanitary sewage disposal shall be consistent with the most recent Act 537 Plan adopted by Robeson Township. As part of the subdivision and land development plan application, the applicant shall provide evidence that the proposed method for sewage disposal will be appropriate for all of the residential lots within the development.

5. All residential lots within the development shall be serviced by public water supply facilities or by private water supply facilities (community or individual wells) approved and permitted by Robeson Township and the Pennsylvania...
Department of Environmental Protection. As part of the subdivision and land development plan application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed residential lots within the development.

D. The following land uses shall be permitted within a conservation development:

1. Single family detached residential uses, subject to the minimum and maximum dimensional requirements for conservation developments.

2. Active and passive recreation uses conducted on the areas designated as common open space, as per the requirements specified by this section and Section 705 of this Zoning Ordinance.

3. Municipal uses.

4. Category 1 Home Occupation.

5. Category 2 Home Occupation.

6. Accessory buildings, structures and uses

E. Single family detached residential uses within a conservation development shall comply with the following minimum and maximum dimensional requirements:

1. The minimum net lot area for a single family detached lot shall be as follows:
   a. 50,000 square feet for developments served by on-lot sewage disposal facilities and on-lot water facilities.
   b. 40,000 square feet for developments served by public or private sewage disposal facilities and on-lot water supply facilities.
   c. 30,000 square feet for developments served by public or private sewage disposal facilities and public and private water supply facilities.

2. The minimum lot width for each individual residential lot shall be 150 feet.

3. The minimum front yard setback shall be 50 feet. The Board of Supervisors may allow an architectural projection of 5 feet into the required front yard, provided that the architectural projection is not part of the garage area for the dwelling.

4. The minimum side yard setback shall be 20 feet, as measured on each side.

5. The minimum rear yard setback shall be 40 feet.

6. The maximum building height shall be 35 feet.
7. The maximum building coverage shall be 10 percent for each lot.

8. The maximum lot coverage shall be 20 percent for each lot.

F. The conservation development shall be designed in accordance with the following planning and engineering considerations:

1. All land and water areas that are not utilized for lots, streets, utilities, or other permitted uses within the conservation by design development shall be set aside and maintained as common open space.

2. The minimum lot area required for each residential use shall not include land areas that are classified as being within the 100-year floodplain, areas delineated as wetlands, areas within utility easements or rights-of-way, and/or areas defined as Category 1 or 2 Slopes.

3. No more than four (4) residential dwelling units shall be permitted around the circumference of any cul-de-sac bulb or turnaround.

4. No more than two (2) segments with 500 combined linear feet of road surface, as measured along the centerline of the road(s) within the conservation by design development shall be constructed upon the areas defined as Category 1 or 2 Slopes.

5. An Environmental Impact Assessment (EIA) Report shall be conducted and submitted with the subdivision and land development plan application.

6. A Traffic Impact Study shall be conducted in order to assess transportation conditions and needs. The Traffic Impact Study shall be submitted with the subdivision and land development plan application.

7. The applicant shall be responsible for designing, permitting and constructing of all site improvements that are required by Robeson Township to accommodate the proposed conservation development.

8. In addition to the interior parking spaces within garages, each single family detached residential lot within the conservation development shall provide a minimum of two (2) off-street parking spaces contiguous to the garage and located no closer than five feet to the side lot line. The proposed off-street parking spaces shall not exceed a grade of five (5) percent.

9. The design requirements and specifications contained within the Robeson Township Subdivision and Land Development Ordinance shall be applied to the conservation development as part of the application for subdivision and land development plan approval.
The conservation development shall be designed in accordance with following architectural, landscaping and exterior enhancement standards:

1. The conservation development shall be designed with regard to the topographic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are preserved and protected to the extent that it is not necessary to disturb the site in order to implement the subdivision and land development plan application plan utilizing the objective criteria and standards relating to the proposed housing types, street locations and required infrastructure and their intended location within the site.

2. The applicant shall consider the effects of seasonal temperatures, hours of sunlight, prevailing winds from adjacent land uses, and/or consequences from existing zoning districts that could create adverse impacts associated with weather, noise and/or odor. The applicant should comply with the following criteria:
   a. The applicant should incorporate measures, such as landscaping, buffering and screening to buffer existing land uses that may be construed as a nuisance due to noise or odor. As part of this requirement, the applicant should conduct an existing land use survey and zoning analysis to determine the extent to which such protective measures are appropriate.
   b. The applicant shall consider seasonal temperatures and hours of sunlight in the physical layout and design of the proposed streets within the conservation development.
   c. The applicant shall demonstrate that all proposed roads servicing the residential units within the conservation development shall be designed strictly in accordance with the standards specified under the Robeson Township Subdivision and Land Development Ordinance. Design waivers concerning the internal street system shall only be considered where the applicant identifies protective measures designed to avoid traffic hazards to the general public and if those measures are endorsed by Robeson Township.

3. A grading plan shall be developed and submitted to identify the limits of disturbance for all municipal site improvements within the conservation development, depicting the proposed location thereof in relation to lakes, ponds, streams, 100-year floodplain, wetlands, tree masses and hedgerows. Design components shall be implemented to minimize extensive earthmoving, utilizing typical planning and engineering practices.

4. The applicant shall give special attention to the main entrance(s) to the conservation development. The use of lighting, water and/or landscaping products in conjunction with a boulevard street design shall be provided and considered as a prominent feature of the conservation development.
5. A landscaping plan shall be submitted to Robeson Township for consideration as part of the subdivision and land development plan application. The applicant shall provide three (3) new trees per residential unit within the conservation development. The trees should be a minimum caliper of two (2) inches in caliper and shall be planted either as street trees, as part of the buffer yard, or within the areas designated as common open space.

6. The conservation development shall be designed to preserve and incorporate scenic, natural, historical and cultural features. As part of the subdivision and land development plan application, the applicant shall comply with the following design requirements:

   a. The subdivision and land development plan shall incorporate, locate and identify within the development scenic vista points, which will remain after construction of the proposed residential dwellings, other permitted uses, and related site improvements, and which will provide visual amenities to the development. Vista points may include unobstructed views looking into the development from adjacent public roads and unobstructed views within the development, each incorporating open space and/or other preserved natural features. The number of vistas shall be dependent upon the final design of the development, the tract size, and natural land features, which shall be subject to the discretion of the Board of Supervisors.

   b. The applicant shall develop a plan to enhance each selected vista point by means of improving accessibility; creating pulpits or overlook points; providing pedestrian trails within common open space areas; establishing linkages to other recreation facilities or cultural resources within the common open space areas; integrating and improving historical structures; and/or creating protective habitats for environmentally sensitive areas. The design of enhancements to the vista points shall be determined by the applicant and shall be subject to the approval of Robeson Township.

H. The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:

   1. A minimum of fifty (50) percent of the gross area of the development tract shall be set aside as common open space.

   2. No more than twenty (20) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty (20) percent in slope.

   3. No more than fifty (50) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.
4. The common open space shall be planned and located as a contiguous accessible area within the development. Existing and/or proposed roads may bisect the areas designated as common open space, provided a cross walk at grade is safely designed to link the common open space areas. Planned linkages to other common open space areas within other adjacent residential developments shall be considered.

5. The common open space shall be made available to serve as a community sewage disposal system or as a community water supply system should the individual on-lot sewage disposal systems or individual wells should fail in the future. The applicant should provide evidence on how this requirement will be accomplished as of the subdivision and land development plan application.

6. Significant natural features shall be incorporated into the overall schematic of the design as common open space areas whenever possible.

7. A system for pedestrian circulation throughout the development shall be provided by utilizing sidewalks and trails.

8. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than 50 feet in width and shall not contain less than one (1) contiguous acre of land. In addition, there shall be at least one (1) designated common area that is contiguous within the conservation by design development containing no less than twenty-five (25) percent of the required open space.

9. For all common open spaces, satisfactory written agreements approved by the Board of Supervisors shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, and shall be recorded with the approved plan.

10. The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:
   
a. Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;

b. Dedicate the land encompassing the common open space to a legally recognized non-profit preservation or conservation group; or

c. Dedicate the land encompassing the common open space to Robeson Township, who shall have the option to accept or refuse the land offered for dedication.
11. The land areas designated as common open space shall be subject to the approval of the Board of Supervisors.

12. The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by Robeson Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.

§ 608. Traditional Neighborhood Developments

A. The purpose of this section of the Zoning Ordinance is to provide development and design standards for traditional neighborhood developments. The objectives of these provisions are outlined as follows:

1. To provide an optional approach to community development with provisions to permit more efficient utilization of land and of community facilities and services;

2. To encourage innovative residential land development within rural suburban areas that will conserve open space and protect environmentally sensitive areas.

3. To endorse smart growth techniques and conservation design practices within rural suburban areas.

4. To efficiently utilize the remaining undeveloped land area within Robeson Township.

5. To implement the recommendations concerning natural features, development, utilities, transportation, housing, and land use, as outlined within the Southern Berks Regional Comprehensive Plan.

B. Traditional neighborhood developments containing single family detached residential units, as permitted by this section and as further defined under Part 2 of this Zoning Ordinance, are permitted by conditional use within the R-2 and R-3 Zoning Districts.

C. All traditional neighborhood developments shall be designed in accordance with the following general design and eligibility requirements:

1. The minimum amount of land in the development shall be twenty-five (25) contiguous acres. Contiguous land area shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. The Board of Supervisors shall consider contiguous parcels of land that are physically separated by existing public roads, utility easements or rights-of-way, streams and/or other natural features,
provided that the applicant demonstrate that the traditional neighborhood development can be harmoniously designed.

2. The maximum permitted base residential density provision for the traditional neighborhood development shall be 4.00 dwelling units per gross acre.

3. A minimum of fifty (50) percent of the gross area of the traditional neighborhood development shall be set aside as common open space. The area designated as common open space shall comply with all provisions of this section of the Zoning Ordinance.

4. All of the uses contained within the development shall be served by public sanitary sewage disposal facilities. As part of the conditional use application, the applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all pertinent municipal agreements.

5. All of the uses contained within the development shall be served by public water supply facilities. As part of the conditional use application, the applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all municipal agreements.

6. A density bonus of 0.20 dwelling units per gross acre may be added to the base residential density requirements for each design objective (as contained within this sub-section) achieved as part of the conditional use application. The maximum permitted density bonus shall not exceed 1.0 dwelling unit per gross acre. As part of the conditional use application, the Board of Supervisors may consider a density bonus for the following design objectives:

a. The traditional neighborhood development provides additional consideration to on-site traffic, drainage and sanitary sewer improvements over and above what is otherwise required by ordinance, which are deemed necessary by Robeson Township to accommodate the residential density of the traditional neighborhood development.

b. The traditional neighborhood development provides consideration for active recreation facilities on at least twenty-five (25) percent of the land area designated as open space within the traditional neighborhood development.

c. The traditional neighborhood development provides for passive recreation, educational and/or ecological opportunities that are considered schematically planned, contiguous and/or integrated with other passive recreation areas on at least twenty-five (25) percent of the land area designated as open space within the traditional neighborhood development.

d. The traditional neighborhood development is designed as an adult or adult or age-qualified community.
e. The traditional neighborhood development provides additional open space areas beyond the minimum requirement of fifty (50) percent of the gross tract area, regardless of configuration, such that a 0.1 residential density bonus shall be incrementally applied for each additional five (5) percent of the gross tract area that is designated as open space within the traditional neighborhood development. The maximum density bonus for this provision shall not exceed 0.4 dwelling units per acre.

f. The traditional neighborhood development is designed in an environmentally sensitive fashion that results in the preservation of mature trees, woodlands, steep slopes, 100-year floodplain and wetlands, such that a minimum of 70 percent of the gross area designated as open space shall not be disturbed by any site improvements and/or earth disturbance activities.

g. The applicant agrees to fund and complete substantial public improvements to mitigate one or more off-site impacts of the development, such as public streets and intersections, public stormwater management and water or sewer improvements identified by the Board of Supervisors as a means to significantly reduce the need for public expenditures to resolve clear public needs associated to any degree with the proposed conditional use development.

D. The following land uses shall be permitted within a traditional neighborhood development:

1. Single family detached residential uses, subject to the following minimum and maximum dimensional requirements:

   a. The minimum net lot area for each individual residential lot shall be 8,000 square feet.

   b. The minimum lot width for each individual residential lot shall be 80 feet.

   c. The minimum front yard setback shall be 30 feet. The Board of Supervisors may allow an architectural projection of 5 feet into the required front yard, provided that the architectural projection is not part of the garage area for the dwelling.

   d. The minimum side yard setback shall be 10 feet, as measured on each side.

   e. The minimum rear yard setback shall be 30 feet.

   f. The maximum building height shall be 35 feet.

   g. The maximum building coverage shall be 30 percent for each lot.

   h. The maximum lot coverage shall be 40 percent for each lot.
2. Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, sales, meetings and/or maintenance, which are directly associated with the traditional neighborhood development and which are owned and operated by the developer or homeowners association.

3. Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the traditional neighborhood development.

4. Active and passive recreation uses conducted on the areas designated as common open space, as per the requirements specified by this section and Section 705 of this Zoning Ordinance.

5. Municipal uses.

6. Category 1 Home Occupation.

7. Accessory buildings, structures and uses.

E. The traditional neighborhood development shall be designed in accordance with the following planning and engineering considerations:

1. All land and water areas that are not utilized for lots, streets, utilities, or other permitted uses within the traditional neighborhood development shall be set aside and maintained as common open space.

2. The minimum lot area required for each residential use shall not include land areas that are classified as being within the 100-year floodplain, areas delineated as wetlands, areas within utility easements or rights-of-way, and/or areas defined as a Category 2 Slope.

3. The proposed residential lots and dwelling units within the traditional neighborhood development shall not have direct access to an existing public street.

4. No more than four (4) residential dwelling units shall be permitted around the circumference of any cul-de-sac bulb or turnaround.

5. No more than two (2) segments with 500 combined linear feet of road surface, as measured along the centerline of the road(s) within the traditional neighborhood development shall be constructed upon the areas defined as a Category 2 Slope.

6. An Environmental Impact Assessment (EIA) Report shall be conducted and submitted with the conditional use application.
7. A Traffic Impact Study shall be conducted in order to assess transportation conditions and needs. The Traffic Impact Study shall be submitted with the conditional use application.

8. The applicant shall be responsible for designing, permitting and constructing of all on-site improvements that are required by Robeson Township to accommodate the proposed traditional neighborhood development.

9. In addition to the interior parking spaces within garages, each single family detached residential lot within the traditional neighborhood development shall provide a minimum of two (2) off-street parking spaces contiguous to the garage and located no closer than five feet to the side lot line. The proposed off-street parking spaces shall not exceed a grade of five (5) percent.

10. The design requirements and specifications contained within the Robeson Township Subdivision and Land Development Ordinance shall be applied to the traditional neighborhood development as part of the application for subdivision and land development plan approval.

F. The traditional neighborhood development shall be designed in accordance with following architectural, landscaping and exterior enhancement standards:

1. The traditional neighborhood development shall be designed with regard to the topographic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are preserved and protected to the extent that it is not necessary to disturb the site in order to implement the conditional use plan utilizing the objective criteria and standards of Robeson Township relating to the proposed housing types, street locations and required infrastructure and their intended location within the site.

2. The applicant shall consider the effects of seasonal temperatures, hours of sunlight, prevailing winds from adjacent land uses, and/or consequences from existing zoning districts that could create adverse impacts associated with weather, noise and/or odor. As part of the conditional use application, the applicant should comply with the following criteria:

   a. The applicant should incorporate measures, such as landscaping, buffering and screening to buffer existing land uses that may be construed as a nuisance due to noise or odor. As part of this requirement, the applicant should conduct an existing land use survey and zoning analysis to determine the extent to which such protective measures are appropriate.

   b. The applicant shall consider seasonal temperatures and hours of sunlight in the physical layout and design of the proposed streets within the traditional neighborhood development. As part of the conditional use application, the applicant shall demonstrate that all proposed roads servicing the residential units within the traditional neighborhood
development shall be designed strictly in accordance with the standards specified under the Robeson Township Subdivision and Land Development Ordinance. Design waivers concerning the internal street system shall only be considered where the applicant identifies protective measures designed to avoid traffic hazards to the general public and if those measures are endorsed by Robeson Township.

3. A preliminary grading plan shall be developed to identify the limits of disturbance for all municipal site improvements within the traditional neighborhood development, depicting the proposed location thereof in relation to lakes, ponds, streams, 100-year floodplain, wetlands, tree masses and hedgerows. Design components shall be implemented to minimize extensive earthmoving, utilizing typical planning and engineering practices.

4. The applicant shall give special attention to the main entrance(s) to the traditional neighborhood development. The use of lighting, water and/or landscaping products in conjunction with a boulevard street design shall be provided and considered as a prominent feature of the traditional neighborhood development. A boulevard entrance shall be required unless otherwise approved by the Board of Supervisors as part of the conditional use application.

5. A landscaping plan shall be submitted to Robeson Township for consideration as part of the conditional use application. Unless otherwise permitted by the Board of Supervisors as part of the conditional use application, the applicant shall provide three (3) new trees per residential unit within the traditional neighborhood development. The trees should be a minimum caliper of three (3) inches in caliper and shall be planted either as street trees, as part of the buffer yard, or within the areas designated as common open space.

6. The traditional neighborhood development shall provide a 25 foot wide buffer yard and planting screen along the property lines at the perimeter of the development tract to enhance the privacy of the adjacent property owners. The design of the landscape and planting screen shall be subject to the reasonable approval of the Board of Supervisors. The use of existing mature trees (6 inches in caliper, as measured 4 feet from the ground) is encouraged and may be utilized as part of the required buffer yard.

7. The residential units within the traditional neighborhood development should be designed with a village atmosphere with unique or enhanced architectural value, including utilizing natural building products for the building face (brick, stone or masonry products) and rooflines (mansards, gables or hip roof designs).

8. Exterior storage areas for trash and rubbish shall be completely screened from view on three (3) sides by fencing and landscaping. All trash and rubbish shall be contained in vermin-proof containers.

9. The traditional neighborhood development shall be designed to preserve and incorporate scenic, natural, historical and cultural features. As part of the
conditional use application the applicant shall comply with the following design requirements:

a. The conditional use plan shall incorporate, locate and identify within the development scenic vista points, which will remain after construction of the proposed residential dwellings, other permitted uses, and related site improvements, and which will provide visual amenities to the development. Vista points may include unobstructed views looking into the development from adjacent public roads and unobstructed views within the development, each incorporating open space and/or other preserved natural features. The number of vistas shall be dependent upon the final design of the development, the tract size, and natural land features, which shall be subject to the discretion of the Board of Supervisors.

b. The applicant shall develop a plan to enhance each selected vista point by means of improving accessibility; creating pulpits or overlook points; providing pedestrian trails within common open space areas; establishing linkages to other recreation facilities or cultural resources within the common open space areas; integrating and improving historical structures; and/or creating protective habitats for environmentally sensitive areas. The design of enhancements to the vista points shall be determined by the applicant and shall be subject to the approval of the Board of Supervisors.

G. The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:

1. A minimum of fifty (50) percent of the gross area of the development tract shall be set aside as common open space.

2. No more than fifty (50) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty (20) percent in slope.

3. No more than fifty (50) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.

4. The common open space shall be planned and located as a contiguous accessible area within the development. Existing and/or proposed roads may bisect the areas designated as common open space, provided a cross walk at grade is safely designed to link the common open space areas. Planned linkages to other common open space areas within other adjacent residential developments shall be considered by the applicant as part of the conditional use application.

5. Significant natural features shall be incorporated into the overall schematic of the design as common open space areas whenever possible.
6. A system for pedestrian circulation throughout the development shall be provided by utilizing sidewalks and trails.

7. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than 50 feet in width and shall not contain less than one (1) contiguous acre of land. In addition, there shall be at least one (1) designated common area that is contiguous within the traditional neighborhood development containing no less than twenty-five (25) percent of the required open space.

8. For all common open spaces, satisfactory written agreements approved by the Board of Supervisors shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, and shall be recorded with the approved plan.

9. The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:
   a. Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;
   b. Dedicate the land encompassing the common open space to a legally recognized non-profit preservation or conservation group; or
   c. Dedicate the land encompassing the common open space to Robeson Township, who shall have the option to accept or refuse the land offered for dedication.

10. The land areas designated as common open space shall be subject to the approval of Robeson Township.

11. The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by Robeson Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.

§ 609. Group Homes

A. Group Homes, as defined under Part 2 of this Zoning Ordinance, are permitted by special exception within the R-1, R-2, R-3 and VC Zoning Districts.

B. Unless otherwise specified by this Zoning Ordinance, all group homes shall be located within a permitted single family dwelling on an approved lot, which comply with the
minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the single family detached dwelling is located and as further specified by this Zoning Ordinance.

C. All group homes shall be designed in accordance with the following general standards and requirements:

1. Unless otherwise directed by the Zoning Officer, a site plan or land development plan shall be accurately prepared to scale depicting the location and the dimensions of the group home, off-street parking areas, private entrances, walkways, fencing and landscaping.

2. Unless otherwise directed by the Zoning Officer, architectural plans shall be prepared to scale depicting the dimensions, the intended use and square footage of each room and storage area within the group home.

3. No group home shall be located within 1,000 linear feet of another group home, institutional use and/or commercial day care center.

4. One (1) off-street parking space shall be provided per employee computed on the basis of the estimated maximum number of employees that could be present at any given time, plus one (1) space for each four (4) patient or client beds within the group home. Garage space shall not be used in calculating off-street parking.

5. The premises at which the group home is located shall be owned or leased by the licensed social services agency sponsoring the group home.

6. No more than two (2) live-in supervisors shall reside in a group home.

7. The only physical changes or alterations to the dwelling shall be those required by state and federal law. When the group home use is abandoned, the dwelling shall be restored to its single-family dwelling unit status.

8. The sponsoring social service agency shall provide documentation to the Robeson Township Code Enforcement Officer and Zoning Officer that all building, fire, plumbing, heating, electrical and similar facilities meet the standards established by the Robeson Township and by the Commonwealth of Pennsylvania.

9. The sponsoring social service agency shall provide documentation to the Zoning Officer that the group home has been certified as an approved use within the Commonwealth of Pennsylvania.

10. Although live-in supervision is not mandatory, the sponsoring social service agency shall provide documentation to Robeson Township that the social service agency shall provide the residents of the group home with the physical safety and emotional support that may be required. Based upon the needs of the
residents of the group home, some form of immediate contact with a counselor should be available twenty-four hours per day, seven (7) days per week. Likewise, immediate contact with the sponsoring social service agency should be available to members to the authorized representatives of Robeson Township or members of the public who may be in need of the services if the group home.

11. No group home shall have more than five (5) residents at any given time period, not including the live-in supervisors.

12. An emergency management plan must be developed in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event. The emergency management plan should be submitted to Robeson Township for review and consideration prior to the issuance of the use and occupancy permit. The owner of the group home shall provide a copy of the emergency management plan to the social workers and tenants of the group home.

D. As part of the special exception application, the Zoning Hearing Board may impose other requirements deemed necessary or appropriate.

E. All group homes shall be subject to an annual inspection by the Robeson Township Zoning Officer and Code Enforcement Officer.

§ 610. Convalescent Homes and Nursing Homes

A. Convalescent homes, nursing homes, rehabilitation centers, assisted living care facilities and/or personal care facilities, as defined under Part 2 of this Zoning Ordinance, are permitted by special exception in the R-3 and VC Zoning Districts.

B. Unless otherwise specified by this Zoning Ordinance, all convalescent homes, nursing homes, rehabilitation centers, assisted living care facilities and/or personal care facilities shall be located on approved lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the group institution is located.

C. All convalescent homes, nursing homes, rehabilitation centers, assisted living care facilities and/or personal care facilities shall be designed in accordance with the following general standards and requirements:

1. The facility shall be licensed or sanctioned by the Commonwealth of Pennsylvania.

2. The facility is operated by a qualified staff consisting of licensed physicians, psychologists, counselors, social workers, nurses and/or therapists, who are available to serve the special needs of the residents or patients who reside at the facility.
3. The owner or sponsoring agency of the facility shall provide documentation to the Zoning Officer and Code Enforcement Officer that all building, fire, plumbing, heating, electrical and similar facilities meet the standards established by Robeson Township and by the Commonwealth of Pennsylvania.

4. At least one (1) supervisor at the facility shall be on call twenty-four (24) hours per day, seven (7) days per week.

5. The facility shall provide suitable areas for off-street parking spaces, loading spaces, fire lanes and emergency vehicles.

6. Where appropriate, a 25 foot wide buffer yard and planting screen along the property lines at the perimeter of the facility to enhance the privacy of the adjacent property owners. The design of the landscape and planting screen shall be subject to the reasonable approval of Robeson Township.

7. Active and passive recreation facilities may be permitted provided that the uses are considered subordinate to the principal use.

8. An emergency management plan must be developed in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event. The emergency management plan should be submitted to the Robeson Township Emergency Management Coordinator for review and consideration prior to the issuance of the use and occupancy permit. The owner of the facility shall provide a copy of the emergency management plan in the tenants of the convalescent home, nursing home, rehabilitation centers, assisted living care facility and/or personal care facility.

D. As part of the special exception application, the Zoning Hearing Board may impose other requirements deemed necessary or appropriate.

E. Where required to comply with the provisions of the Robeson Township, a subdivision plan and/or land development plan shall be submitted review and consideration, prior to the issuance of a building permit for the convalescent home, nursing home, rehabilitation center, assisted living care facility and/or personal care facility.

F. All convalescent homes, nursing homes, rehabilitation centers, assisted living care facilities and/or personal care facilities shall be subject to an annual inspection by the Robeson Township Zoning Officer and Code Enforcement Officer.

§ 611. Adult or Age-Qualified Retirement Community

A. The purpose of this section of the Zoning Ordinance is to provide development standards for adult or age-qualified retirement communities, containing single-family detached, townhouse residential units, and/or multi-family residential complex containing condominium units. The objectives of these provisions are outlined as follows:
1. To provide an optional approach for senior housing and community
development with provisions to permit more efficient utilization of land and of
community facilities and services.

2. To encourage innovative residential land development that will conserve open
space and protect environmentally sensitive areas.

3. To efficiently utilize the remaining undeveloped land area within Robeson
Township, while providing additional housing opportunities for persons over 55
years of age.

4. To implement the recommendations concerning natural features, development,
utilities, transportation, housing and land use, as outlined within the
Comprehensive Plan.

B. Adult or age-qualified retirement communities, as permitted under this section and
further defined under Part 2 of this Zoning Ordinance, are permitted by special
exception in the R-2 and R-3 Zoning Districts.

C. All adult or age-qualified retirement communities shall be designed in accordance with
the following general design and eligibility requirements:

1. The minimum amount of land in the development shall be twenty-five (25)
contiguous acres. Contiguous land area shall be defined as a parcel of land that
is owned under a single deed or parcels of land that are owned under multiple
deeds, provided that the parcels of land are contiguous to each other having
common deed boundaries and are not physically separated by parcels of land
owned by other individuals or parties. Robeson Township may consider parcels
of land that are physically separated by public roads, utility easements or rights-of
way, streams and/or other natural features, provided that the applicant
demonstrate that the adult or age-qualified retirement community can be
harmoniously designed.

2. The maximum permitted base residential density for adult or age-qualified
retirement communities shall be 6.00 dwelling units per acre.

3. A minimum of fifty (50) percent of the gross area of the adult or age-qualified
retirement community shall be set aside as common open space. The area
designated as common open space shall comply with all provisions of this
section of the Zoning Ordinance

4. All of the uses contained within the development shall be served by public
sanitary sewage disposal facilities. As part of the special exception application,
the applicant shall provide evidence that there are sufficient capacities to service
the development in accordance with the terms specified on all pertinent
municipal agreements.
5. All of the uses contained within the development shall be served by public water supply facilities. As part of the special exception application, the applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all municipal agreements.

6. The age composition of the adult or age-qualified retirement community shall comply with the following qualifications and provisions:

   a. At least 70 percent of the total permanent occupants shall be over 55 years of age.

   b. At least one (1) person over 55 years of age shall be a permanent occupant of each residential unit.

   c. Temporary guests under 18 years of age may be permitted provided that the temporary occupancy does not exceed 30 cumulative days in any given calendar year.

   d. The applicant shall be required to develop and submit a homeowner’s association agreement, which specifically outlines the age qualification requirements for the adult or age-qualified retirement community. The draft homeowner’s association agreement shall be submitted to the Zoning Hearing Board as part of the special exception application. The finalized homeowner’s association agreement shall be subject to the approval of the Board of Supervisors as part of the subdivision and land development plan.

7. A density bonus of 0.20 dwelling units per gross acre may be added to the base residential density requirements for each design objective (as contained within this sub-section) achieved as part of the special exception application. The maximum permitted density bonus shall not exceed 1.0 dwelling unit per gross acre. As part of the special exception application, the Zoning Hearing Board may consider a density bonus for the following design objectives:

   a. The adult or age-qualified retirement community provides additional consideration to on-site traffic, drainage and sanitary sewer improvements over and above what is otherwise required by ordinance, which are deemed necessary by Robeson Township to accommodate the residential density of the adult or age-qualified retirement community.

   b. The adult or age-qualified retirement community provides consideration for active recreation facilities on at least twenty-five (25) percent of the land area designated as open space within the adult or age-qualified retirement community.

   c. The adult or age-qualified retirement community provides for passive recreation, educational and/or ecological opportunities that are considered schematically planned, contiguous and/or integrated with
other passive recreation areas on at least twenty-five (25) percent of the land area designated as open space within the adult or age-qualified retirement community.

d. The adult or age-qualified retirement community provides additional open space areas beyond the minimum requirement of fifty (50) percent of the gross tract area, regardless of configuration, such that a 0.1 residential density bonus shall be incrementally applied for each additional five (5) percent of the gross tract area that is designated as open space within the traditional neighborhood development. The maximum density bonus for this provision shall not exceed 0.4 dwelling units per acre.

e. The adult or age-qualified retirement community is designed in an environmentally sensitive fashion that results in the preservation of mature trees, woodlands, steep slopes, 100-year floodplain and wetlands, such that a minimum of 70 percent of the gross area designated as open space shall not be disturbed by any site improvements and/or earth disturbance activities.

f. The applicant agrees to fund and complete substantial public improvements to mitigate one or more off-site impacts of the development, such as public streets and intersections, public stormwater management and water or sewer improvements identified by Robeson Township as a means to significantly reduce the need for public expenditures to resolve clear public needs associated with the proposed development.

D. The following land uses shall be permitted uses within an adult or age-qualified retirement community:

1. Single family detached residential uses, subject to the following minimum and maximum development requirements:

   a. The minimum net lot area for each individual residential lot shall be 6,000 square feet.

   b. The minimum lot width for each individual residential lot shall be 70 feet.

   c. The minimum front yard setback shall be 30 feet. The Board of Supervisors may allow an architectural projection of 5 feet into the required front yard, provided that the architectural projection is not part of the garage area for the dwelling.

   d. The minimum side yard setback shall be 10 feet, as measured on each side.
e. The minimum rear yard setback shall be 20 feet.

f. The maximum building height shall be 35 feet.

g. The maximum building coverage shall be 40 percent for each lot.

h. The maximum lot coverage shall be 60 percent for each lot.

i. All proposed single family detached residential units within the development shall be located at least fifty (50) feet from any property line or property, which is not owned by the applicant in pre-development conditions.

2. Townhouse units, subject to the following minimum and maximum development requirements:

   a. The minimum width of a townhouse unit shall be 24 feet.

   b. The building setback line shall be 30 feet.

   c. The minimum building separation from other groups of townhouse units within the development shall be as follows: the separation shall be 40 feet when the townhouse unit groups are side to side; the separation shall be 50 feet when the townhouse unit groups are side to rear; and the separation shall be 60 feet when the townhouse unit groups are rear to rear.

   d. All townhouse units within the development shall be located at least fifty (50) feet from any property line or property, which is not owned by the applicant in pre-development conditions.

   e. The maximum number of townhouse units within an aged-qualified retirement community shall not exceed fifty (50) percent of the total number of residential units within the overall development.

   f. The number of townhouse units, attached in a common row, shall not exceed eight (8) attached townhouse units provided that the front building lines or facades of any two adjoining townhouse units are offset by a minimum of two feet.

   g. The maximum height of a townhouse unit shall be 35 feet.

   h. No more than forty (40) percent of the designated area for the townhouse units shall be covered by buildings.

   i. No more than sixty (60) percent of the designated area for the townhouse units shall be covered by impervious surfaces.
3. Multi-family residential complex containing condominium units, subject to the following minimum and maximum development requirements:

a. The total number of individual residential units contained within a single complex or building shall not exceed thirty (30) condominium units.

b. The building setback line should be established 50 feet from the right-of-way line or 60 feet from the curb line.

c. The minimum building separation from other groups of buildings within the development shall be as follows: the separation shall be 60 feet when the buildings are side to side; the separation shall be 70 feet when the buildings are side to rear; and the separation shall be 80 feet when the buildings are rear to rear.

d. The maximum length of any building occupying individual condominium units shall not exceed 200 feet.

e. The maximum depth of any building occupying condominium units shall not exceed 80 feet.

f. The building occupying condominium units shall be limited to three (3) floors of living space and shall not exceed a building height of 45 feet.

g. All condominium units within the development shall be located at least 100 feet from any property line or property, which is not owned by the applicant in pre-development conditions.

h. The maximum number of condominium units within an aged-qualified retirement community shall not exceed seventy (70) percent of the total number of residential units within the overall development.

i. No more than twenty-five (25) percent of the total area of the development shall be covered by buildings occupying condominium units.

j. No more than forty (40) percent of the total area of the development shall be covered by impervious surfaces.

4. Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, sales, meetings and/or maintenance, which are directly associated with the adult or age-qualified retirement community and which are owned and operated by the developer or homeowners association.

5. Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the adult or age-qualified retirement community.
6. Active and passive recreation uses conducted on the areas designated as common open space, as per the requirements specified by this section as well as those specified under Section 705 of this Zoning Ordinance.

7. Municipal uses.

8. No impact home based business or occupation.

9. Accessory buildings, structures and uses.

E. The adult or age-qualified retirement community shall be designed in accordance with the following planning and engineering considerations:

1. All land and water areas that are not utilized for lots, streets, utilities, or other permitted uses within the adult or age-qualified retirement community shall be set aside and maintained as common open space.

2. The minimum lot area required for each residential use shall not include land areas that are classified as being within the 100-year floodplain, areas delineated as wetlands, areas within utility easements or rights-of-way, and/or areas exceeding 20 percent in slope.

3. The proposed residential lots and dwelling units within the adult or age-qualified retirement community shall not have direct access to an existing public street.

4. An Environmental Impact Assessment (EIA) Report shall be conducted and submitted as part of the special exception application.

5. A Traffic Impact Study shall be conducted in order to assess transportation conditions and needs. The Traffic Impact Study shall be submitted with the special exception application.

6. The applicant shall be responsible for designing, permitting and constructing of all improvements that are required to accommodate the proposed adult or age-qualified retirement community.

7. In addition to the interior parking spaces within individual garages, each residential lot or unit within the adult or age-qualified retirement community shall provide a minimum of one (1) off-street parking space shall be located within the development.

F. The adult or age-qualified retirement community shall be designed in accordance with following architectural, landscaping and exterior enhancement standards:

1. The adult or age-qualified retirement community shall be designed with regard to the topographic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are preserved and
protected to the extent that it is not necessary to disturb the site in order to implement the special exception plan utilizing the objective criteria and standards relating to the proposed housing types, street locations and required infrastructure and their intended location within the site.

2. The applicant shall consider the effects of seasonal temperatures, hours of sunlight, prevailing winds from adjacent land uses, and/or consequences from existing zoning districts that could create adverse impacts associated with weather, noise and/or odor. As part of the special exception application, the applicant should comply with the following criteria:

   a. The applicant should incorporate measures, such as landscaping, buffering and screening to buffer existing land uses that may be construed as a nuisance due to noise or odor. As part of this requirement, the applicant should conduct an existing land use survey and zoning analysis to determine the extent to which such protective measures are appropriate.

   b. The applicant shall consider seasonal temperatures and hours of sunlight in the physical layout and design of the proposed streets within the adult or age-qualified retirement community. As part of the special exception application, the applicant shall demonstrate that all proposed roads servicing the residential units within the adult or age-qualified retirement community shall be designed strictly in accordance with the standards specified by Robeson Township. Design waivers concerning the internal street system shall only be considered where the applicant identifies protective measures designed to avoid traffic hazards to the general public and if those measures are endorsed by Robeson Township.

3. A grading plan shall be developed to identify the limits of disturbance for all municipal site improvements within the adult or age-qualified retirement community, depicting the proposed location thereof in relation to lakes, ponds, streams, 100-year floodplain, wetlands, tree masses and hedgerows. Design components shall be implemented to minimize extensive earthmoving, utilizing typical planning and engineering practices.

4. The applicant shall give special attention to the main entrance(s) to the adult or age-qualified retirement community. The use of lighting, water and/or landscaping products in conjunction with a boulevard street design shall be provided and considered as a prominent feature of the adult or age-qualified retirement community.

5. A landscaping plan shall be submitted to Robeson Township for consideration as part of the special exception application. Unless otherwise permitted by the Board of Supervisors as part of the special exception application, the applicant shall provide three (3) new trees per residential unit within the adult or age-qualified retirement community. The trees should be a minimum caliper of two
(2) inches in caliper at breast height and shall be planted either as street trees, as part of the buffer yard, or within the areas designated as common open space.

6. The adult or age-qualified retirement community shall provide a 25 foot wide buffer yard and planting screen along the property lines at the perimeter of the development tract to enhance the privacy of the adjacent property owners. The design of the landscape and planting screen shall be subject to the reasonable approval of Robeson Township. The use of existing mature trees (6 inches in caliper, as measured at breast height) is encouraged and may be utilized as part of the required buffer yard.

7. The residential units within the adult or age-qualified retirement community should be designed with a village atmosphere with unique or enhanced architectural value, including utilizing natural building products for the building face (brick, stone or masonry products) and rooflines (mansards, gables or hip roof designs).

8. Exterior storage areas for trash and rubbish shall be completely screened from view on three (3) sides by fencing and landscaping. All trash and rubbish shall be contained in vermin-proof containers.

9. The adult or age-qualified retirement community shall be designed to preserve and incorporate scenic, natural, historical and cultural features. As part of the special exception application the applicant shall comply with the following design requirements:

a. The special exception plan shall incorporate, locate and identify within the development scenic vista points, which will remain after construction of the proposed residential dwellings, other permitted uses, and related site improvements, and which will provide visual amenities to the development. Vista points may include unobstructed views looking into the development from adjacent public roads and unobstructed views within the development, each incorporating open space and/or other preserved natural features. The number of vistas shall be dependent upon the final design of the development, the tract size, and natural land features, which shall be subject to the discretion of Robeson Township.

b. The applicant shall develop a plan to enhance each selected vista point by means of improving accessibility; creating pulpits or overlook points; providing pedestrian trails within common open space areas; establishing linkages to other recreation facilities or cultural resources within the common open space areas; integrating and improving historical structures; and/or creating protective habitats for environmentally sensitive areas. The enhancements to the vista points shall be determined by the applicant and shall be subject to the approval of Robeson Township.
G. The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:

1. A minimum of fifty (50) percent of the gross area of the development tract shall be set aside as common open space.

2. No more than fifty (50) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty (20) percent in slope.

3. No more than fifty (50) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.

4. At least twenty-five (25) percent of the common open space shall be utilized to accommodate active and passive recreation uses.

5. The common open space shall be planned and located as a contiguous accessible area within the development. Existing and/or proposed roads may bisect the areas designated as common open space, provided a cross walk at grade is safely designed to link the common open space areas. Planned linkages to other common open space areas within other adjacent residential developments shall be considered as part of the special exception application.

6. Significant natural features shall be incorporated into the overall schematic of the design as common open space areas whenever possible.

7. A system for pedestrian circulation throughout the development shall be provided by utilizing sidewalks and trails.

8. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than 50 feet in width and shall not contain less than one (1) contiguous acre of land. In addition, there shall be at least one (1) designated common area that is contiguous within the adult or age-qualified development containing no less than twenty-five (25) percent of the required open space.

9. For all common open spaces, satisfactory written agreements approved by Robeson Township shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, and shall be recorded with the approved plan.

10. The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:
a. Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;

b. Dedicate the land encompassing the common open space to a legally recognized non-profit preservation or conservation group; or

c. Dedicate the land encompassing the common open space to Robeson Township, who shall have the option to accept or refuse the land offered for dedication.

11. The land areas designated as common open space shall be subject to the approval of the Robeson Township Board of Supervisors.

12. The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by Robeson Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.

§ 612. Tourist, Bed and Breakfast, Rooming or Boarding House

A. Tourist and bed and breakfast, as defined under Part 2 of this Zoning Ordinance, are permitted by special exception within the AP, R-1, R-2, R-3 and VC Zoning Districts. All tourist or bed and breakfast establishments shall be designed in accordance with the following general design requirements:

1. A tourist or bed and breakfast establishment shall be contained within a single-family detached, owner-occupied dwelling unit. The principal use shall remain that of a single-family detached residential dwelling unit.

2. All tourist or bed and breakfast establishments shall be located on approved lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the tourist or bed and breakfast establishment is located.

3. The owner of the rooming or boarding house shall be a permanent resident of the establishment.

4. A tourist or bed and breakfast establishments shall not have more than five (5) rental units and shall not house more than ten (10) guests.

5. The principal residential use or single family dwelling shall contain complete sanitary sewage disposal services, washing and bathing facilities, and a central kitchen with complete cooking facilities to accommodate the occupants plus all of the guests. No cooking facilities of any kind shall be permitted in any rental units.
6. The applicant shall provide documentation to the Zoning Hearing Board, Zoning Officer and Code Enforcement Officer that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with all applicable ordinances, regulations and laws of Robeson Township, Berks County and/or the Commonwealth of Pennsylvania.

7. Meals shall only be offered only to registered overnight guests.

8. A minimum of one (1) off-street parking space shall be required for each permanent occupant of the house plus one (1) space for each of the rental units. The proposed off-street parking spaces shall be located at least twenty-five (25) feet from all property lines and shall comply with the design requirements specified by this Zoning Ordinance. The off-street parking spaces shall be screened from the roadways and other adjacent properties with suitable landscaping materials.

9. All external amenities provided for the guests, including swimming pools, whirlpool spas, tennis courts, gazebos, entertainment areas, and other common facilities shall be located at least 50 feet from all property lines.

10. Non-resident employees shall be limited to two (2) employees.

11. A single decorative on-site sign, measuring four (4) square feet per side shall be permitted for the rooming or boarding house establishment. The proposed sign shall be subject to all other requirements specified by this Zoning Ordinance.

12. An emergency management plan must be developed in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event. The emergency management plan should be submitted to Robeson Township for review and consideration prior to the issuance of the use and occupancy permit. The resident owner shall provide a copy of the emergency management plan in each rental unit as well as the front desk.

13. The resident owner shall maintain a guest register list, which shall include the names, addresses and length of stay of all guests.

14. The length of stay for any guest at a rooming or boarding house establishment shall not exceed ten (10) consecutive days.

B. Rooming or boarding houses, as defined under Part 2 of this Zoning Ordinance, are permitted by special exception within the AP, R-1 and VC Zoning Districts. All rooming or boarding house establishments shall be designed in accordance with the following general design requirements:

1. A rooming or boarding house establishments shall be contained within a single-family detached, owner-occupied dwelling unit. The principal use shall remain that of a single-family detached residential dwelling unit.
2. All rooming or boarding house establishments shall be located on approved lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the rooming or boarding house establishments is located.

3. The owner of the rooming or boarding house shall be a permanent resident of the establishment.

4. The minimum land area required to facilitate rooming or boarding house shall be equal or exceed the provisions for a single family dwelling unit for the zoning district to which the use is located.

5. A rooming or boarding house establishment shall not have more than four (4) rental units and shall not house more than five (5) unrelated occupants.

6. The principal residential use or single family dwelling shall contain complete sanitary sewage disposal services, washing and bathing facilities, and a central kitchen with complete cooking facilities to accommodate the occupants. No cooking facilities of any kind shall be permitted in any rental units.

7. The applicant shall provide documentation to the Zoning Hearing Board, Zoning Officer and Code Enforcement Officer that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with all applicable ordinances, regulations and laws of Robeson Township, Berks County and/or the Commonwealth of Pennsylvania.

8. A minimum of two (2) off-street parking spaces shall be required for the single family dwelling plus one (1) space for each of the rental units. The proposed off-street parking spaces shall comply with the design requirements specified by this Zoning Ordinance.

9. No signs shall be permitted to advertise or identify the location of a rooming or boarding house.

10. The resident owner shall maintain a guest register list, which shall include the names, addresses and length of stay of all guests.

C. All tourist, bed and breakfast, rooming or boarding houses shall be subject to an annual inspection by the Robeson Township Zoning Officer and/or Code Enforcement Officer.

§ 613. Mobile Home Parks

A. Mobile home parks, as defined under Part 2 of this Zoning Ordinance, are permitted by special exception within the GI Zoning District.
B. All mobile home parks shall be designed in accordance with the following design and eligibility requirements:

1. The mobile home park shall consist of a minimum contiguous land area of twenty-five (25) acres. Contiguous land area shall be defined as a parcel of land that is owned under a single deed or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. Robeson Township may consider parcels of land that are physically separated by public roads, utility easements or rights-of-way, streams and/or other natural features, provided that the applicant demonstrate that the mobile home park can be harmoniously designed.

2. The mobile home park shall not exceed six (6) dwelling units per gross acre.

3. A minimum of fifty (50) percent of the land area within the mobile home park shall be set aside as common open space. The location, character, management and utilization of the common open space shall comply with all applicable specifications concerning open space.

4. The mobile home park shall be served by public sanitary sewage disposal facilities. As part of the special exception application, the applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all pertinent municipal agreements.

5. The mobile home park shall be served by public water supply facilities. As part of the special exception application, the applicant shall provide evidence that there are sufficient capacities to service the development in accordance with the terms specified on all municipal agreements.

6. The mobile home park shall be designed with regard to the topographic and natural features of the site. All natural features (lakes, streams, topsoil, knolls, basins, trees and shrubs) should be preserved and incorporated into the final landscaping whenever possible. The finished topography shall adequately facilitate the mobile home park without excessive earthmoving and neglect for the natural amenities.

C. The mobile homes located within the mobile home park shall be located on individual lots or lease areas and shall be designed to comply with the following dimensional requirements:

1. The minimum net lot area or net lease area for each individual mobile home shall be 4,000 square feet.

2. The minimum lot width for each individual mobile home lot or lease area shall be 40 feet.

3. The minimum front yard setback shall be 20 feet.
4. The minimum side yard setback shall be 10 feet, as measured on each side.

5. The minimum rear yard setback shall be 20 feet.

6. The maximum lot coverage shall be 70 percent for each lot or lease area.

7. All proposed mobile homes within the mobile home park shall be located at least fifty (50) feet from any property line or property, which is not owned by the applicant in pre-development conditions.

8. No structure shall be constructed on or within fifty (50) feet of any land or water areas designated as the 100-year floodplain, wetlands, hydric soils, and slopes exceeding 20 percent in grade.

9. No more than one (1) mobile home shall be placed on a mobile home lot or lease area, and such mobile home shall be occupied by not more than one (1) single family.

10. The minimum separation distance for mobile homes shall be twenty (20) feet.

D. All mobile home parks shall be subject to the following development and procedural requirements:

1. The mobile home park shall provide an evergreen planting screen at least twenty (20) feet in depth along the property line at the periphery of the development.

2. No part of the mobile home park shall be used to accommodate other than the uses permitted under this section of the Zoning Ordinance.

3. There shall be at least one (1) street within the mobile home park, which serves as an internal collector street from which minor streets shall turn out so as to provide direct access to each mobile home lot or lease area. All streets shall be designed and constructed to comply with all pertinent specification adopted by Robeson Township.

4. All entrances shall conform to the standards of the Pennsylvania Department of Transportation and Robeson Township. A Traffic Impact Study should be prepared to assess the needs for on-site and off-site traffic improvements, which may be required to facilitate the mobile home park. The Traffic Impact Study shall be submitted to Robeson Township for review and consideration as part of the overall development plan.

5. A minimum of two (2) off-street parking spaces measuring ten (10) feet by twenty (20) feet shall be provided for each mobile home lot or lease area. A common off-street parking area may be designed to accommodate the required off-street parking requirements and/or to provide additional spaces for overflow.
parking spaces. No on-street parking shall be permitted within the mobile home park.

6. Each mobile home space shall be provided with a hard surfaced mobile home stand providing a foundation wall and/or footing that will not heave, shift, settle or move due to frost action, inadequate drainage, vibration or other forces acting on the superstructure.

7. All mobile homes shall be located, erected and anchored in accordance with all applicable standards and provisions specified by Robeson Township and/or the manufacturers specifications.

8. Each mobile home stand shall be equipped with utility connections. For reasons of safety, the space between the mobile home stand and the mobile home floor shall be permanently enclosed to prevent unauthorized entry and to conceal all supports and utility connections. Each stand shall be located at such elevation, distance and angle in relation to the access street and mobile home accessory that the placement and removal of the mobile home is practical.

9. The area between the ground level and the perimeter of the mobile home shall be enclosed by means of a suitable skirting.

10. Every mobile home and open space areas shall have access to an improved public or private street.

11. A subdivision and land development plan shall be submitted to Robeson Township for review and consideration.

12. Unless otherwise required by the utility provider, all public utility services shall be underground within the mobile home park.

13. Exterior storage areas for refuse stations shall be properly screened from the view of all mobile homes within the mobile home park and from adjacent property owners. All containers shall be air-tight, vermin-proof and have adequate storage capacity to accommodate the projected volumes of solid waste. The mobile home park shall have a solid waste management plan.

14. All mobile home parks containing twenty-five (25) or more mobile homes shall employ the services of a qualified manager. The manager shall reside at the mobile home park and shall be responsible for the operation and maintenance of the park.

15. The owner or manager of the mobile home park shall provide Robeson Township with a list of tenants who reside within the mobile home park. Any change in tenancy shall be reported to Robeson Township within thirty (30) days.
16. The Robeson Township Zoning Officer and Code Enforcement Officer shall have the right to inspect the mobile home park to determine if compliance with the provisions of Robeson Township.

E. The design of the land or water areas, which are to be designated as common open space shall comply with the following standards and specifications:

1. A minimum of fifty (50) percent of the gross area of the mobile home park shall be set aside as common open space.

2. No more than fifty (50) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty (20) percent in slope.

3. No more than fifty (50) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities.

4. The common open space shall be planned and located as a contiguous accessible area within the mobile home park. Existing and/or proposed roads may bisect the areas designated as common open space, provided a cross walk at grade is safely designed to link the common open space areas. Planned linkages to other common open space areas within other adjacent residential developments shall be considered by the applicant as part of the special exception application.

5. Significant natural features shall be incorporated into the overall schematic of the design as common open space areas whenever possible.

6. A system for pedestrian circulation throughout the development shall be provided by utilizing sidewalks and trails.

7. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than 50 feet in width and shall not contain less than one (1) contiguous acre of land. In addition, there shall be at least one (1) designated common area that is contiguous within the mobile home park containing no less than twenty-five (25) percent of the required open space.

8. For all common open spaces, satisfactory written agreements approved by the Board of Supervisors shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, and shall be recorded with the approved plan.

9. The applicant shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant shall have the following options for ownership, management and maintenance of the common open space:
a. Retain ownership of the land encompassing the common open space areas;

b. Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development; or

c. Dedicate the land encompassing the common open space to Robeson Township, who shall have the option to accept or refuse the land offered for dedication

10. The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by Robeson Township, whereas, the applicant shall be responsible for all requirements for recreation impact fees associated with this development.

F. In addition to the permitted mobile homes, the proposed mobile home park may contain the following non-residential uses, provided they are considered as part of the special exception application:

1. Office space consisting of no more than 5,000 square feet and utilized for the purposes of conducting customary business, management, sales, meetings, laundry facilities, storage, and/or maintenance, which are directly associated with the mobile home park.

2. Indoor recreation and/or community center consisting of no more than 10,000 square feet and utilized exclusively by the residents of the mobile home park.

3. Active and passive recreation uses conducted on the areas designated as common open space, as per the requirements specified under Section 705 of this Zoning Ordinance.

4. Municipal uses.

5. No impact home based business or occupation.

6. Accessory buildings, structures and uses.

C. Mobile home parks that do not conform with the provisions specified as of the effective date of this Zoning Ordinance shall be considered nonconforming and subject to the provisions of Part 12 of this Zoning Ordinance.

§ 614. Mixed-Use: Commercial and Residential

A. Mixed-uses containing commercial and residential uses, as defined under Part 2 of this Zoning Ordinance, are permitted by right in the VC and GC Zoning Districts.
B. Mixed-uses containing combined commercial and residential uses shall be designed in accordance with the following general design requirements:

1. The mixed-uses shall be limited to uses permitted by right within the VC and GC Zoning Districts and the residential rental units or apartments.

2. The first floor of the mixed-use structure shall be limited to commercial uses, which shall be considered as the principal use that is owned and managed by the owner of the permitted commercial use.

3. The second floor of the mixed-use structure shall contain no more than two (2) residential rental units or apartment units, which shall be considered subordinate uses to the commercial use occupied on the first floor.

4. The principal and subordinate uses within the mixed-use structure shall have separate utility connections for sanitary sewage disposal, water supply, electric, telephone, natural gas and cable services.

5. The minimum net land area required to facilitate a mixed-use structure shall be 40,000 square feet. The minimum and maximum dimensional requirements for mixed-use structures are further defined under the provisions of the VC and GC Zoning Districts.

6. Each of the residential rental units or apartment units shall contain separate sanitary sewage disposal services, washing and bathing facilities, and a complete kitchen with cooking facilities to accommodate the tenants.

7. The collection of solid waste and recyclable materials shall be a consolidated method between the uses and shall be the responsibility of the commercial use.

8. The applicant shall provide documentation to the Board of Supervisors, Zoning Officer and Code Enforcement Officer that all plumbing, heating, electrical, sanitary sewage disposal, water supply, storm sewer, and similar facilities comply with all applicable ordinances, regulations and laws of Robeson Township, Berks County and/or the Commonwealth of Pennsylvania.

9. In addition to the number of off-street parking spaces required to accommodate the commercial or principal use of the mixed-use structure, a minimum of two (2) off-street parking spaces shall be required for each residential rental unit or apartment unit.

10. An emergency management plan must be developed in the event of a catastrophic event resulting from flooding, fire, snow, ice, earthquake, utility outage, or other catastrophic event. The emergency management plan should be submitted to Robeson Township for review and consideration prior to the issuance of the use and occupancy permit. The owner of the mixed-use structure shall provide a copy of the emergency management plan in the tenants of the residential rental units or apartment units.
C. All mixed-uses shall be subject to an annual inspection by the Zoning Officer and Code Enforcement Officer.

§ 615. Secondary Housing Unit

A. The term “secondary housing unit”, as defined under Part 2 of this Zoning Ordinance, shall include ECHO housing, guest houses, accessory apartments for relatives and security guard housing.

B. The provisions for ECHO housing are further specified under Section 615.1 of this Zoning Ordinance.

C. The provisions for guest houses are further specified under Section 615.2 of this Zoning Ordinance.

D. The provisions for accessory apartments for relatives are further specified under Section 615.3 of this Zoning Ordinance.

E. The provisions for security guard housing are further specified under Section 615.4 of this Zoning Ordinance.

§ 615.1. ECHO Housing

A. An ECHO house (ECHO Housing Unit), as defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the AP and R-1 Zoning Districts.

B. ECHO housing units shall comply with the following general design requirements:

   1. The ECHO house shall be located on an approved lot, which complies with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the ECHO house is temporarily located.

   2. An ECHO house shall be considered as an additional or accessory dwelling unit that is temporarily placed on a property for occupancy an occupancy period not to exceed five (5) years for the purposes of providing family home care services to an elderly, handicapped, or disabled person, who shall be related to the caregiver by blood, marriage, or adoption. The principal use shall remain that of a single-family detached residential dwelling unit.

   3. The ECHO housing unit shall be occupied by a maximum of two (2) people.

   4. The ECHO housing unit may not have a gross floor area in excess of 1,200 square feet, including any enclosed garage and basement area.
5. The total lot coverage of the lot accommodating the principal use and the ECHO housing unit shall not exceed twenty (20) percent of the total lot area.

6. All utility provisions, including sewage disposal and water supply that serve the ECHO housing unit shall be physically connected to those systems serving the principal dwelling. No separate utility systems or connections shall be constructed or utilized. All such utility connections shall comply with the provisions of Robeson Township and/or the public utility provider providing service.

7. The applicant shall provide evidence to the Zoning Hearing Board that existing on-lot sewage disposal system and well have sufficient capacities to accommodate the principal building plus the ECHO house. Where appropriate, the Robeson Township Sewage Enforcement Officer, Zoning Officer and/or Code Enforcement Officer shall review the existing and proposed utility connection.

8. In addition to the number of off-street parking spaces required to accommodate the principal use, a minimum of one (1) off-street parking space shall be required for the ECHO house, which shall be designed with unrestricted access to the public street.

9. The ECHO unit shall be installed and located only in the side or rear yards of the principal use, and shall conform to all side and rear yard setback requirements for principal uses, as required for the AP or R-1 Zoning District.

C. Upon the proper installation of an ECHO housing unit, the Zoning Officer shall issue a temporary zoning permit, which shall be reviewed annually over a five (5) years until such time as the ECHO unit is required to be removed. Unless otherwise permitted by the Zoning Hearing Board, as part of the special exception application, an ECHO house may be permitted for a period of time not to exceed five (5) years.

D. The ECHO housing unit shall be removed from the property within six (6) months after the ECHO house is no longer occupied by a person who qualifies for the use.

E. All ECHO houses shall be subject to an annual inspection by the Robeson Township Sewage Enforcement Officer, Zoning Officer and/or Code Enforcement Officer.

§ 615.2 Guest Houses

A. A guest house shall be permitted by special exception within the AP and R-1 Zoning Districts.

B. A guest house shall comply with the following general design requirements:

1. The guest house shall be located on an approved lot, which complies with the minimum and maximum dimensional requirements as well as the utility
provisions, which are further specified by the appropriate zoning district to which the guest house is located.

2. The guest house shall be capable of being subdivided in the future as an independent lot with sufficient lot area, frontage and accessibility to comply with the provisions of this Zoning Ordinance.

3. A guest house shall be considered as an accessory use that is placed on a property for temporary occupancy by a relative or guest of the occupants of the principal dwelling, which shall be a contained within a permitted single-family detached, owner-occupied dwelling unit. Unless otherwise subdivided in accordance with the provisions of Robeson Township, the principal use shall remain that of a single-family detached residential dwelling unit and the guest house shall be an accessory use.

4. The guest house shall not be occupied by guests or relatives for a period of time not to exceed sixty (60) consecutive days at any given time nor a total of one hundred and twenty (120) cumulative days during a calendar year.

5. The guest house shall be occupied by a maximum of four (4) people.

6. The guest house may be utilized by the occupants of the principal use as a bath house for a permitted swimming pool.

7. The guest house may not have a gross floor area in excess of 1,500 square feet, including any enclosed garage and basement area.

8. The total lot coverage of the lot accommodating the principal use and guest house shall not exceed twenty (20) percent of the total lot area.

9. All utility provisions, including sewage disposal and water supply that serve the guest house shall be physically connected to those systems serving the principal dwelling. No separate utility systems or connections shall be constructed or utilized. All such utility connections shall comply with the provisions of Robeson Township and/or the public utility provider providing service.

10. The applicant shall provide evidence to the Zoning Hearing Board that existing on-lot sewage disposal system and well have sufficient capacities to accommodate the principal building plus the guest house. Where appropriate, the Robeson Township Sewage Enforcement Officer, Zoning Officer and/or Code Enforcement Officer shall review the existing and proposed utility connection.

11. In addition to the number of off-street parking spaces required to accommodate the principal use, a minimum of one (1) off-street parking space shall be required for the guest house, which shall be designed with unrestricted access to the public street.
The guest house shall be installed and located only in the side or rear yards of the principal use, and shall conform to all side and rear yard setback requirements for principal uses, as required for the AP or R-1 Zoning District.

Upon construction of the guest house, the Zoning Officer shall issue a zoning permit, which shall be reviewed every five (5) years to determine compliance with the decision of the Zoning Hearing Board.

§ 615.3 Accessory Apartments for Relatives

A. An accessory apartment for relatives shall be permitted by special exception within the AP and R-1 Zoning Districts.

B. An accessory apartment for relatives shall comply with the following general design requirements:

1. The accessory apartment for relatives shall be considered an attached component or living area of a permitted single-family dwelling on an approved lot, which complies with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the accessory apartment for relatives is located.

2. An accessory apartment for relatives shall be considered as an accessory use to the single-family dwelling, which shall only be utilized by the relatives of the occupants of the single-family dwelling.

3. The accessory apartment for relatives shall be occupied by a maximum of two (2) people.

4. The accessory apartment for relatives may not have a gross floor area in excess of 1,000 square feet of living space, which may include a living room, kitchen, bedroom and bathroom.

5. All utility provisions, including sewage disposal and water supply that serve the accessory apartment for relatives shall be physically connected to those systems serving the principal dwelling. No separate utility systems or connections shall be constructed or utilized. All such utility connections shall comply with the provisions of Robeson Township and/or the public utility provider providing service.

6. The applicant shall provide evidence to the Zoning Hearing Board that existing on-lot sewage disposal system and well have sufficient capacities to accommodate the principal building plus the accessory apartment for relatives. Where appropriate, the Robeson Township Sewage Enforcement Officer, Zoning Officer and/or Code Enforcement Officer shall review the existing and proposed utility connection.
7. In addition to the number of off-street parking spaces required to accommodate the principal use, a minimum of one (1) off-street parking space shall be required for the accessory apartment for relatives, which shall be designed with unrestricted access to the public street.

8. The entrance and living area associated with the accessory apartment may either be designed with common areas to the principal use or physically separated from the principal use.

C. Upon construction of the accessory apartment for relatives, the Zoning Officer shall issue a zoning permit, which shall be reviewed every five (5) years to determine compliance with the decision of the Zoning Hearing Board.

D. Upon the abandonment of the accessory apartment for relatives as an accessory or independent use, the area occupied by the accessory apartment must be converted back to common living space with the principal use. Any physical separation or barriers must be removed as part of the conversion. A plan for the eventual conversion shall be provided to the Zoning Hearing Board as part of the special exception application.

§ 615.4 Security Guard Housing

A. Security guard housing, as defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the GC and GI Zoning Districts.

B. Security guard housing shall comply with the following general design requirements:

1. Security guard housing shall be located on an approved lot with a permitted non-residential use, which complies with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified by the appropriate zoning district to which the security guard housing is located.

2. Security guard housing shall be considered as an accessory use that is placed on a non-residential property for occupancy by either an owner, employee, night watchman or security person, which shall be contained within a single-family detached dwelling unit. The principal use shall remain that of the permitted non-residential use.

3. The security guard housing shall be clearly subordinate and essential for the permitted non-residential use.

4. The security guard housing shall be occupied by a maximum of two (2) people.

5. The security guard housing may not have a gross floor area in excess of 1,500 square feet of living space.

6. The total lot coverage of the lot accommodating the principal non-residential use and the security guard housing shall not exceed sixty (60) percent of the total lot area.
7. All utility provisions, including sewage disposal and water supply that serve the security guard housing shall be physically connected to those systems serving the permitted non-residential use. No separate utility systems or connections shall be constructed or utilized. All such utility connections shall comply with the provisions of Robeson Township and/or the public utility provider providing service.

8. The applicant shall provide evidence to the Zoning Hearing Board that existing on-lot sewage disposal system and well have sufficient capacities to accommodate the principal non-residential use plus the security guard housing. Where appropriate, the Robeson Township Sewage Enforcement Officer, Zoning Officer and/or Code Enforcement Officer shall review the existing and proposed utility connection.

9. In addition to the number of off-street parking spaces required to accommodate the principal use, a minimum of one (1) off-street parking space shall be required for the security guard housing, which shall be designed with unrestricted access to the public street.

10. The security guard housing shall be installed and located to conform to all front, side and rear yard setback requirements for the permitted non-residential use, as required for the GC and GI Zoning Districts.

C. Upon construction of the security guard housing, the Zoning Officer shall issue a zoning permit, which shall be reviewed every five (5) years to determine compliance with the decision of the Zoning Hearing Board.

D. Upon the abandonment of the security guard housing as an accessory use, the residential building must be either removed from the property or converted to an accessory non-residential building of the principal use on the property.
PART 7

NON-RESIDENTIAL LAND USE AND DEVELOPMENT REQUIREMENTS

§ 701. Statement of Intent

A. The intent of Part 7 is to develop certain land use and development requirements for the permitted non-residential uses within Robeson Township. The provisions of Part 7 are intended to supplement and not replace the zoning district regulations, which are further specified under Part 4 of this Zoning Ordinance.

B. For the purposes of this Zoning Ordinance, “non-residential uses” shall include all commercial, industrial, religious, institutional, educational, medical, agricultural, recreational, and other similar uses, whereas, primary occupancy for residential use does not apply to the existing or proposed use.

C. The regulations established under Part 7 of this Zoning Ordinance shall be subject to the interpretation of the Zoning Officer. Should a dispute arise concerning the interpretation of these supplementary regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

§ 702. Non-Residential Performance Standards and Controls

A. Unless otherwise specified by other provisions adopted by Robeson Township, all non-residential uses shall comply with the performance standards and controls specified by the Robeson Township Zoning Ordinance, as determined appropriate by the Robeson Township Engineer, Zoning Officer, Sewage Enforcement Officer and/or Code Enforcement Officer.

B. The following requirements for air quality management shall apply to all existing and proposed non-residential uses:

1. Open burning shall only be permitted if it conducted in accordance with the provisions adopted by Robeson Township.

2. No gases, vapors, odors and/or particulates shall be emitted from any non-residential use, which are detrimental to persons, property, animals or vegetation.

3. No toxic, radioactive or corrosive gases, vapors or fumes shall be released into the atmosphere.

4. No odors causing annoyance or discomfort to the adjacent residents shall be detectable beyond the property lines of the non-residential use on which such odors originate.
5. Any storage or spreading of manure, sludge, fertilizer, or other soil enrichment substances shall be conducted in a manner to limit odor. Further, all such activities shall be conducted in manner required by all pertinent local, state and federal laws.

6. All state and federal regulations concerning air pollution or air quality shall be considered as minimum standards for the control of smoke, dust, fumes and emissions.

C. The following requirements for noise and vibration control shall apply to all existing and proposed non-residential uses within Robeson Township:

1. Noise shall be regulated by the provisions of this Zoning Ordinance and/or by other municipal ordinances pertaining to noise, which may be utilized to enforce inappropriate noises and vibrations.

2. No physical vibration shall be perceptible without aid of instruments at or beyond the lot lines with the exception of quarrying, mining and temporary construction activities.

3. No continuous noise in excess of the following limits shall be permitted at the property line of the site on which the noise sources originates:

<table>
<thead>
<tr>
<th>Measurement taken along an adjoining property line within the following Zoning Districts</th>
<th>Time of Day (over a 10 minute time period)</th>
<th>Maximum Peak Limits Over any 8 hour period</th>
</tr>
</thead>
<tbody>
<tr>
<td>AP, R-1, R-2 and R-3</td>
<td>7:00 a.m. to 9:00 p.m. 9:00 p.m. to 7:00 a.m.</td>
<td>55 dBA 50 dBA</td>
</tr>
<tr>
<td>VC, RC and PC</td>
<td>65 dBA 60 dBA</td>
<td>70 dBA less than 10 minutes 75 dBA less than 1 minute</td>
</tr>
<tr>
<td>LI, GI, Q-1 and Q-2</td>
<td>70 dBA 65 dBA</td>
<td>75 dBA less than 10 minutes 80 dBA less than 1 minute</td>
</tr>
</tbody>
</table>

4. For noises that are considered smooth or continuous, the maximum permitted noise levels shall be measured over a period of 10 to 15 minutes. The noise levels shall be measured by the Zoning Officer or Code Enforcement Officer along any adjoining property line from which the noise originates. Where the noise levels exceed the maximum permissible limits during the specified time...
period and time of day, the owner of the property shall be considered in violation of the maximum permitted decibel limits.

5. For those noises that are not smooth and continuous, the peak noise levels shall be measured over a period of 1 minute to 10 minutes. The noise levels shall be measured by the Zoning Officer or Code Enforcement Officer along any adjoining property line from which the noise originates. Where the noise levels exceed the maximum permissible peak limits during any 8 hour period of time, the owner of the property shall be considered in violation of the maximum permitted decibel limits.

6. The maximum permissible noise levels specified by this section of the Zoning Ordinance shall not apply to the following conditions:

   a. General repair or construction work during the hours 7:00 a.m. to 9:00 p.m. provided that the activities are permitted by Robeson Township.

   b. Power tools and equipment during the hours of 7:00 a.m. to 9:00 p.m. provided that the activities are temporary.

   c. Blasting, providing it is conducted in association with quarrying, mining and construction activities, which have been permitted by local, state or federal agencies.

   d. Alarms or other devices used for the purposes of alerting people to the existence of an actual emergency or to warn people of an imminent danger.

   e. Municipal uses.

   f. Routine noises made by bells, chimes, carillons utilized for religious, educational or civic use.

   g. Licensed motor vehicles and authorized modes of transportation.

D. The following requirements for light, glare and heat control shall apply to all non-residential uses:

   1. Any non-residential use or operation producing intensive light, glare and/or heat shall be performed within an enclosed building or behind a solid fence in such a manner as to be completely imperceptible from any point beyond the boundary lines.

   2. No luminaire, spotlight or other source that is within 200 feet of a residential use or residential district shall be placed at a height exceeding 30 feet above the average surrounding ground level. This limitation shall not apply to lights needed for air safety or lights intended to illuminate an architectural feature.
3. All light sources utilized for non-residential uses shall be shielded or diffused to prevent the lighting from creating a nuisance to adjacent properties or prevent a distraction to motorist on adjacent public streets.

4. Any flashing, flickering or strobe lighting shall be imperceptible from any point beyond the boundary lines.

5. Non-residential uses shall comply with the provisions specified under Section 817 of this Zoning Ordinance.

E. The following requirements for sewage disposal, wastewater management and water supply shall apply to all existing and proposed non-residential uses:

1. In no case shall potentially hazardous effluent or waste from any non-residential use be discharged into the environment or public infrastructure.

2. The effluent from any non-residential use shall comply with the regulations specified by Robeson Township and/or the Pennsylvania Department of Environmental Protection.

F. The following requirements for solid waste management and disposal shall apply to non-residential uses:

1. No storage of solid waste materials on the site shall be permitted in excess of ten (10) days.

2. All solid waste materials awaiting transport shall be properly screened and concealed from the view of all adjacent properties. All containers shall be airtight, vermin-proof and have adequate storage capacity to accommodate existing and projected volumes of solid waste.

3. All solid waste management violations must be rectified within a twenty-four (24) hour period.

4. Incineration for the purpose of reducing or disposing of liquid or solid waste material must comply with the appropriate provisions for open burning and incineration.

5. All non-residential uses shall comply with the appropriate provisions for garbage, refuse and rubbish disposal, as adopted by Robeson Township.

G. The following requirements for outdoor storage shall apply to all proposed non-residential uses:

1. Outdoor storage of any type shall be prohibited, if such storage is considered and/or construed as malodorous, hazardous to the environment and potentially detrimental to the health and safety of the adjacent property owners.
2. All storage facilities for fuel, raw materials, machinery, equipment, and products stored outdoors shall be enclosed by a security fence and planting screen adequate to conceal the storage facilities from the view of adjacent residential properties.

3. No materials or waste shall be deposited on site in such form or manner by which it can be transported off the site by natural causes or forces.

4. No materials or substances, which have the potential to contaminate groundwater or surface water shall be permitted to be stored outside unless the owner can provide safeguards, which are satisfactory to Robeson Township as well as all other state and federal agencies.

5. Commercial outdoor sales shall comply with the provisions of Section 723 of this Zoning Ordinance.

H. The following utility and energy requirements shall apply to all existing and proposed non-residential uses:

1. All non-residential uses requiring energy in the form of electric, diesel, gas, oil, or other common energy source shall comply with all pertinent state and federal laws.

2. No electromagnetic radiation, which interferes with radio, telephone, satellite or television reception, or other communication equipment, shall be imperceptible from any point beyond the property lines.

3. No injurious electromagnetic radiation or radioactive emission shall be produced by any non-residential use. All radioactive emissions shall meet federal and state standards.

4. Unless otherwise required by the utility company or authority providing service, all utilities shall be installed underground.

I. No building or structure may be erected, altered or used, and no lot or premises may be used, for any activity which is continuously noxious, injurious or offensive by reason of dust, smoke, odor, fumes, noise, vibration, gas, effluent discharge, illumination or similar substances or conditions.

J. Proprietors who have been cited for any violation(s) may be responsible for applicable costs incurred by Robeson Township through background investigations, legal proceedings, retributions and rectification measures in accordance with the Second Class Township Code or the Pennsylvania Municipalities Planning Code.
§ 703. Day Care Facilities and Uses

A. The term “day care facilities” shall include “home day care”, “commercial day care centers”, and “adult training facilities”, which are further defined under Part 2 of this Zoning Ordinance.

B. The provisions for home day care uses are further specified under Section 703.1 of this Zoning Ordinance.

C. The provisions for commercial day care centers are further specified under Section 703.2 of this Zoning Ordinance.

§ 703.1. Home Day Care

A. Home day care facilities conducted as a subordinate home use or occupation shall be permitted use by special exception within the AP, R-1, R-2, R-3, VC and GC Zoning Districts. For the purposes of this Zoning Ordinance, “home day care” shall be synonymous with “family day care”.

B. Home day care services shall be permitted within a single family dwelling unit meeting the minimum and maximum dimensional requirements established for the zoning district to which it is located.

C. The maximum number of children to be cared for within a home day care shall be limited to six (6) or fewer children, who are unrelated to the resident caregiver.

D. The use shall be located and conducted within the single family dwelling, except for a designated outdoor play area meeting the following requirements:

   1. The single family dwelling shall be either serviced by public sanitary sewage facilities or with an on-lot sewage disposal system with sufficient capacities.

   2. The single family dwelling shall be either serviced by public water supply facilities or with an on-lot well with sufficient capacities.

   3. The internal facilities should be of adequate size to accommodate all of the children receiving plus the occupants of the single family dwelling.

   4. Common areas and facilities should be designated within the single family dwelling.

   5. The outdoor play area shall be located within the rear yard of the property and have sufficient size to accommodate six (6) children at once. The designated outdoor play area shall be planted and maintained in grass or lawn, and shall be enclosed with a continuous self-latching gate, with a height four (4) feet.

   6. All designated internal and external areas for the home day care shall be physically separated by a distance of 50 feet from any natural or man-made
hazard, including swimming pools, stormwater detention facilities, surface waters, machinery, electric generating and transmitting equipment, streets, and other areas that may be considered hazardous to children.

E. At least two (2) additional off-street parking spaces shall be designated for the home day care facility, which shall be subordinate to the required off-street parking spaces for the single-family detached residential use.

F. The home day care and use shall comply with all specifications, standards and licenses, which are required by Robeson Township, Pennsylvania Department of Public Welfare, or other agencies having jurisdiction.

G. The principal care givers at the home day care shall be identified and their credentials shall be submitted to Robeson Township for review and consideration.

§ 703.2 Commercial Day Care Centers

A. Commercial day care centers are a permitted use by special exception within the VC and GC Zoning Districts.

B. Commercial day care centers shall be permitted within an approved commercial facility, educational facility, church or religious facility, hospital or medical facility, municipal facility, health care facility, or other institutional use deemed appropriate by the Zoning Hearing Board, meeting the minimum and maximum dimensional requirements established for the zoning district to which it is located.

C. The commercial day care facility shall be capable of providing supplemental parental care and supervision and/or instruction to seven (7) or more children or adults simultaneously, who are not related to the caregiver or operator on a daily basis. Tuition, fees or other forms of compensation may be charged, whether governmentally subsidized or not, by the operator of the day care facility.

D. All facilities shall be licensed and/or approved to dispense day care by the Commonwealth of Pennsylvania.

E. The use shall be located and conducted within approved facility, except for a designated outdoor play area meeting the following requirements:

1. The facility and use shall be served by public sewage facilities.

2. The facility and use shall be served by public water supply facilities or an on-lot well with sufficient capacities.

3. The internal facilities should be of adequate size to accommodate all of the children or adults receiving plus the occupants of the principal or secondary use. Common areas and facilities should be designated within the approved facility.
4. The outdoor play area shall be located within the rear yard of the property and have sufficient size to accommodate the children or adults. The designated outdoor play area shall be planted and maintained in grass or lawn, and shall be enclosed with a continuous self-latching gate, with a height four (4) feet.

5. All designated internal and external areas for the facility shall be physically separated by a distance of 50 feet from any natural or man-made hazard, including swimming pools, stormwater detention facilities, surface waters, machinery, electric generating and transmitting equipment, streets, and other areas that may be considered hazardous to children.

F. In addition to the number of off-street parking spaces required for the principal and secondary use of the facility, an off-street pick-up and drop-off area shall be designated and maintained for the discharge and collection of children. The designated pick-up and drop-off area shall be marked by signs and physically removed from any required parking area, loading area, fire lane, and all points for vehicular access providing ingress and egress to the facility.

G. The commercial day care facility shall comply with all specifications, standards and licenses, which are required by Robeson Township, Pennsylvania Department of Public Welfare, or other agencies having jurisdiction.

H. The principal care givers at the home day care facility shall be identified and their credentials shall be submitted to Robeson Township for review and consideration.

§ 704. Agricultural Uses

A. The term “agricultural operation”, as defined under Part 2 of this Zoning Ordinance, shall include general agricultural uses, intensive agricultural uses, commercial composting facilities, mushroom production operations, farm-related businesses, farm-support businesses, nurseries, greenhouses, and all other accessory agricultural uses.

B. The provisions for general agricultural uses are further specified under Section 704.1 of this Zoning Ordinance.

C. The provisions for intensive agricultural uses are further specified under Section 704.2 of this Zoning Ordinance.

D. The provisions for commercial composting and mushroom production uses are further specified under Section 704.3 of this Zoning Ordinance.

E. The provisions for farm-related business uses are further specified under Section 704.4 of this Zoning Ordinance.

F. The provisions for farm-support business uses are further specified under Section 704.5 of this Zoning Ordinance.
G. The provisions for nurseries, greenhouses and roadside stands, as accessory agricultural uses are further specified under Section 704.6 of this Zoning Ordinance.

H. The provisions for permitted subdivision and land development activity within the AP Zoning District are further specified under Section 704.7 of this Zoning Ordinance.

§ 704.1. General Agricultural Uses

A. General agricultural uses, as further defined under Part 2 of this Zoning Ordinance, shall be a permitted use by right within the AP, R-1, R-2, R-3, VC, GC, GI, Q-1 and Q-2 Zoning Districts.

B. General agricultural uses may include the following uses: the cultivation of the soil for the raising and harvesting of the produce or crops; nurseries; greenhouses; horticulture operations; the raising of livestock and animal husbandry operations; dairy farms; silvicultural and aquacultural uses; and other general agricultural uses, as determined by the Robeson Township Zoning Officer.

C. The raising and ownership of farm animals as a general agricultural use shall be limited based upon contiguous acre relating to animal units. The following chart shall apply to general agricultural uses.

| General Agricultural Uses: Contiguous Acreage and Maximum Animal Unit Requirements |
|-----------------------------------------------|------------------|------------------|------------------|
| **Farm Animal**                              | **1.00 to 4.99 acres** | **5.00 to 24.99 acres** | **25.00 acres or more** |
| Poultry, fowl, rabbits and similar animals with weight that is less than 10 pounds per animal | 0.25 animal unit per acre | 0.50 animal unit per acre | 1.00 animal unit per acre |
| | Maximum: 50 per acre | Maximum: 100 per acre | Maximum: 200 per acre |
| Sheep, goats and similar animals with weight between 10 pounds and 200 pounds per animal | 0.50 animal unit per acre | 1.00 animal unit per acre | 2.00 animal unit per acre |
| | Maximum: 3 per acre | Maximum: 6 per acre | Maximum: 12 per acre |
| Pigs, hogs and similar animals with a weight between 200 pounds and 500 pounds per animal | 0.50 animal unit per acre | 1.00 animal unit per acre | 2.00 animal unit per acre |
| | Maximum: 3 per acre | Maximum: 6 per acre | Maximum: 12 per acre |
| Horses, cattle and similar animals with a weight between 500 pounds and 2,000 pounds per animal | 1.00 animal unit per acre | 1.5 animal unit per acre | 2.00 animal unit per acre |
| | Maximum: 0.5 per acre | Maximum: 1 per acre | Maximum: 1.5 per acre |
| All other farm animals | 0.50 animal unit per acre | 1.00 animal unit per acre | 1.50 animal unit per acre |

Note: The raising and ownership of farm animals as a general agricultural use shall be limited to the maximum permitted animal units per contiguous acre as well as the maximum permitted animals per acres as reference on this chart. Where a discrepancy should exist concerning the weight of the farm animal, the more restrictive provision shall apply.
D. The following minimum and maximum dimensional requirements shall apply to general agricultural uses:

1. A minimum of one (1) acre of contiguous net land area shall be required.

2. The minimum lot width requirement for general agricultural uses shall be 100 feet.

3. All buildings and structures utilized for general agricultural uses shall be located at least 50 feet from any property line or street right-of-way line.

4. The maximum height of all buildings and structures shall be 50 feet.

5. The total building coverage for general agricultural uses shall be 10 percent of the lot area. The total lot coverage for general agricultural uses shall be 20 percent of the lot area.

E. All general agricultural uses exceeding the provisions of this section of the Zoning Ordinance shall be considered as intensive agricultural use, which are further regulated under Sections 704.2 or 704.3 of this Zoning Ordinance.

F. All general agricultural uses and activities shall comply with all local, state and federal laws concerning manure, management, nutrient management, fertilizer applications, sewage disposal, water supply, stormwater management, erosion and sedimentation control, vehicular accessibility and solid waste management.

G. Accessory uses may be permitted for the general agricultural uses, provided they are conducted on the same lot and are permitted by Robeson Township.

§ 704.2. Intensive Agricultural Uses

A. Intensive agricultural uses, as further defined under Part 2 of this Zoning Ordinance, shall be a permitted use by special exception within the AP and R-1 Zoning Districts.

B. Intensive agricultural uses may include the following uses: specialized agricultural activities; mushroom production facilities; intensive livestock operations; intensive produce operations; intensive dairy and egg production facilities; poultry production facilities; pork production facilities or pig farms; and other general agricultural uses, as determined by the Robeson Township Zoning Officer.

C. The raising and ownership of farm animals as an intensive agricultural use shall be limited based upon contiguous acre relating to animal units. The following chart shall apply to intensive agricultural uses.
## Intensive Agricultural Uses: Contiguous Acreage and Maximum Animal Unit Requirements

<table>
<thead>
<tr>
<th>Farm Animal</th>
<th>25.00 to 49.99 acres</th>
<th>50.00 to 99.99 acres</th>
<th>100.00 acres or more</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poultry, fowl, rabbits and similar animals with weight that is less than 10 pounds per animal</td>
<td>2.00 animal unit per acre</td>
<td>4.00 animal unit per acre</td>
<td>6.00 animal unit per acre</td>
</tr>
<tr>
<td>Maximum: 400 per acre</td>
<td>Maximum: 800 per acre</td>
<td>Maximum: 1,200 per acre</td>
<td></td>
</tr>
<tr>
<td>Sheep, goats and similar animals with weight between 10 pounds and 200 pounds per animal</td>
<td>3.00 animal unit per acre</td>
<td>4.00 animal unit per acre</td>
<td>5.00 animal unit per acre</td>
</tr>
<tr>
<td>Maximum: 18 per acre</td>
<td>Maximum: 24 per acre</td>
<td>Maximum: 30 per acre</td>
<td></td>
</tr>
<tr>
<td>Pigs, hogs and similar animals with a weight between 200 pounds and 500 pounds per animal</td>
<td>4.00 animal unit per acre</td>
<td>5.00 animal unit per acre</td>
<td>6.00 animal unit per acre</td>
</tr>
<tr>
<td>Maximum: 24 per acre</td>
<td>Maximum: 30 per acre</td>
<td>Maximum: 36 per acre</td>
<td></td>
</tr>
<tr>
<td>Horses, cattle and similar animals with a weight between 500 pounds and 2,000 pounds per animal</td>
<td>3.00 animal unit per acre</td>
<td>4.00 animal unit per acre</td>
<td>5.00 animal unit per acre</td>
</tr>
<tr>
<td>Maximum: 2 per acre</td>
<td>Maximum: 3 per acre</td>
<td>Maximum: 4 per acre</td>
<td></td>
</tr>
<tr>
<td>All other farm animals</td>
<td>0.50 animal unit per acre</td>
<td>1.00 animal unit per acre</td>
<td>1.50 animal unit per acre</td>
</tr>
</tbody>
</table>

Note: The raising and ownership of farm animals as an intensive agricultural use shall be limited to the maximum permitted animal units per contiguous acre as well as the maximum permitted animals per acres as reference on this chart. Where a discrepancy should exist concerning the weight of the farm animal, the more restrictive provision shall apply.

### D. The following minimum and maximum dimensional requirements shall apply to intensive agricultural uses:

1. A minimum of twenty-five (25) acres of contiguous net land area shall be required to accommodate intensive agricultural uses and activities in the AP Zoning District.

2. A minimum of fifty (50) acres of contiguous net land area shall be required to accommodate intensive agricultural uses and activities in the R-1 Zoning District.

3. The minimum lot width requirement for intensive agricultural uses shall be 300 feet.

4. All buildings and structures utilized for intensive agricultural uses shall be located at least 200 feet from any property line or street right-of-way line.

5. All intensive agricultural uses and facilities shall be located at least 100 feet from all streams or surface water.
6. The maximum height of all buildings and structures utilized for intensive agricultural uses shall not exceed 50 feet.

7. The total building coverage for general agricultural uses shall be 10 percent of the lot. The total lot coverage for general agricultural uses shall be 20 percent of the lot.

E. The intensive agricultural use shall be serviced by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

F. The intensive agricultural use shall be serviced by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed intensive agricultural uses.

G. All intensive agricultural uses relating to commercial composting and mushroom production uses shall be further regulated under the provisions of Sections 704.3 of this Zoning Ordinance.

H. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within 100 feet from any lot line.

I. Solid and liquid waste shall be disposed of in a manner to avoid insect, rodent or pest problems.

J. All intensive agricultural uses and activities shall comply with all local, state and federal laws concerning manure management, nutrient management, fertilizer applications, sewage disposal, water supply, stormwater management, erosion and sedimentation control, air quality management, vehicular accessibility and solid waste management. Where appropriate, the applicant shall submit plans or other forms of documentation to demonstrate that the intensive agricultural use shall comply with all pertinent local, state and federal laws.

K. A Nutrient Management Plan (NMP) shall be completed for the intensive agricultural use in accordance with local, state and federal requirements. The NMP should identify how the potential adverse impacts associated with the intensive agricultural use will be mitigated and/or prevented. The NMP shall be submitted to Robeson Township with the special exception application.

L. A Traffic Impact Study (TIS) shall be conducted in order to assess both existing and future transportation conditions and needs within 3,000 feet of the tract boundary (regional study area). The applicant shall consult with Robeson Township to confirm the limits of the regional study area. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or
prevented. The TIS shall be submitted to Robeson Township with the special exception application.

M. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how potential environmental or ecological impacts will be mitigated and/or prevented. The EIA shall be submitted to Robeson Township with the special exception application.

N. As part of the special exception application, the applicant shall provide evidence that the intensive agricultural uses or activities shall comply with the provisions established within this Zoning Ordinance.

O. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception application.

§ 704.3. Commercial Composting and Mushroom Production Uses

A. Commercial composting uses and mushroom production uses, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the AP Zoning District.

B. Commercial composting uses may include the accumulation of biodegradable and organic materials from approved uses including landscaping uses, nursery uses, forestry uses, and other similar uses, as determined appropriate by Robeson Township, whereas, the composted materials and residual waste are packaged, processed and/or transported from the commercial composting facility and utilized for other applications.

C. Mushroom production uses may include the accumulation of biodegradable and organic materials from permitted mushroom production uses, as determined appropriate by Robeson Township; whereas, the products and residual waste are packaged, processed and/or transported from the mushroom production facility and utilized for other applications.

D. The following minimum and maximum dimensional requirements shall apply to commercial composting and mushroom production uses:

1. A minimum of twenty-five (25) acres of contiguous net land area shall be required to accommodate the commercial composting or mushroom production use.

2. The minimum lot width requirement for commercial composting or mushroom production uses shall be 300 feet.
3. All buildings and structures utilized for commercial composting or mushroom production uses shall be located at least 200 feet from any property line or street right-of-way line.

4. All commercial composting or mushroom production and facilities shall be located at least 100 feet from all streams or surface water.

5. The maximum height of all buildings and structures utilized for commercial composting or mushroom production uses shall not exceed 35 feet.

6. The total building coverage for general agricultural uses shall be 10 percent of the lot. The total lot coverage for general agricultural uses shall be 20 percent of the lot.

E. The commercial composting or mushroom production use shall be serviced by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

F. The commercial composting or mushroom production use shall be serviced by a private water supply system approved and permitted by the Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed commercial composting or mushroom production uses.

G. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within 100 feet from any lot line.

H. Solid and liquid waste shall be disposed of in a manner to avoid insect, rodent or pest problems.

I. All commercial composting or mushroom production uses shall comply with all local, state and federal laws concerning manure management, nutrient management, fertilizer applications, sewage disposal, water supply, stormwater management, erosion and sedimentation control, air quality management; vehicular accessibility and solid waste management. Where appropriate, the applicant shall submit plans or other forms of documentation to demonstrate that the intensive agricultural use shall comply with all pertinent local, state and federal laws.

J. A Nutrient Management Plan (NMP) shall be completed for the commercial composting or mushroom production use in accordance with local, state and federal requirements. The NMP should identify how the potential adverse impacts associated with the commercial composting or mushroom production use will be mitigated and/or prevented. The NMP shall be submitted to Robeson Township with the special exception application.
K. A Traffic Impact Study (TIS) shall be conducted in order to assess both existing and future transportation conditions and needs within 3,000 feet of the tract boundary (regional study area). The applicant shall consult with Robeson Township to confirm the limits of the regional study area. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented. The TIS shall be submitted to Robeson Township with the special exception application.

L. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how potential environmental or ecological impacts will be mitigated and/or prevented. The EIA shall be submitted to Robeson Township with the special exception application.

M. As part of the special exception application, the applicant shall provide evidence that the commercial composting or mushroom production uses shall comply with the provisions established within this Zoning Ordinance.

N. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by Robeson Township.

§ 704.4 Farm-Related Business Uses

A. Farm-related business uses, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by right in the AP, R-1, R-2, R-3, VC, GC, GI, Q-1 and Q-2 Zoning District.

B. Farm-related business uses may include accessory uses and activities, as defined by this section of the Zoning Ordinance, provided that the agricultural use is the primary use and the farm-related business use is a secondary or accessory use, which is compatible to the agricultural use. The farm-related business use shall be conducted in a manner that the agricultural use retains the visual character of a farm.

C. Uses that exceed the provisions of this section of the Zoning Ordinance may be permitted by special exception under the provisions for farm-support business uses, which are further specified under Section 704.5 of this Zoning Ordinance.

D. All farm-related business uses should be directed at meeting the needs of those engaged in an agricultural operation or use. A farm-related business use may include the following subordinate uses:

1. Facilities for the manufacturing, warehousing, sales, repair and service of agricultural equipment, vehicles, or supplies;

2. Blacksmith shops, farrier and harness making uses;
3. Butcher shops and meet packaging uses;
4. Processing and distribution of agricultural products;
5. Feed supply and fertilizer distributors.
6. Other uses of similar character as determined by the Zoning Officer.

E. The following minimum and maximum dimensional requirements shall apply to an agricultural use with a permitted farm-related business use:

1. A minimum of ten (10) acres of contiguous net land area shall be required to accommodate the agricultural use and the farm-related business use.
2. The maximum land area designated for the farm-related business shall be no more than three (3) acres.
3. All building or structures utilized for the farm-related business use shall be located at least 100 feet from any side or property line or street right-of-way line.
4. Outdoor storage of supplies, materials, or other products utilized for the farm-related business shall be located at least 50 feet from any side or property line or street right-of-way line.
5. The maximum height for any building or structure utilized for the farm-related business use shall be 35 feet.
6. The maximum combined lot coverage for the agricultural uses and farm-related uses shall be 10 percent.
7. The total gross floor area of a building or structure utilized exclusively for a farm-related business use shall not exceed 4,000 square feet.

F. Any building constructed for the use of a farm-related business shall be of a type or design that could be converted to an agricultural use in the event the farm-related business is discontinued.

G. Farm-related uses located within the R-1, R-2, R-3 and VC Zoning Districts shall consider the character and appearance of other uses located within 1,000 feet of the property lines.

H. The farm-related business shall be owned and operated by the farmer in residence on the property. No more than three (3) full time equivalent employees shall be employed at the farm for the farm-related business.
I. No more than two (2) farm-support business uses shall be permitted on the farm. A zoning or use permit must be acquired by the owner to operate the farm-related business.

J. An off-street parking area shall be provided to meet the following requirements: two (2) parking spaces shall be provided for the principal agricultural use; one (1) parking space shall be provided for each employee not residing at the farm; and no more than two (2) parking spaces shall be provided for guests or patrons. The maximum number of off-street parking spaces shall be limited to eight (8) parking spaces, which shall not include any garage spaces and shall be designed to comply with the appropriate provisions of Part 9 of this Zoning Ordinance.

K. Sufficient vehicular access roads and off-street parking areas shall be designed, located and constructed in a manner considering the size and weight of all delivery vehicles and customer vehicles entering and exiting the property. All such vehicular access roads and off-street parking areas shall be mud free shall not create a traffic hazard.

L. A sign displaying the name and address of the farm-related business may be permitted, subject to the following requirements: no more than one (1) such sign shall be erected on the lot; the area of the sign shall not exceed six (6) square feet in size; and the sign shall be either fixed flat on the main wall of the building or may be erected in the front yard, but not within ten (10) feet of the cartway.

M. The owner of the farm-related business shall conduct and manage all activities that will not create a nuisance in terms of excessive noise, light, dirt, and/or odor. Further, the farm-related business shall not result in the accumulation of trash or debris upon the property.

N. Composting or other farm waste storage facilities shall not be permitted within 200 feet of a property line or street right-of-way.

O. The land area of the accessory business operation shall not be subdivided from the farm property or principal agricultural use.

P. No construction or other improvements required to support a farm-related business use shall be permitted unless a land development plan has been submitted to Robeson Township for review and consideration.

§ 704.5. Farm-Support Business Uses

A. Farm-support business uses, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception in the AP, R-1, VC, GC and GI Zoning Districts.

B. Farm-support business uses may include accessory uses and activities, as defined by this section of the Zoning Ordinance, provided that the agricultural use is the primary use and the farm-support business use is a secondary or accessory use, which is not
necessarily compatible to the agricultural use. The farm-support business use shall be conducted in a manner that the agricultural use retains the visual character of a farm.

C. All farm-support business uses should be directed at meeting the needs of those engaged in an agricultural operation or use. A farm-support business use may include the following subordinate uses:

1. Facilities for the manufacturing, warehousing, sales, repair and service of equipment, vehicles, or supplies;

2. Processing and distribution of products;

3. Veterinary offices subject to the provisions of Section 715 of this Zoning Ordinance;

4. Kennels within the AI Zoning District, subject to the provisions of Section 716 of this Zoning Ordinance;

5. Uses that exceed the farm-related provisions contained under Section 704.4 of this Zoning Ordinance.

6. Uses that exceed the home occupation provisions contained under Section 805 of this Zoning Ordinance.

D. The following minimum and maximum dimensional requirements shall apply to an agricultural use with a permitted farm-support business use:

1. A minimum of ten (10) acres of contiguous net land area shall be required to accommodate the agricultural use and the farm-support business use.

2. The maximum land area designated for the farm-support business shall be no more than three (3) acres.

3. All building or structures utilized for the farm-support business use shall be located at least 100 feet from any side or property line or street right-of-way line.

4. Outdoor storage of supplies, materials, or other products utilized for the farm-support business shall be located at least 50 feet from any side or property line or street right-of-way line.

5. The maximum height for any building or structure utilized for the farm-support business use shall be 35 feet.

6. The maximum combined lot coverage for the agricultural uses and farm-support uses shall be 10 percent.
7. The total gross floor area of a building or structure utilized exclusively for a farm-support business use shall not exceed 4,000 square feet.

E. Any building constructed for the use of a farm-support business shall be of a type or design that could be converted to an agricultural use in the event the farm-support business is discontinued.

F. Farm-support uses shall consider the character and appearance of other uses located within 1,000 feet of the property lines.

G. The farm-support business shall be owned and operated by the farmer in residence on the property. No more than three (3) full time equivalent employees shall be employed at the farm for the farm-support business.

H. No more than one (1) farm-support business uses shall be permitted on the farm. A zoning or use permit must be acquired by the owner to operate the farm-support business. Further, a farm-support business shall not be operated in conjunction with a farm-related business.

I. An off-street parking area shall be provided to meet the following requirements: two (2) parking spaces shall be provided for the principal agricultural use; one (1) parking space shall be provided for each employee not residing at the farm; and no more than two (2) parking spaces shall be provided for guests or patrons. The maximum number of off-street parking spaces shall be limited to eight (8) parking spaces, which shall not include any garage spaces and shall be designed to comply with the appropriate provisions of Part 9 of this Zoning Ordinance.

J. Sufficient vehicular access roads and off-street parking areas shall be designed, located and constructed in a manner considering the size and weight of all delivery vehicles and customer vehicles entering and exiting the property. All such vehicular access roads and off-street parking areas shall be mud free shall not create a traffic hazard.

K. A sign displaying the name and address of the farm-support business may be permitted, subject to the following requirements: no more than one (1) such sign shall be erected on the lot; the area of the sign shall not exceed six (6) square feet in size; and the sign shall be either fixed flat on the main wall of the building or may be erected in the front yard, but not within ten (10) feet of the cartway.

L. The owner of the farm-support business shall conduct and manage all activities that will not create a nuisance in terms of excessive noise, light, dirt, and/or odor. Further, the farm-support business shall not result in the accumulation of trash or debris upon the property.

M. Composting or other farm waste storage facilities shall not be permitted within 200 feet of a property line or street right-of-way.

N. The land area of the accessory business operation shall not be subdivided from the farm property or principal agricultural use.
O. No construction or other improvements required to support a farm-support business use shall be permitted unless a land development plan has been submitted to Robeson Township for review and consideration.

§ 704.6. Greenhouses, Tree Farms, Nurseries, Landscaping Centers and Roadside Stands

A. Greenhouses and tree farms that do not provide for on-site commercial or retail sales as a principal use shall be considered as a general agricultural use, which are permitted by right in the AP, R-1, R-2, R-3, VC, GC, GI, Q-1 and Q-2 Zoning Districts. All such general agricultural uses shall be subject to the following requirements:

1. Greenhouses shall not exceed 5,000 square feet per acre of land and shall not exceed 50,000 cumulative square feet in total gross covered floor area for all structures on the property.

2. The minimum and maximum dimensional requirements for general agricultural uses, as specified under Section 704.1 of this Zoning Ordinance, shall apply to greenhouses and tree farm.

3. Greenhouses shall be considered as a structure, which should be accounted for as part of the building coverage and lot coverage requirements for the lot.

4. An off-street parking area consisting of one (1) parking space for each full time equivalent employee plus two (2) parking spaces for guests or patrons. The maximum number of off-street parking spaces shall be limited to eight (8) parking spaces and shall be designed to comply with the appropriate provisions of Part 9 of this Zoning Ordinance.

5. Vehicular access roads and off-street parking areas shall be located, designed and constructed in a manner considering the size and weight of delivery vehicles and customers entering and exiting the property. All such vehicular access roads and parking areas shall be mud free shall not create a traffic hazard.

6. A sign displaying the name and address of the farm-support business may be permitted, subject to the following requirements: no more than one (1) such sign shall be erected on the lot; the area of the sign shall not exceed six (6) square feet in size; and the sign shall be either fixed flat on the main wall of the building or may be erected in the front yard, but not within ten (10) feet of the cartway.

7. Greenhouses and tree farms may have two (2) seasonal sales per year provided that such sales do not exceed sixty (60) cumulative days over a calendar year that that a zoning or use permit is obtained.

B. Commercial greenhouses, tree farms, nurseries or landscaping centers shall be permitted by special exception within the AP and GC Zoning Districts. All such uses shall be subject to the following provisions:
1. A minimum of two (2) contiguous net acres of land area shall be required to accommodate any commercial greenhouse, tree farm, nursery or landscaping center.

2. A greenhouse exceeding the parameters for general agricultural uses, as specified under Section 704.6(A) of this Zoning Ordinance shall be considered as a commercial greenhouse and subject to the provisions of Section 704.6(B) of this Zoning Ordinance.

3. Commercial greenhouse operations shall not exceed 20,000 square feet per acre of land and shall not exceed 200,000 cumulative square feet in total gross covered floor area for all structures on the property.

4. All commercial greenhouses, tree farms nurseries and landscaping centers shall be located on approved lots, which comply with the minimum and maximum dimensional requirements as well as the utility provisions, which are further specified for the AP and GC Zoning Districts.

5. The storage of merchandise that is available for retail sales may be permitted outside of the principal building or structure provided that such storage complies with the minimum setback provisions, which are further specified for the AP, GC or LI Zoning Districts.

6. No exterior storage of a substance, which has the potential to contaminate groundwater or surface water, shall be permitted unless the owner provides and installs safeguards, which are satisfactory to Robeson Township and the Pennsylvania Department of Environmental Protection. All such protective safeguards shall be subject to the review and approval by Robeson Township.

7. Individual buildings, barns and greenhouses shall be considered as a structure, which should be accounted for as part of the building coverage and lot coverage requirements for the lot.

8. An off-street parking area consisting of at least one (1) parking space per five (500) square feet of gross floor and surface area of merchandise sale for guests or patrons plus one (1) parking space for each full time equivalent employee. This provision may be reduced as part of the conditional use application if the applicant provides documentation to support the reduction.

9. At least one (1) off-street loading space shall be provided for the commercial greenhouse, tree farm, nursery or landscaping center. The off-street loading space shall be located , designed and constructed in accordance with the provisions of Part 9 of this Zoning Ordinance.

10. Vehicular access roads and off-street parking areas shall be located, designed and constructed in a manner considering the size and weight of delivery vehicles.
and customers entering and exiting the property. All such vehicular access
or streets and parking areas shall be mud free shall not create a traffic hazard.

11. No more than one (1) common on-premises free standing or ground sign shall be permitted for the commercial greenhouse, tree farm, nursery or landscaping center, which shall not exceed 30 square feet. All proposed signs shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

12. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the conditional use application as well as all other provisions specified by Robeson Township.

C. Roadside stands, which are considered as an accessory use to a general agricultural use, shall be permitted by right in the AP, R-1, R-2, R-3, VC, GC, GI, Q-1 and Q-2 Zoning Districts, subject to the following provisions:

1. At least fifty (50) percent of the agricultural products sold at the roadside stand shall be produced on the property accommodating the roadside stand.

2. The total display area of the agricultural products sold at the roadside stand shall be limited to eight hundred (800) square feet.

3. The roadside stand shall be considered as a temporary and portable structure, which shall be located at least 50 feet from the centerline of the cartway and 200 feet from a street intersection. In no case shall the roadside stand be placed within the street right-of-way.

4. The portable roadside stand shall be removed during seasons when agricultural products are not sold or if the roadside stand becomes inactive for 30 consecutive days.

5. Sufficient off-street parking areas shall be designed, located and constructed in a manner considering the customer vehicles entering and exiting the property. All such off-street parking areas shall be mud free shall not create a traffic hazard. A minimum of six (6) off-street parking areas shall be provided.

6. A sign displaying the name or products for sale may be permitted, subject to the following requirements: no more than one (1) such sign shall be erected on the lot; the area of the sign shall not exceed six (6) square feet in size; and the sign shall be either fixed flat on the main wall of the building or may be erected in the front yard, but not within ten (10) feet of the cartway.
§ 704.7. Permitted Subdivision Activity in the AP Zoning District

A. Single family detached shall be permitted by right within the AP Zoning District, subject to the subdivision and land development requirements of this section of the Zoning Ordinance.

B. The total land area of the “parent tract” owned under single or separate deeds as of March 18, 2003, shall be subject to the sliding scale techniques for effective agricultural preservation zoning. The following chart provides a summary of the permitted number of residential lots in relation to the total gross land area of the parent tract.

<table>
<thead>
<tr>
<th>Total Size of the Parent Tract</th>
<th>Maximum Permitted Single Family Detached Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5.00 acres</td>
<td>1 single family detached lot</td>
</tr>
<tr>
<td>5.00 acres to 19.99 acres</td>
<td>2 single family detached lots</td>
</tr>
<tr>
<td>20.00 acres to 49.99 acres</td>
<td>3 single family detached lots</td>
</tr>
<tr>
<td>50.00 acres to 99.99 acres</td>
<td>4 single family detached lots</td>
</tr>
<tr>
<td>100.00 acres to 149.99 acres</td>
<td>5 single family detached lots</td>
</tr>
<tr>
<td>150.00 acres to 199.99 acres</td>
<td>6 single family detached lots</td>
</tr>
<tr>
<td>200.00 acres to 299.99 acres</td>
<td>7 single family detached lots</td>
</tr>
<tr>
<td>300.00 acres to 399.99 acres</td>
<td>8 single family detached lots</td>
</tr>
<tr>
<td>400.00 acres to 499.99 acres</td>
<td>9 single family detached lots</td>
</tr>
<tr>
<td>More than 500 acres</td>
<td>10 single family detached lots</td>
</tr>
</tbody>
</table>

Note: The total size of the “parent tract” shall be considered the total land area owned under single or separate deeds as of March 18, 2003. All subdivision and land development activity within the AP Zoning District shall comply with all pertinent comments of Section 704.7 of this Zoning Ordinance.

C. All existing single family detached dwellings and/or lots that have been approved by Robeson Township prior to March 18, 2003, shall be permitted in addition to the maximum number of permitted single family detached lots.

D. The individual lot size for all new single family detached lots shall conform with the dimensional requirements specified on the following chart.
### Dimensional Requirements for Subdivision and Land Development Activity in the AP Zoning District

<table>
<thead>
<tr>
<th>Dimensional Requirement</th>
<th>Minimum Requirements</th>
<th>Maximum Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Net Land Area</td>
<td>1.00 acre</td>
<td>2.00 acre</td>
</tr>
<tr>
<td>Lot Width</td>
<td>150 feet</td>
<td>200 feet</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>40 feet</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Side Yard Setback (each)</td>
<td>20 feet</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>30 feet</td>
<td>Not Applicable</td>
</tr>
<tr>
<td>Building Height</td>
<td>Not Applicable</td>
<td>35 feet</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>Not Applicable</td>
<td>20 percent</td>
</tr>
</tbody>
</table>

Note: The minimum and maximum dimensional requirements contained within this table apply only to new single family detached dwelling lots located in the AP Zoning District after ____________________.

E. As part of the subdivision and land development process, the proposed single family detached lots shall be designed considering the following criteria:

1. The size of the lot shall be a minimum of 1.00 net acre but less than 2.00 net acres. The Board of Supervisors may allow lots larger than 2.00 net acres if the following conditions apply: additional land area is required to comply with the provisions for on-lot sewage disposal; 50 percent of the soils are not considered as prime or significant in terms of their agricultural values; the site cannot be suitably famed due to topographical or hydrological factors; and/or the configuration of the parent tract makes certain portions difficult to utilize as an agricultural operation.

2. The proposed lots should located along an existing public or private street that complies with the design requirements of a minor or local street, as specified by the Robeson Township.

3. Subdivision activity should be avoided in areas on which more than 60 percent of the soils are considered as prime or significant in terms of their agricultural values.

4. The subdivision plan shall contain notes with the development limitations associated with the AP Zoning District as well as the future subdivision or lot allotment that is remaining with the parent tract.

5. The following note shall be applied to all proposed subdivision, land development, and building permit applications for residential uses within the AP Zoning District:
All land and water areas within the AP Zoning District are located in an area where land is utilized for agricultural operations and uses. Owners, residents and other users of this property as well as neighboring properties may be subjected to occasional inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted local agricultural practices and operations, including but not limited to noise, odors, dust, the operation of machinery, including aircraft, the storage and disposal of manure, the application of fertilizer, soils amendments, herbicides and pesticides. Owners, occupants and users of this property should be prepared to accept such conditions and inconveniences, and the possibility of injury from normal agricultural operations, are hereby put on official notice that the Pennsylvania Right to Farm Law may bar them from obtaining a legal judgment against normal agricultural operations.

F. All other non-residential subdivision and land activity within the AP Zoning District shall be subject to the provisions of Sections 402 and 704 of this Zoning Ordinance.

§ 705. Recreational Uses

A. Recreational uses, as further defined under Part 2 of this Zoning Ordinance, shall be permitted as follows:

1. Active and passive recreation uses that are not classified as a commercial recreation use are permitted by right in the R-1, R-2, R-3, VC, GC and GI Zoning Districts.

2. Active and passive recreation uses that are not classified as a commercial recreation use are permitted by right in the AP, Q-1 and Q-2 Zoning Districts.

3. Active and passive recreation uses that are classified as a commercial recreation use are permitted by conditional use in the VC, GC and GI Zoning Districts.

4. Private and public golf courses, as defined under Part 2 of this Zoning Ordinance, shall be permitted by right in the R-1, R-2 and R-3 Zoning Districts, subject to the appropriate provisions specified within this Zoning Ordinance. A golf driving range or miniature golf course shall be considered as a commercial recreation use.

B. Unless otherwise specified within this Zoning Ordinance, the following general design standards and specifications shall apply to all recreational uses:

1. A minimum of two (2) acres of contiguous net land area shall be required to accommodate the active and passive recreational use.

2. The recreational facilities shall be either serviced by public sanitary sewage disposal facilities or with an on-lot sewage disposal system with sufficient capacities.
3. The recreational use shall be either serviced by public water supply facilities or
   with an on-lot well with sufficient capacities.

4. The minimum lot width for the recreational use shall be 150 feet.

5. All active outdoor recreational areas and uses shall be located at least 50 feet
   from all property lines and street right-of-ways.

6. All passive recreational areas and uses shall be located at least 10 feet from all
   property lines and street right-of-ways.

7. Shooting ranges shall be prohibited unless approved by Special Exception by the
   Robeson Township Zoning Hearing Board.

8. All recreational buildings shall be located at least 50 feet from all external
   property lines and street right-of-ways.

9. All property lines adjacent to existing residential land uses shall be adequately
   screened and buffered so as to protect the privacy of the residential
   neighborhood from inappropriate noise, light and other disturbances.

10. All means of ingress and/or egress shall be located at least two hundred (200)
    feet from any intersecting street and shall be designed to accommodate traffic in
    a safe and efficient manner. The applicant or developer shall be responsible for
    the purchase and installation of any traffic control devices and the construction
    of additional acceleration and/or deceleration lanes as may be required by the
    Pennsylvania Department of Transportation or Robeson Township.

11. Sufficient vehicular access roads and off-street parking areas shall be designed,
    located and constructed in a manner considering the size and weight of all
    delivery vehicles and customer vehicles entering and exiting the property. All
    such vehicular access roads and off-street parking areas shall be mud free shall
    not create a traffic hazard.

12. The off-street parking and loading spaces shall be designed to comply with the
    provisions specified under Part 9 of this Zoning Ordinance.

13. All proposed signs for the recreational use shall comply with the provisions
    specified under Part 10 of this Zoning Ordinance.

14. Exterior storage areas for trash and rubbish shall be properly screened with
    secured fencing and landscaping materials. All containers shall be air-tight,
    vermin proof and have adequate storage capacity to accommodate the projected
    volumes of solid waste. No such storage area will be permitted within fifty (50)
    feet from any lot line.

C. As part of the conditional use application, the applicant or developer shall submit the
   following information for review and consideration:
1. A grading plan shall be developed to identify the limits of disturbance for all site improvements, the proposed ground elevations, erosion and sedimentation control facilities, stormwater management facilities, and other natural or man-made features of the site.

2. A Traffic Impact Study (TIS) shall be conducted in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

3. An Environmental Impact Assessment (EIA) Report shall be conducted in order to identify how the potential environmental and ecological impacts will be mitigated and/or prevented.

D. A complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the conditional use application as well as all other provisions specified by Robeson Township.

§ 706. Institutional Uses

A. The term “institutional use”, as defined under Part 2 of this Zoning Ordinance, shall include educational uses, hospitals, medical centers, health care uses, churches, religious uses, assisted living care facilities, and other similar institutional uses as determined by the Zoning Officer.

B. The provisions for educational uses are further specified under Section 706.1 of this Zoning Ordinance.

C. The provisions for assisted living care facilities, convalescent homes and nursing homes are further specified under Section 706.2 of this Zoning Ordinance.

D. The provisions for places of worship or religious uses are further specified under Section 706.3 of this Zoning Ordinance.

E. The provisions for hospitals or medical centers are further specified under Section 708 of this Zoning Ordinance.

§ 706.1 Educational Uses

A. Educational uses, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the R-2, R-3, VC and GC Zoning Districts, subject to the provisions of the Robeson Township Zoning Ordinance as well as the following design standards and specifications:

1. A minimum of five (5) acres of contiguous net land area shall be required to accommodate the educational use. In addition, the minimum and maximum
dimensional requirements, as specified by the zoning district in which the educational use is located shall apply.

2. The educational facilities and uses shall be serviced by public sanitary sewage disposal facilities.

3. The educational facilities and uses shall be either serviced by public water supply facilities or with an on-lot well with sufficient capacities. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed uses.

4. Subordinate uses within the educational use shall be limited to: cafeterias; administrative and professional offices; recreational uses; day care facilities; religious uses; and other similar uses that are determined appropriate by the Zoning Hearing Board as part of the special exception application. The cumulative gross floor area for all such accessory uses shall not occupy more than 40 percent of the cumulative gross floor area of all uses within the educational facility. The accessory uses shall be considered subordinate uses that directly benefit the educational use. All designated subordinate uses and buildings shall be located at least 50 feet from all property lines and street right-of-ways.

5. All property lines adjacent to existing residential land uses shall be adequately screened and buffered so as to protect the residential neighborhood from inappropriate noise, light and other disturbances.

6. Unless otherwise required by the utility company or authority providing service, all utility connections shall be installed underground.

7. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

8. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of school buses, emergency response vehicles and/or other commercial vehicles shall be arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

9. All proposed signs for the educational use shall comply with the provisions specified under Part 10 of this Zoning Ordinance.
10. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line of a non-residential use and one hundred (100) feet from any lot line of a residential use.

B. As part of the special exception application, the applicant shall provide evidence that the institutional use or activities shall comply with the provisions established within this Zoning Ordinance. This may include the submission of a grading plan, utility plan, landscaping plan, architectural renderings, traffic impact study and/or environmental impact assessment report. Prior to the submission of the special exception application, the applicant shall consult with the Robeson Township Engineer and Zoning Officer to initially discuss the supplemental documentation that may be required as part of the application.

C. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the conditional use application as well as all other provisions specified by Robeson Township.

§ 706.2 Assisted Living Care Facilities, Convalescent Homes and Nursing Homes

A. Assisted living care facilities, convalescent homes and nursing homes, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the R-3 and GC Zoning Districts, subject to the provisions of the Robeson Township Zoning Ordinance as well as the following design standards and specifications:

1. A minimum of three (3) acres of contiguous net land area shall be required to accommodate the assisted living care facility, convalescent home and/or nursing home. In addition, the minimum and maximum dimensional requirements, as specified by the zoning district in which the assisted living care facility, convalescent home and/or nursing is located shall apply.

2. The assisted living care facility, convalescent home and/or nursing home shall be serviced by public sanitary sewer disposal facilities.

3. The assisted living care facility, convalescent home and/or nursing home shall be serviced by public water supply facilities or by private water supply facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed uses.

4. Subordinate uses within the assisted living care facility, convalescent home and/or nursing home shall be limited to: restaurants or cafeterias; administrative
and professional offices; retail sales establishments; banks or financial institutions; personal care or service establishments; recreational uses; educational uses; religious uses; and other similar uses that are determined appropriate by Robeson Township as part of the special exception application. The cumulative gross floor area for all such accessory uses shall not occupy more than 40 percent of the cumulative gross floor area of all uses within the assisted living care facility, convalescent home and/or nursing home. All designated subordinate uses and buildings shall be located at least 50 feet from all property lines and street right-of-ways.

5. All property lines adjacent to existing residential land uses shall be adequately screened and buffered so as to protect the residential neighborhood from inappropriate noise, light and other disturbances.

6. Unless otherwise required by the utility company or authority providing service, all utility connections shall be installed underground.

7. All designated points of ingress and egress for emergency management vehicles shall be located at least five hundred (500) feet from a residential zoning district and designed to consider traffic volumes on existing streets and adjacent uses.

8. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

9. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of emergency response vehicles, buses and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

10. All proposed signs for the assisted living care facility, convalescent home and/or nursing home shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

11. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line of a non-residential use and one hundred (100) feet from any lot line of a residential use.
12. All medical waste, bio-hazardous materials, equipment, red bag waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by state and federal laws.

13. Evidence shall be provided indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with state and federal regulations. Such evidence shall, at a minimum, include copies of contracts with licensed waste haulers, which have been contracted to dispose of the materials and wastes used or generated on-site or some other legal means of disposal. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the use change in the future, such that the materials used or wastes generated changes significantly either in type or amount, the owner shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section.

14. Only the processing of waste generated onsite is permitted. All processing and storage of waste shall be conducted within a completely-enclosed building. All storage of waste shall be in a manner that is leak and vector-proof. No storage of waste shall exceed seven (7) days in length. The incinerator shall be set back at least a distance equal to its height from all lot lines. The applicant must demonstrate compliance, through a written statement, and continue to comply with all applicable state and federal standards and regulations.

B. As part of the special exception application, the applicant shall provide evidence that the institutional use or activities shall comply with the provisions established within this Zoning Ordinance. This may include the submission of a grading plan, utility plan, landscaping plan, architectural renderings, traffic impact study and/or environmental impact assessment report. Prior to the submission of the special exception application, the applicant shall consult with the Robeson Township Engineer and Zoning Officer to initially discuss the supplemental documentation that may be required as part of the application.

C. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by the Robeson Township.

§ 706.3. Places of Worship and Religious Uses

A. Places of worship and religious uses, as further defined under Part 2 of this Zoning Ordinance, shall be permitted as follows:

1. Places of worship and religious uses shall be permitted by right in the VC, GC and GI Zoning Districts.
2. Places of worship and religious uses shall be permitted by special exception in the R-1, R-2 and R-3 Zoning Districts.

B. Places of worship and religious uses shall comply with the following design standards and specifications:

1. A minimum of five (5) acres of contiguous net land area shall be required to accommodate the place of worship or religious use. In addition, the minimum and maximum dimensional requirements, as specified by the zoning district in which the religious use is located shall apply.

2. The place of worship or religious use shall be serviced by public sanitary sewage facilities.

3. The place of worship or religious use shall be serviced by public water supply facilities or by private water supply facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the conditional use application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed uses.

4. Subordinate uses within the religious use shall be limited to: cafeterias; administrative and professional offices; conference or convention centers; recreational uses; day care facilities; adult day care facilities; educational uses; and other similar uses that are determined appropriate by the Zoning Hearing Board as part of the special exception application.

5. All designated subordinate uses and buildings shall be located at least 50 feet from all property lines and street right-of-ways.

6. All designated areas utilized as a cemetery or burial grounds shall be located at least 50 feet from all property lines and street rights-of-way.

7. Unless otherwise required by the utility company or authority providing service, all utility connections shall be installed underground.

8. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

9. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of emergency response vehicles, buses and/or other commercial vehicles shall...
be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

10. All proposed signs for the educational use shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

11. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line of a non-residential use and one hundred (100) feet from any lot line of a residential use.

C. The applicant shall provide evidence that the place of worship or religious use and subordinate activities shall comply with the provisions established within this Zoning Ordinance. This may include the submission of a grading plan, utility plan, landscaping plan, architectural renderings, traffic impact study and/or environmental impact assessment report. The applicant shall consult with the Robeson Township Engineer and Zoning Officer to discuss any supplemental documentation that may be required as part of the special exception application or land development plan application.

D. A complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception and/or all other provisions specified by the Zoning Ordinance.

§ 707. Business and Office Parks

A. Business and Office Parks, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by right within the GC and GI Zoning Districts, subject to the appropriate provisions specified within this Zoning Ordinance.

B. The following design standards and specifications shall apply to the uses contained within office and business parks:

1. A minimum of 10 acres of contiguous net land area shall be required to accommodate all of the uses within a business or office park.

2. Each use within the business or office park shall be serviced by public sanitary sewer facilities.

3. Each use within the business or office park shall be serviced by public water supply facilities or by private water supply facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the conditional use application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed uses.
4. The permitted uses within a business or office and business park shall be limited to: professional offices; banks or financial institutions; governmental offices; municipal uses; medical or dental offices; and other similar office uses, as determined by the Township as part of the conditional use application.

5. Subordinate uses within the business or office park office shall be limited to: restaurants or cafeterias; retail sales establishments; personal care or service establishments; meeting rooms; day care facilities; adult day care facilities; recreational uses; educational uses; and other similar uses that are determined appropriate by Robeson Township as part of the conditional use application. The cumulative gross floor area for all such accessory uses shall not occupy more than 20 percent of the cumulative gross floor area of all uses within the business or office park. The accessory uses shall be considered subordinate uses that directly benefit the primary uses within the business or office park.

6. Drive-through establishments shall be prohibited use within the business or office park.

7. The following minimum and maximum dimensional requirements shall apply to each principal use within the business or office park:
   a. The minimum net lot area shall be one (1) acre per lot, whether it is for one individual use on a lot or multiple permitted uses within a building on a lot.
   b. The minimum lot width shall be 200 feet per lot.
   c. The front yard setback shall be at least 60 feet, as measured from the right-of-way line.
   d. The side yard setback shall be at least 30 feet for each side.
   e. The rear yard setback shall be at least 50 feet.
   f. Each building occupying a permitted use shall be located at least 100 feet from an existing lot containing an existing residential use.
   g. The maximum height of the buildings shall be no more than 50 feet.
   h. The maximum building coverage shall be no more than 50 percent of the approved lot.
   i. The maximum lot coverage shall be no more than 70 percent of the approved lot.

8. Office or non-residential condominiums may be permitted on an individual lot within the office and business park, provided that each use is a permitted use as described in this Zoning Ordinance. The permitted uses shall be designed as
self-contained structures without common facilities, which comply with all pertinent requirements of Robeson Township. In addition to these requirements, the following provisions shall apply to office or non-residential condominiums:

a. The ownership of office condominiums shall be under single ownership, partnership, corporation, or under a guaranteed unified management control. The office condominiums must have at least one (1) on-site manager or a designated individual whose office is located within 100 miles of Robeson Township. The owner shall provide Robeson Township with a complete list of on-site managers or designated individuals on an annual basis. The list shall include the name, mailing address and telephone number of each on-site manager or each designated individual responsible for the daily operation of all uses within the office or non-residential condominiums.

b. The owner or manager shall provide a complete list of tenants located within office or non-residential condominium on an annual basis. The list shall include the name of the tenant, business name, mailing address, telephone number, land use activity and scheduled hours of operation.

9. The architectural features or building facade for the uses within the business or office park shall be harmoniously planned as a non-residential community. As part of the subdivision or land development application, the applicant or developer shall identify the non-residential uses and demonstrate how these uses can be amicably planned considering their architectural appearance.

10. Unless otherwise required by the utility company or authority providing service, all uses within the office and business park shall have individual utility connections and shall be installed underground.

11. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The total number of off-street parking spaces shall meet or exceed the cumulative total for all uses within the office and business park. As part of the land development plan, Robeson Township may permit a reduction of 10 percent of the required cumulative total off-street parking spaces provided the applicant or developer demonstrates that the uses will not generate additional off-street parking demands from employees, visitors and patrons during peak operational hours.

12. All proposed signs for each use within the office and business park shall comply with the provisions specified under Part 10 of this Zoning Ordinance. In addition to these signs, no more than one (1) common on-premises free standing sign shall be permitted along each street in which the office and business park has frontage and shall not exceed 100 square feet per side. No portion of the common on-premises free standing sign shall be less than 7 feet or greater than 20 feet, as measured from the mean ground elevation.
13. The side and rear lot lines of the development shall be adequately screened with a 20 foot wide landscaped buffer yard.

14. The primary points of ingress and egress to the business or office park shall be along a collector or arterial street. As part of the land development plan application, the applicant shall mitigate all potential traffic impacts.

15. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

16. Interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of trucks and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

17. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line.

C. As part of the land development plan application, the applicant or developer shall submit the following information for review and consideration:

1. A utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.

2. A landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

3. A grading plan shall be developed identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, and other natural or man-made features of the site.

4. Architectural renderings of the proposed building elevations and plan views.

5. A lighting plan showing the location and intensity of the proposed lighting within the property to a point 50 feet beyond the perimeter of the property line. The proposed lighting for buildings, signs, accessways and parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.
6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of Robeson Township in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

7. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

D. As part of the land development plan application, the applicant shall prepare and submit a master plan for all for contiguous land owned by the applicant.

E. A complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all other provisions specified by the Zoning Ordinance and the Subdivision and Land Development Ordinance.

§ 708. Hospitals and Medical Centers

A. Hospitals and medical centers, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the GC and GI Zoning Districts, subject to the provisions of the Robeson Township Zoning Ordinance as well as the following design standards and specifications:

1. A minimum of five (5) acres of contiguous net land area shall be required to accommodate the hospital or medical center. In addition, the minimum and maximum dimensional requirements, as specified by the zoning district in which the hospital or medical center is located shall apply.

2. The hospital or medical center shall be serviced by public sanitary sewer facilities.

3. The hospital or medical center shall be serviced by public water supply facilities.

4. Subordinate uses within the hospital or medical center shall be limited to: restaurants or cafeterias; administrative and professional offices; retail sales establishments; banks or financial institutions; personal care or service establishments; conference or convention centers; day care facilities; adult day care facilities; recreational uses; educational uses; religious uses; and other similar uses that are determined appropriate by Robeson Township as part of the conditional use application. The cumulative gross floor area for all such accessory uses shall not occupy more than 40 percent of the cumulative gross floor area of all uses within the hospital or medical center. All designated subordinate uses and buildings shall be located at least 50 feet from all property lines and street right-of-ways.
5. The primary points of ingress and egress to the medical research park shall be along a collector or arterial street. As part of the conditional use applications, the applicant shall mitigate all potential traffic impacts.

6. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

7. All designated points of ingress and egress for emergency management vehicles shall be located at least five hundred (500) feet from a residential zoning district and designed to consider traffic volumes on existing streets and adjacent uses.

8. All heliport or helistop facilities shall be located at least five hundred (500) feet from all property lines. All such uses shall be approved by the appropriate local, state and federal authorities.

9. All property lines adjacent to existing residential land uses shall be adequately screened and buffered so as to protect the residential neighborhood from inappropriate noise, light and other disturbances.

10. Unless otherwise required by the utility company or authority providing service, all utility connections shall be installed underground.

11. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of emergency response vehicles, buses and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

12. All proposed signs for the hospital or medical center shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

13. Exterior storage areas for trash and rubbish shall be screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within 50 feet from any lot line of a non-residential use and 100 feet from any lot line of a residential use.

14. All medical waste, bio-hazardous materials, equipment, red bag waste, and other similar items, which because of its potential health risks, shall be discarded in a manner specified by state and federal laws.
15. Evidence shall be provided indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with state and federal regulations. Such evidence shall, at a minimum, include copies of contracts with licensed waste haulers, which have been contracted to dispose of the materials and wastes used or generated on-site or some other legal means of disposal. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the use change in the future, such that the materials used or wastes generated changes significantly either in type or amount, the owner shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section.

16. Only the processing of waste generated onsite is permitted. All processing and storage of waste shall be conducted within a completely-enclosed building. All storage of waste shall be in a manner that is leak and vector-proof. No storage of waste shall exceed seven (7) days in length. The incinerator shall be set back at least a distance equal to its height from all lot lines. The applicant must demonstrate compliance with all applicable state and federal standards and regulations.

B. As part of the special exception application, the applicant shall provide evidence that the hospital or medical center shall comply with the provisions established within this Zoning Ordinance. This may include the submission of a grading plan, utility plan, landscaping plan, architectural renderings, traffic impact study and/or environmental impact assessment report. Prior to the submission of the conditional use application, the applicant shall consult with the Robeson Township Engineer and Zoning Officer to initially discuss the supplemental documentation that may be required as part of the application.

C. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception as well as all other provisions specified by Robeson Township.

§ 709. Industrial Parks

A. Industrial parks, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by right within the GC and GI Zoning Districts, subject to the appropriate provisions specified within this Zoning Ordinance.

B. The following design standards and specifications shall apply to the uses contained within industrial parks:

1. A minimum of 10 acres of contiguous net land area shall be required to accommodate all of the uses within an industrial park.
2. Each use within the Industrial Park shall be serviced by public sanitary sewage facilities.

3. Each use within the industrial park shall be serviced by public water supply facilities or by private water supply facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the conditional use application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed uses.

4. The permitted uses within an industrial park shall be limited to: manufacturing facilities; wholesale and distribution facilities; fabrication and finishing facilities; printing and publishing facilities; professional offices; banks or financial institutions; governmental offices; municipal uses; and other similar office uses, as determined by the Robeson Township Board of Supervisors as part of the conditional use application.

5. Subordinate uses within the industrial park shall be limited to: restaurants or cafeterias; retail sales establishments; personal care or service establishments; meeting rooms; recreational uses; educational uses; and other similar uses that are determined appropriate by the Board of Supervisors as part of the conditional use application. The cumulative gross floor area for all such accessory uses shall not occupy more than 20 percent of the cumulative gross floor area of all uses within the industrial park. The accessory uses shall be considered subordinate uses that directly benefit the primary uses within the industrial park.

6. Drive-through establishments shall be prohibited use within an industrial park.

7. The following minimum and maximum dimensional requirements shall apply to each principal use within the industrial park:

   a. The minimum net lot area shall be two (2) acres per lot, whether it is for one individual use on a lot or multiple permitted uses within a building on a lot.

   b. The minimum lot width shall be 250 feet per lot.

   c. The front yard setback shall be at least 60 feet, as measured from the ultimate right-of-way line.

   d. The side yard setback shall be at least 40 feet for each side.

   e. The rear yard setback shall be at least 50 feet.

   f. Each building occupying a permitted use shall be located at least 150 feet from an existing lot containing an existing residential use.
g. The maximum height of the buildings shall be no more than 50 feet.

h. The maximum building coverage shall be no more than 40 percent of the approved lot.

i. The maximum lot coverage shall be no more than 60 percent of the approved lot

8. Office or non-residential condominiums may be permitted on an individual lot within the industrial park, provided that each use is a permitted use as described in this section of the Zoning Ordinance. The permitted uses shall be designed as self-contained structures without common facilities, which comply with all pertinent requirements of the Robeson Township Zoning Ordinance. In addition to these requirements, the following provisions shall apply to office condominiums:

a. The ownership of office condominiums shall be under single ownership, partnership, corporation, or under a guaranteed unified management control. The office condominiums must have at least one (1) on-site manager or a designated individual whose office is located within a reasonable distance of Robeson Township, as determined appropriate by the Board of Supervisors. The owner shall provide Robeson Township with a complete list of on-site managers or designated individuals on an annual basis. The list shall include the name, mailing address and telephone number of each on-site manager or each designated individual responsible for the daily operation of all uses within the office or non-residential condominiums.

b. The owner or manager shall provide a complete list of tenants located within office or non-residential condominium on an annual basis. The list shall include the name of the tenant, business name, mailing address, telephone number, land use and scheduled hours of operation.

9. The architectural features or building facade for the uses within the industrial park shall be harmoniously planned as a non-residential community. As part of the conditional use application, the applicant or developer shall identify the non-residential uses and demonstrate how these uses can be amicably planned considering their architectural appearance.

10. Unless otherwise required by the utility company or authority providing service, all uses within the industrial park shall have individual utility connections and shall be installed underground.

11. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The total number of off-street parking spaces shall meet or exceed the cumulative total for all uses within the industrial park. As part of the conditional use application, the Board of Supervisors may permit a reduction of 10 percent of the required cumulative
total off-street parking spaces provided the applicant or developer demonstrates that the uses will not generate additional off-street parking demands from employees, visitors and patrons during peak operational hours.

12. All proposed signs for each use within the industrial park shall comply with the provisions specified under Part 10 of this Zoning Ordinance. In addition to these signs, no more than one (1) common on-premises free standing sign shall be permitted along each street in which the office and business park has frontage and shall not exceed 100 square feet per side. No portion of the common on-premises free standing sign shall be less than 7 feet or greater than 18 feet, as measured from the mean ground elevation.

13. The side and rear lot lines of the development shall be adequately screened with a 25 foot wide landscaped buffer yard.

14. The primary points of ingress and egress to the industrial park shall be along a collector or arterial street. As part of the conditional use application, the applicant shall mitigate all potential traffic impacts.

15. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

16. Interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of trucks and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

17. All designated points of ingress and egress for truck traffic shall be designed to consider traffic volumes on existing streets, limitations associated with turning movements and all adjacent residential uses.

18. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line.

C. As part of the land development plan application, the applicant or developer shall submit the following information for review and consideration:

1. A utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.
2. A landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

3. A grading plan shall be developed to identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, and other natural or man-made features of the site.

4. Architectural renderings of the proposed building elevations and plan views.

5. A lighting plan showing the location and intensity of the proposed lighting within the property to a point 50 feet beyond the perimeter of the property line. The proposed lighting for buildings, signs, accessways and parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.

6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

7. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

D. As part of the land development plan application, a complete master plan shall be developed for all contiguous land owned by the applicant.

E. A complete subdivision and land development plan shall be submitted to Robeson Township for review and consideration. The subdivision and land development plan shall comply with all conditions of approval issued as part of the conditional use application as well as all other provisions specified by the Zoning Ordinance.

§ 710. Adult Business and Entertainment Uses

A. Adult business and entertainment uses, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the Q-2 Zoning District, subject to the appropriate provisions specified within this Zoning Ordinance.

B. The provisions for adult businesses and entertainment uses are hereby incorporated within this Zoning Ordinance in order to accomplish the following objectives:

1. Pursuant to the authority of the Second Class Township Code, the Robeson Township Board of Supervisors has the power to prohibit nuisances and to promote the health, cleanliness, comfort and safety of the citizens of Robeson Township.
2. After the review of studies conducted by various cities and municipalities in the United States, as well as various court opinions where such studies are referenced and cited, including the United States Supreme Court decision, The City of Renton v. Playtime Theaters, Inc., 475 U.S. 41 (1986), and the United States Court of Appeals for the Third Circuit decision, Mitchell v. Commission on Adult Entertainment Establishments of the State of Delaware, 10 F.3d 123 (3rd Cir. 1993), the Board of Supervisors recognizes that adult entertainment uses have the tendency to cause adverse secondary effects that impact on the health, safety and general welfare of Robeson Township;

3. The Board of Supervisors desires to restrict the location where adult entertainment uses can locate, to require a reasonable separation distance between such uses and other uses which are not compatible with adult-oriented businesses and to prevent an undue concentration and proliferation of such uses in a close proximity; and

4. The Board of Supervisors is fully aware of and fully respects the fundamental constitutional guarantee of freedom of speech and realizes that restrictions on such freedom must be carefully drafted and enforced so that one’s right to speak is not curtailed beyond the point at which it is essential to further Robeson Township's interest in public health, safety and welfare.

C. The following standards and specifications shall apply to adult businesses and adult entertainment uses:

1. No adult business or entertainment use shall be located within 500 feet of any residential zoning district, as measured from the property line to the residential zoning district line.

2. No adult business or entertainment use shall be located within 1,000 feet of any religious uses, educational uses, day care facilities and recreational uses, as measured from the property line.

3. No adult business or entertainment use shall be located within 3,000 feet of an existing adult business or entertainment use, as measured from the property line.

4. The following minimum and maximum dimensional requirements shall apply to each adult business or entertainment use:

   a. The minimum net lot area shall be two (2) acres.

   b. The minimum lot width shall be 200 feet per lot.

   c. The front yard setback shall be at least 60 feet, as measured from the ultimate right-of-way line.

   d. The side yard setback shall be at least 40 feet for each side.
e. The rear yard setback shall be at least 50 feet.

f. The maximum height of the buildings shall be no more than 35 feet.

g. The maximum building coverage shall be no more than 30 percent of the approved lot.

h. The maximum lot coverage shall be no more than 50 percent of the approved lot

5. The adult business or entertainment use shall be serviced by public sanitary sewage disposal facilities.

6. The adult business or entertainment use shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

7. All storage and displays shall be located within the building occupying the adult business or entertainment use.

8. All business transactions that are conducted on the premises shall be within an enclosed building. All adult business uses may operate between the hours of 9:00 a.m. and 11:00 p.m.

9. All applications for adult business or entertainment uses shall be accompanied by a land development plan. The minimum information required on the land development plan shall include:

   a. The proposed nature of the adult business or entertainment use.

   b. Architectural renderings of the proposed building elevations and plan views.

   c. The location and elevation of all buildings, structures, walls, fences and landscaping on the property.

   d. Off-street parking areas, loading areas and traffic circulation patterns.

   e. The location, dimensions and content of all signs, displays and advertising.

   f. A land use survey of all uses located within a 1,000 feet radius of the property.
10. All applications for adult business and entertainment uses shall include a statement providing specific information on each individual, partner, store manager(s), corporate officer, corporate director or corporate stockholders owning more than three (3) percent of the issued and outstanding stock of a corporate applicant. At a minimum, the applicant shall identify the complete name, business address and telephone number.

11. In the event of the proposed sale, resale or reassignment of interest of an adult business or entertainment use established under the terms of this Zoning Ordinance, the Board of Supervisors and Zoning Officer shall be notified of such proposed change of ownership. Such notification shall include the documentation required by this section of the Zoning Ordinance. Failure to notify the Board of Supervisors and Zoning Officer shall constitute a violation of this Zoning Ordinance, which could lead to the revocation of the use and certificate of occupancy.

12. The following requirements pertaining to signs and other visual displays shall apply to each adult business or entertainment uses:

   a. The exterior of the building may include one (1) wall sign or parallel sign identifying the name of the adult business or entertainment use, which shall not exceed 20 square feet in size.

   b. Free standing signs, banners, directional signs, illuminated signs, portable signs, roof signs, seasonal signs and billboards shall be prohibited on the property.

   c. Window signs shall be limited to 25 percent of the total window area and shall not include any graphic or pictorial depiction of material related to specific sexual activities or anatomical areas.

   d. Advertisements, displays or other promotional materials related to specific sexual activities or anatomical area shall not be shown or exhibited so as to be visible to the public from the exterior of the building.

   e. All signs and visual displays shall be considered as part of the special exception application.

13. The entrance of the adult business should include a sign warning all individuals that the premises is classified as an adult business use and/or adult entertainment use.

   D. As part of the special exception application, the applicant shall provide evidence that the adult business and/or adult entertainment use shall comply with the provisions established within this Zoning Ordinance. This may include the submission of a grading plan, utility plan, landscaping plan, architectural renderings, traffic impact study and/or environmental impact assessment report.
E. If the Zoning Hearing Board approves the special exception application, a complete subdivision and land development plan shall be submitted to Robeson Township for review and consideration. The subdivision and land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by this Zoning Ordinance.

§ 711. Automobile Sales and Automobile Service Stations

A. The provisions for automobile sales are further specified under Section 711.1 of this Zoning Ordinance.

B. The provisions for automobile service stations are further specified under Section 711.2 of this Zoning Ordinance.

§ 711.1 Automobile Sales

A. The term “automobile sales establishment” an, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the GC Zoning District.

B. The following standards and specifications shall be required for automobile sales establishments:

1. A minimum of two (2) acres of net land area shall be required to accommodate the use. In addition, the appropriate minimum and maximum dimensional requirements of the GC and LI Zoning District shall apply.

2. The automobile sales establishment shall be serviced by public sanitary sewage disposal facilities or by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

3. The automobile sales establishment shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. All sales shall be conducted within an enclosed building, which complies the appropriate requirements for a commercial establishment within Robeson Township.

5. A ratio for the gross floor area of the building utilized for the sales and the number of vehicles that are available for sale shall be established at minimum of 100 square feet of gross floor area per 10 vehicles available for sale on the premises of the establishment.
6. General service, maintenance and repair facilities shall be permitted provided that they are conducted within an enclosed building, which complies the appropriate requirements for a commercial establishment within Robeson Township and that they are considered as accessory uses to the automobile sales establishment.

7. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded as part of the automobile sales establishment shall be permitted.

8. All vehicles stored on the premises for sale shall located outside of the street right-of-way and no closer than ten (10) feet to any property line. All such vehicles shall be in sound running condition meeting the general inspection and licensing requirements of the Commonwealth of Pennsylvania.

9. All vehicles that have been brought in for service, maintenance or repair shall in a state of active repair and shall not be permitted on the premises for a period of more than ten (10) consecutive days.

10. The demolishing of vehicles for salvage shall be prohibited.

11. The sale of gasoline shall be prohibited.

12. All vehicles sold on the premises shall be stored in an approved off-street parking facility in accordance with the design requirements of Part 9 of this Zoning Ordinance. All vehicles shall be arranged in an orderly manner meeting the setback requirements of the HC Zoning District.

C. As part of the special exception application, the applicant or developer shall submit the following information for review and consideration.

1. A preliminary utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.

2. A preliminary landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

3. A preliminary grading plan shall be developed identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, and other natural or man-made features of the site.

4. Architectural renderings of the proposed building elevations and plan views.

5. A preliminary lighting plan showing the location and intensity of the proposed lighting within the property to a point 50 feet beyond the perimeter of the property line. The proposed lighting for buildings, signs, accessways and
parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.

6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of Robeson in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

D. If the special exception is approved by the Zoning Hearing Board, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by Robeson Township.

§ 711.2 Automobile Service Stations

A. Automobile service stations, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the GC Zoning District.

B. The following standards and specifications shall be required for automobile service station:

1. A minimum of two (2) acres of net land area shall be required to accommodate the use. In addition the appropriate minimum and maximum dimensional requirements of the GC Zoning District shall apply.

2. The use shall be serviced by public sanitary sewage facilities and public water supply facilities or by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

3. The use shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. All general service, maintenance and repair facilities shall be permitted provided that they are conducted within an enclosed building, which complies the appropriate requirements for a commercial establishment within Robeson Township and that they are considered as accessory uses to the automobile sales establishment.

5. The sale of gasoline, diesel fuel, kerosene or other petroleum products shall be permitted, subject to the following criteria.
a. The maximum number of fueling pumps shall be limited to twelve (12) fuel pumps or twenty four (24) fueling positions.

b. The canopy covering the fuel pumps shall not exceed 20 feet from ground level at its highest point and shall be of a peak-roof design. As part of the special exception application, the Zoning Hearing Board may permit a greater canopy height up to 30 feet, if the design of the canopy considered as architectural enhancement.

c. All proposed fueling positions shall be located at least 50 feet from any property line including the legal and ultimate right-of-way line.

d. The total area of the canopy not exceed in area shall not exceed in total area of 10,000 square feet. In addition, the canopy shall be considered as part of the building coverage calculations.

e. During non-daylight hours of operation, overhead lighting under the canopy shall illuminate all fueling positions. The canopy lighting shall be located on the undersurface (ceiling) of the canopy and shall be limited to flush lens fixtures mounted on the canopy ceiling. Drop lens fixtures shall be prohibited. Up-lens lighting fixtures mounted on the canopy structure above the level of gas pumps are permitted if they have the affect of reducing glare from the lighting fixtures mounted on the canopy ceiling. All such canopy lighting over fuel dispensing positions shall not exceed an average of 35.0 maintained footcandles.

f. In no case shall illumination exceed 0.5 footcandle measured at the property lines, except at driveway entrances, provided the illumination at the cartway center line of the contiguous street shall not exceed 1.0 footcandle, unless a more stringent standard is ordered by the Board under the circumstances of each application.

g. All gasoline sales associated with a convenience store or mini-market shall comply with the appropriate provisions of Section 722 of this Zoning Ordinance.

6. No outdoor storage of parts, equipment, lubricants, fuel or other materials used or discarded as part of the automobile service establishment shall be permitted. All permitted material that are stored outdoors shall be located outside of the street right-of-way and no closer than ten (10) feet to any property line.

7. All vehicles that have been brought in for service, maintenance or repair shall in a state of active repair and shall not be permitted on the premises for a period of more than ten (10) consecutive days.

8. The demolishing of vehicles for salvage shall be prohibited.
9. Car washing facilities and services may be permitted provided that the facilities are designed in accordance with the following criteria:

a. Gray water recycling and treatment equipment is incorporated as part of the facility operations. All such equipment shall include provisions for the collection of waste, grease, oil, soap, wax, and other materials that can’t be recycled or utilized as part of the operations.

b. A stacking or pre-service lane, measuring at least 20 feet in width and 70 feet in length shall be provided for each car washing bay or unit. Alternative designs may be accepted by the Zoning Hearing Board, provided that the design does not interfere with internal or external traffic patterns.

c. A post-washing drying area is provided for two (2) vehicles per car washing bay or unit.

d. All structures housing washing apparatuses shall be set back at least 50 feet from any property line including the legal and ultimate right-of-way line.

10. All off-street parking and loading facilities shall be located, designed and constructed in accordance with the requirements of Part 9 of this Zoning Ordinance.

C. As part of the special exception application, the applicant or developer shall submit the following information for review and consideration:

1. A preliminary utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.

2. A preliminary landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

3. A preliminary grading plan shall be developed identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, and other natural or man-made features of the site.

4. Architectural renderings of the proposed building elevations and plan views.

5. A preliminary lighting plan showing the location and intensity of the proposed lighting within the property to a point 50 feet beyond the perimeter of the property line. The proposed lighting for buildings, signs, accessways and parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.
6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of Robeson in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

7. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. At a minimum, the EIA Report shall consider the adverse impacts of fuel spills, tank leaks, groundwater and surface water contamination, air quality, noise, lighting and other adverse impacts considered critical by Robeson Township. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

D. If a special exception is approved by the Zoning Hearing Board, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by Robeson Township.

§ 712. Commercial Campgrounds

A. Commercial campgrounds, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the GI Zoning Districts, subject to the appropriate provisions specified within this Zoning Ordinance.

B. The following design standards and specifications shall apply to the uses contained within commercial campgrounds:

1. A minimum of twenty-five (25) acres of contiguous net land area shall be required to accommodate all of the uses within a commercial campground.

2. All facilities within the commercial campgrounds shall be serviced by public sanitary sewage facilities or by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

3. The commercial campground shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. The permitted uses within the commercial campground shall be limited to: one (1) single family detached unit; one (1) retail store with sales limited to items for the convenience of campers; and accessory structures including an office, maintenance buildings and storage areas.
5. Subordinate uses within the commercial campground shall be limited to: cafeterias; recreational uses; educational uses; and other similar uses that are determined appropriate by the Zoning Hearing Board, as part of the special exception application. The accessory uses shall be considered subordinate uses that directly benefit the visitors of the commercial campground.

6. The following minimum and maximum dimensional requirements shall apply to each permanent use within the commercial campground:
   
   a. The minimum lot width for the commercial campground shall be 300 feet.
   
   b. The front yard setback shall be at least 100 feet, as measured from the ultimate right-of-way line.
   
   c. The side yard setback shall be at least 100 feet for each side.
   
   d. The rear yard setback shall be at least 100 feet.
   
   e. Common facilities and uses within the commercial campgrounds shall be located at least 200 feet from a lot containing an existing residential use.
   
   f. The maximum height of the buildings shall be no more than 35 feet.
   
   g. The maximum building coverage shall be no more than 20 percent of the approved lot.
   
   h. The maximum lot coverage shall be no more than 40 percent of the approved lot.

7. No temporary or permanent campsite shall be located closer than 100 feet from any adjoining property line or street right-of-way line.

8. All uses within the commercial campsite shall be harmoniously planned as a community for vacation, retreats and temporary occupancy. As part of the special exception application, the applicant or developer shall identify the locations of all permanent and temporary uses and demonstrate how these uses can be amicably planned considering their function and appearance.

9. Campsites for tents shall be limited to thirty (30) tents per acre.

10. Campsites for recreational vehicles shall be limited to fifteen (15) pads or sites per acre.

11. The minimum area of a campsite shall be 1,000 square feet and shall be so dimensioned, improved and arranged that when occupied no part of any unit including accessory attachments shall be within ten (10) feet of any designated campsite.
12. Other than the approved utility provisions, no permanent structures shall be permitted on any campsites.

13. Occupancy at a campsite shall only be permitted between the months of February through November. All camping units unoccupied for a period of seventy-two (72) hours shall not be permitted to remain on the campsite. Occupancy at a campsite shall not be permitted in the months of December and January.

14. Recreational vehicles shall not be stored on the grounds of the commercial campgrounds for a period of 30 consecutive days or 60 cumulative days within a calendar year.

15. No part of any campground area shall be used for non-residential purposes, except those purposes required for serving the well-being of the campground customers and for the management and maintenance of the campground.

16. A fire prevention and protection plan shall be developed by the applicant or developer and submitted to Robeson Township for review and consideration.

17. Unless otherwise required by the utility company or authority providing service, all uses within the commercial campgrounds shall have individual utility connections and shall be installed underground.

18. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The total number of off-street parking spaces shall meet or exceed the cumulative total for all uses within the commercial campground.

19. All proposed signs for commercial campgrounds shall comply with the appropriate provisions specified under Part 10 of this Zoning Ordinance.

20. All perimeter boundary lines of the commercial campground shall be adequately screened with a 50 foot wide landscaped buffer yard.

21. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes, as may be required by the Pennsylvania Department of Transportation or Robeson Township.

22. Interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of recreation vehicle, camper and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.
23. All designated points of ingress and egress for truck traffic shall be designed to consider traffic volumes on existing streets, limitations associated with turning movements and all adjacent residential uses.

24. Exterior storage areas for trash and rubbish shall be 24. properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within 100 feet from any lot line.

C. As part of the special exception application, the applicant or developer shall submit the following information for review and consideration

1. A preliminary utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.

2. A preliminary landscaping and grading plan shall be developed identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, buffer yards, landscaping improvements, and other natural or man-made features of the site.

3. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

4. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

D. If the special exception is approved by Robeson Township, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception as well as all other provisions specified by Robeson Township.

§ 713. Commercial Drive Through Establishments

A. Commercial drive through establishments, as further defined under Part 2 of this Zoning Ordinance, shall be permitted as follows:

1. Commercial drive through establishments are permitted by conditional use in the VC Zoning District.
2. Commercial drive through establishments are permitted by right in the GC Zoning District

B. The following design standards and specifications shall apply to the uses contained within commercial drive through establishments:

1. A minimum of 60,000 square feet of contiguous net land area shall be required to accommodate all of the facilities within a commercial drive through establishment. In addition, the minimum and maximum dimensional requirements for a commercial drive through establishment, as specified by the GC Zoning District shall apply.

2. Commercial drive through establishments shall be limited to: restaurants; banks or financial institutions; car washes; personal service establishments; retail uses; and other similar uses, which are permitted uses within the HC Zoning District.

3. The commercial drive through establishment shall be serviced by public sanitary sewage facilities.

4. The commercial drive through establishment shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the conditional use application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

5. Commercial drive through establishments shall be located at least 250 feet from an existing residential use or residential zoning district, as measured from the property line.

6. The side and rear lot lines of the commercial drive through establishment shall be adequately screened with a 10 foot wide landscaped buffer yard.

7. Unless otherwise required by the utility company or authority providing service, all utility connections and shall be installed underground.

8. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

9. Interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of trucks and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

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10. A stacking or pre-service lane, measuring at least 20 feet in width and 70 feet in length shall be provided for each service lane or bay for the commercial drive through facility. Alternative designs may be accepted by the Board of Supervisors as part of the conditional use application, provided that the design does not interfere with internal or external traffic patterns.

11. All designated points of ingress and egress for all vehicles shall be designed to consider traffic volumes on existing streets and adjacent uses.

12. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance.

13. All proposed signs for the commercial drive through establishment shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

14. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within twenty-five (25) feet from any lot line.

15. All exterior speaker, microphone or intercom systems shall be designed in a manner so the messages, music or other audible sounds are reduced by 80 percent from the source to any property line.

16. The lighting facilities shall be designed in a manner so the illumination does not exceed 0.5 footcandle, as measured at the property lines, except at driveway entrances, provided the illumination at the cartway center line of the contiguous street shall not exceed 1.0 footcandle.

C. The applicant or developer shall submit the following information for review and consideration:

1. A utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.

2. A landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

3. A grading plan shall be developed identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, and other natural or man-made features of the site.

4. Architectural renderings of the proposed building elevations and plan views.
5. A lighting plan showing the location and intensity of the proposed lighting within the property to a point 50 feet beyond the perimeter of the property line. The proposed lighting for buildings, signs, accessways and parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.

6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

7. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

D. A complete subdivision and land development plan shall be submitted to Robeson Township for review and consideration. The subdivision and land development plan shall comply with all conditions of approval issued as part of the conditional use application as well as all other provisions specified by the Zoning Ordinance.

§ 714. Commercial Water Resource Use

A. Commercial water resource uses, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception in the GI, Q-1 and Q-2 Zoning Districts subject to the appropriate provisions specified within this Zoning Ordinance.

B. Commercial water resource uses shall be limited to: groundwater extraction and exportation operations; surface water extraction and exportation operations; bottling and distribution facilities; and other similar uses, as determined by the Robeson Township Zoning Officer.

C. The following design standards and specifications shall apply to the uses contained within commercial water resource uses:

1. A minimum of ten (10) acres of contiguous net land area shall be required to accommodate all of the operational facilities within a commercial water resource use. In addition the appropriate minimum and maximum dimensional requirements of the GC, LI or GI Zoning District shall apply

2. The commercial water resource use shall be approved and permitted by the appropriate local, state and federal regulatory agencies.

3. The commercial water resource use shall be serviced by public sanitary sewage facilities.
4. The commercial water resource use shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the conditional use application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

5. Unless otherwise permitted by Robeson Township, all facility operations, uses, intake devices, wells, pumps, storage tanks and principal buildings associated with the commercial water resource use shall be located at least 200 feet from all property lines.

6. All facility operations, uses, intake devices, wells, pumps, storage tanks and principal buildings associated with the commercial water resource use shall be located at least 2,500 feet from all existing production wells or intake devices utilized for public water supply.

7. The perimeter of the property shall be completely enclosed by a security fence, which shall be eight (8) feet in height.

8. Unless otherwise required by the utility company or authority providing service, all utility connections shall be installed underground.

9. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

10. All designated points of ingress and egress for truck traffic shall be designed to consider traffic volumes on existing streets, limitations associated with turning movements and adjacent residential uses.

11. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance.

12. All proposed signs for the commercial water resource use shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

13. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line.

D. As part of the special exception application, the applicant or developer shall submit the following information for review and consideration:
1. A complete hydrological report, analysis and impact plan of the surface water and groundwater conditions shall be prepared by a professional hydrogeologist, geologist or engineer, which meets the following objectives and requirements:

   a. The professional hydrogeologist, geologist or engineer preparing the report shall certify that the commercial water resource use shall be supplied by a continuous safe daily yield, which will not adversely affect the quantity or quality of the surface water and groundwater table within one thousand (1,000) feet of the source of extraction.

   b. If appropriate, a dynamic recovery rate and draw-down tests shall be conducted by the professional hydrogeologist, geologist or engineer preparing the report to determine the maximum safe daily yield of the commercial water resource operations.

   c. All such applications for the commercial water resource use shall demonstrate that the adjacent public and private water supply sources will not adversely be affected by discontinued use, contamination, loss of supply, or the ability to properly recharge over time.

   d. The professional hydrogeologist, geologist or engineer preparing the report shall consult with the Robeson Township Engineer and Zoning Officer prior to commencement of the background studies to determine if other conditions should be analyzed as part of the report.

   e. The hydrological report, analysis and impact plan shall be subject to the review of the Robeson Township Engineer, Zoning Officer, or other professional consultant(s) qualified to render an opinion of the information submitted on behalf of the applicant.

2. A preliminary utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.

3. A preliminary landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

4. A preliminary grading plan shall be developed identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, and other natural or man-made features of the site.

5. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.
6. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

E. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township. The land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by Robeson Township.

§ 715. Veterinary Hospitals and Animal Clinics

A. Veterinary hospitals and animal clinics, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by right in the AP, VC and GC Zoning Districts.

B. A veterinary hospital or animal clinic shall not include a “kennel”, as defined under Part 2 of this Zoning Ordinance. All kennel use, facilities and operations shall specifically comply with the provisions specified under Section 716 of this Zoning Ordinance.

C. The following design standards and specifications shall apply to veterinary hospitals or animal clinics:

1. A minimum of 60,000 square feet of contiguous net land area shall be required to accommodate all of the uses associated with a veterinary hospital or animal clinic. In addition, the minimum and maximum dimensional requirements for a veterinary hospital or animal clinic, as specified by the zoning district in which the use is located shall apply.

2. The veterinary hospital or animal clinic shall be serviced by public sanitary sewage facilities.

3. The veterinary hospital or animal clinic shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. The applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. Veterinary hospitals or animal clinics shall be located at least 200 feet from all existing residential uses, as measured from the veterinary hospital or animal clinic to the existing residential use.

5. Outdoor runs may be permitted for the animals being cared for at the veterinary hospital or animal clinic, subject to the following conditions:

   a. The outdoor runs are conducted between the hours of 8:00 a.m. and 8:00 p.m.
b. The outdoor runs are conducted within a defined area, which is completely enclosed by a six (6) foot high fence. The perimeter of the fence shall be adequately screened with a 10 foot wide landscaped buffer yard.

c. The location of the outdoor runs shall be located at least one hundred (100) feet from all property lines.

6. The veterinary hospital or animal clinic shall be adequately soundproofed so that the sounds generated by the animals being cared for are not audible or detectable from any lot line.

7. If an incineration (retort) device is proposed to be installed on the property, the applicant shall prove during the special exception application that he has secured the written approval and all required licenses from the governmental agency having jurisdiction, and approval thereof shall be within the reasonable discretion of the Zoning Hearing Board, subject to such reasonable conditions as the Zoning Hearing Board shall impose in its discretion.

8. The storage of any animal waste shall be regularly disposed of by discharge to an approved sewage disposal system or facility for biological wastes. Any temporary storage of animal or biological waste shall be within a building, within enclosed containers, pending removal to or disposal at an approved facility. A plan for management of such wastes shall be submitted for municipal review as part of the special exception application.

9. Retail sales of items commonly found in connection with such uses, if any, shall be limited to a maximum floor area of 1,000 square feet.

10. Unless otherwise required by the utility company or authority providing service, all utility connections shall be installed underground.

11. All designated points of ingress and egress for all vehicles shall be designed to consider traffic volumes on existing streets and adjacent uses.

12. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance.

13. All proposed signs for the veterinary hospital or animal clinic shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

14. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line.
15. The lighting facilities shall be designed in a manner so the illumination does not exceed 0.5 footcandle, as measured at the property lines, except at driveway entrances, provided the illumination at the cartway center line of the contiguous street shall not exceed 1.0 footcandle.

D. A complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all other provisions specified by Robeson Township.

§ 716. Kennels

A. Kennels, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the AP Zoning District, subject to the appropriate provisions specified within this Zoning Ordinance.

B. A kennel may include accessory uses including: pet grooming services; veterinary or clinical care facilities; retail sales of pet supplies; and other similar uses.

C. The following design standards and specifications shall apply to kennels:

1. A minimum of ten (10) acres of contiguous net land area shall be required to accommodate all of the uses associated with a kennel.

2. The minimum lot width requirement for the lot occupying the kennel use shall be three hundred (300) feet.

3. All principal and accessory uses associated with the kennel shall be located at least one hundred (100) feet from the ultimate right-of-way line and all property lines.

4. Kennels shall be located at least five hundred (500) feet from all existing residential uses, as measured from the kennel to the existing residential use.

5. The kennel shall be serviced by public sanitary sewage facilities or by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

6. The kennel shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

7. Outdoor runs or common exterior areas may be permitted for the animals being cared for at the kennel, subject to the following conditions:
a. The outdoor runs are conducted between the hours of 7:00 a.m. and 9:00 p.m.

b. The outdoor runs are conducted within a defined external area, which is completely enclosed by an eight (8) foot high fence. The perimeter of the fence shall be adequately screened with a 20 foot wide landscaped buffer yard.

c. The location of the outdoor runs shall be located at least one hundred (100) feet from all property lines.

8. If an incineration (retort) device is proposed to be installed on the property, the applicant shall prove during the special exception application that he has secured the written approval and all required licenses from the governmental agency having jurisdiction, and approval thereof shall be within the reasonable discretion of the Zoning Hearing Board, subject to such reasonable conditions as the Zoning Hearing Board shall impose, as part of the special exception application.

9. The storage of any animal waste shall be regularly disposed of by discharge to an approved sewage disposal system or facility for biological wastes. Any temporary storage of animal or biological waste shall be within a building, within enclosed containers, pending removal to or disposal at an approved facility. A plan for management of such wastes shall be submitted for municipal review as part of the special exception application.

10. Retail sales of items commonly found in connection with such uses, if any, shall be limited to a maximum floor area of 1,000 square feet.

11. Shows and/or competitions, which are proposed to occur on the property shall be limited to two (2) events per calendar year. All events shall be specifically designated by the applicant and a permit will be required to facilitate each event.

12. The owner of animals or operator of a kennel shall comply with all pertinent provisions relating to noise, disturbance, odors, or other nuisances, as further defined and regulated by Robeson Township.

13. Unless otherwise required by the utility company or authority providing service, all utility connections and shall be installed underground.

14. All designated points of ingress and egress for all vehicles shall be designed to consider traffic volumes on existing streets and adjacent uses.

15. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance.

16. All proposed signs for the kennel shall comply with the provisions specified under Part 10 of this Zoning Ordinance.
17. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line.

18. The lighting facilities shall be designed in a manner so the illumination does not exceed 0.5 footcandle, as measured at the property lines, except at driveway entrances, provided the illumination at the cartway center line of the contiguous street shall not exceed 1.0 footcandle.

D. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by Robeson Township.

§ 717. Mini-Warehouse and Self-Storage Facilities

A. Mini-warehouse or self-storage units, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by right within the VC and GI Zoning District.

B. The following design standards and specifications shall apply to a mini-warehouse or self-storage facility:

1. The minimum lot area for a mini-warehouse or self-storage units shall be as follows:
   a. A minimum of two (2) acres of contiguous net land area shall be required to accommodate all of the uses associated with a mini-warehouse or self-storage facility within the VC Zoning District. In addition, the minimum and maximum dimensional requirements for a mini-warehouse or self-storage facility, as specified by the VC Zoning District shall apply.
   b. A minimum of five (5) acres of contiguous net land area shall be required to accommodate all of the uses associated with a mini-warehouse or self-storage facility within the GI Zoning District. In addition, the minimum and maximum dimensional requirements for a mini-warehouse or self-storage facility, as specified by the GI Zoning District shall apply.

2. A buffer yard shall be established within the required within the required front yard and along all residential property lines. The minimum depth or width of the required buffer yard shall be designed as follows:
a. A minimum of twenty (20) feet of buffer yard shall be required for a mini-warehouse or self-storage facility within the VC Zoning District. Where feasible, the buffer yard shall be designed and improved with a raised landscaped berm, with a side slope ratio of 3 foot horizontal to 1 foot vertical, which should contain a mixed variety of trees.

b. A minimum of thirty (30) feet of buffer yard shall be required for a mini-warehouse or self-storage facility within the GI Zoning District. Where feasible, the buffer yard shall be designed and improved with a raised landscaped berm, with a side slope ratio of 3 foot horizontal to 1 foot vertical, which should contain a mixed variety of trees.

3. The mini-warehouse or self-storage units must be enclosed by a security fence and/or a twenty-four (24) hour automated access gate. The type, location, height and arrangement of the security fence and automated access gate shall be subject to the approval of Robeson Township. Where required by Robeson Township, additional landscaping materials shall be provided in order to screen the security fence from all public roads and all adjacent properties.

4. The entrance and all vehicular access aisles shall be a minimum of twenty-four (24) feet in width and shall be unobstructed by vehicles and/or equipment. The entrance or main entrance shall be paved and landscaped from the cartway of the public road to a point fifty (50) feet within the automated access gate.

5. The outdoor storage and/or parking of recreational vehicles, boats, campers, trailers or similar vehicles, shall only be permitted behind the proposed buildings and within the rear yard of the lot. The required buffer yard should conceal the view of all such vehicles. The design and location of the outdoor storage area and/or parking area shall be schematically arranged in accordance with this Zoning Ordinance.

6. The storage of partially dismantled, wrecked and/or inoperative vehicles shall not be permitted within any exterior area of the mini-warehouse or self-storage operation.

7. Other than as set forth herein, all storage shall be kept within an enclosed building except the storage of flammable, high combustible, explosive or hazardous chemicals, which shall be prohibited. Any fuel tanks and/or machinery or other apparatuses relying on such fuel shall be stored only in an external storage area described within this section.

8. Gasoline, diesel fuel, paint, paint remover, and other flammable materials, the repair, construction or reconstruction of any boat, engine, motor vehicle or furniture shall be prohibited within a mini-warehouse or self-storage facility.

9. All exterior lighting and signs for the self-storage operation shall conform with all applicable requirements of the Robeson Township Zoning Ordinance. Exterior lighting shall be limited to security lighting, which shall be designed
not to exceed 0.25 footcandle along the perimeter of the property lines so as to preclude trespass glare onto adjacent properties. As part of the land development plan, a lighting plan shall be submitted for review and consideration.

10. Mini warehouses/self-storage units shall be used solely for the dead storage of property. The following are examples of uses specifically prohibited on the site: auctions (except storage lien auctions), commercial wholesale or retail sales (except ancillary supplies normally sold at self-storage centers), or garage sales; the servicing, repair, or fabrication of motor vehicles, motor cycles, boats, trailers, lawn mowers, appliances, or similar equipment; the operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment; the establishment of a transfer or storage business except the owner/operator of the self-storage; any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations; retail sales and services; residential uses; and other uses determined inappropriate by the Robeson Township Zoning Officer.

11. A minimum of one (1) off-street parking space that is not designated for on-site vehicular storage shall be required per 10,000 square feet of cumulative building space within the mini-warehouse or self-storage facility.

12. One (1) office area or building may be included within the site of the mini-warehouse or self-storage operation. The office use shall not exceed 2,500 square feet and shall be subordinate and/or accessory to the mini-warehouse self-storage operation.

13. Each building shall be a fully enclosed building, built of durable materials on a permanent foundation.

14. Truck trailers, box cars or similar impermanent removable structures shall not be used as buildings for self-storage units.

15. The architectural design and appearance of the mini-warehouse or self-storage units shall be subject to the approval of the Robeson Township Planning Commission and Board of Supervisors.

16. All uses shall be in conformity with all provisions of the Robeson Township Zoning Ordinance. No use of the mini-warehouse or storage units shall violate any local, county, state and federal laws.

C. A complete land development plan shall be prepared and submitted to Robeson Township for review and consideration.
§ 718. Quarrying and Mining Operations

A. Quarrying and mining operations, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by right within the Q-1 and Q-2 Zoning Districts, subject to the appropriate provisions specified within this Zoning Ordinance.

B. All quarrying and mining operations shall comply with all pertinent state and federal regulations, and shall be permitted by the appropriate agencies having jurisdiction. The applicant or operator of the quarrying or mining operations shall submit all active permits with Robeson Township.

C. The following general design standards and specifications shall apply to all quarrying and mining operations:

1. A minimum of twenty (20) acres of contiguous net land area shall be required to accommodate all of the uses associated with a quarrying and mining operation.

2. The office and maintenance buildings for the quarrying and mining operation shall be serviced by public sanitary sewage facilities or by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

3. The quarrying and mining operations shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. The applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. The minimum lot width requirement for the quarrying and mining operation shall be 250 feet.

5. The maximum height of any building or structure shall not exceed 75 feet.

6. Except for pre-existing permitted uses or non-conforming uses, quarrying and/or mining activities shall comply with the following provisions for isolation or separation distance and buffer yards:

   a. A 100 foot setback shall be provided along the zoning line separating the Q-1 and Q-2 Zoning Districts from all other zoning districts and/or property lines;

   b. Unless otherwise permitted by the Robeson Township Board of Supervisors as part of a land development plan, a 50 foot wide buffer yard or landscaping screen shall be established and maintained within the 100 foot setback. Modifications to the depth, location and selected landscaping materials may be considered based upon the proximity and elevations of adjacent residential uses or adjacent residential zoning districts.
c. The buffer yard or landscaping screen may include a combination of trees, stabilized earthen berms, fencing, or other landscaping features that should be designed to achieve the required buffering or screening. The use of mature trees should be encouraged as part of the required buffer yard or landscaping screen.

d. Within the 100 foot setback, no quarrying or mining activities shall be permitted. However, within 50 to 100 feet, as measured from the outer edge of the property line, only landscaping, earthen berms, fencing, storage of overburden materials and access roads shall be permitted. The required setback shall be measured perpendicular to property lines or street right-of-way.

e. Non-coal surface mine operations shall be located no closer than 100 feet to a public street right-of-way, park, cemetery, or bank of any stream that is existing at the time of permitting or the adoption of this ordinance, unless otherwise waived by Robeson Township and the Pennsylvania Department of Environmental Protection.

f. A 300 foot setback shall be applied for a public or private dwelling occupied at the time of permitting or the adoption of this ordinance, unless otherwise waived by Robeson Township, the Pennsylvania Department of Environmental Protection and the property owner.

7. The quarry or mining operation shall comply with the non-residential performance standards specified under Section 702 of this Zoning Ordinance.

8. No substances, which can harm persons, animals, vegetation or other form of property shall be dispersed beyond the property lines of the quarrying or mining operation.

9. All quarry support activities, as further defined under Part 2, shall comply with the provisions of Section 729 of this Zoning Ordinance.

D. The following provisions shall apply to access roads and fencing of the quarrying or surface mining operations:

1. All means of ingress and/or egress shall be located at least three (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

2. All internal access roads within the site shall be constructed on stable areas. Erosion and sedimentation control measures should be installed and maintained by the applicant or operator
3. Access to the site of the quarrying and mining operation shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized activities, the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations. Such barricade, fence or gate shall be at least eight (8) feet in height and shall be kept in good repair.

4. No vehicles shall be staged or parked at any entrance and/or access road of the site prior to one (1) hour of the standard operation hours of the quarrying or mining facility. Overnight parking shall be prohibited.

5. Measures shall be provided to control dust and debris. The entire area shall be kept clean and orderly. The perimeter of the site shall be inspected for debris on a daily basis.

6. Truck access shall be designed to minimize traffic hazards and inconveniences. All interior roadways shall be maintained and constructed by the operator. All trucks leaving the site shall not deposit accumulating amounts of mining products, dirt, mud or other such substances on public roads.

7. A tire cleaning area shall be provided on-site. All tires of all trucks leaving the site shall be cleaned. Runoff from the tire cleaning area shall be controlled and disposed of in accordance with all pertinent local, state and/or federal requirements.

8. A security fence with a minimum height of eight (8) feet shall be erected within 100 feet of the external boundary or property lines of the areas that have been permitted for the quarrying or mining operation. The fence shall not contain openings greater than four (4) square inches and shall contain, at all entrances, gates, which are locked except during operating hours. Warning signs shall be placed on the fence at intervals of no more than fifty (50) feet.

E. The following provisions shall apply to blasting and detonation at the quarrying or mining operation:

1. All blasting and detonation operations shall conform to the regulations enforced by the appropriate agencies of the Commonwealth of Pennsylvania and the federal government.

2. A pre-blast survey and condition report of all properties within a radius of 1,000 feet of the proposed blasting or detonation operations shall be offered by the owner or operator of the quarrying or mining operation at least 60 days prior to the scheduled blasting or detonation activities. The report shall document the conditions of the properties surveyed including the buildings, driveways, stormwater management facilities, utilities, water supply facilities, sewage disposal facilities, and the accessory building or structures. The description of the conditions documented in the report shall be limited to components readily
available for visual inspection or where access is readily available to the inspector.

3. Notice of all blasting operations shall be given to Robeson Township as well as to all residents and landowners within 1,000 feet of the location of blasting at least twenty-four (24) hours prior to the commencement of blasting. In addition, notice shall be given to all sensitive business ventures requesting such notice. Notice shall be given via certified mail and by first class mail delivery. The site contractor or operator shall provide proof to Robeson Township that notice has been given to the residents and landowners prior to the commencement of the blasting and detonation activities.

4. The storage of explosives shall be in accordance with all pertinent local, state and federal laws.

5. Crushing and processing operations of the minerals, rock and other products of the earth mined on the premises shall be permitted so long noise and vibration measures are in accordance with the permits as well as all state or federal laws pertaining to quarrying or surface mining.

F. The hours of operation for quarrying or mining operations shall be as follows:

1. The owner or operator shall not operate the primary stone crusher between the hours of 10:00 p.m. and 6:00 a.m. prevailing local time on Monday through Friday.

2. The owner or operator may operate the primary stone crusher between the hours of 6:00 a.m. and 1:00 p.m. prevailing local time on Saturday.

3. The owner or operator shall not operate the primary stone crusher on the following days: on any Sunday; New Year’s Day; Memorial Day; the Fourth of July; Thanksgiving Day; or Christmas Day.

4. Upon request by the owner or operator, additional hours of operation may be considered by the Board of Supervisors. All such requests shall not be unreasonably denied and shall only be considered for a temporary period of time.

G. Unless otherwise permitted by Robeson Township, the applicant or operator shall submit the following information for review and consideration as part of the permit application or land development plan application:

1. A complete hydrological report, analysis and impact plan shall be prepared by a professional hydrogeologist, geologist or engineer, which shall demonstrate the proposed quarrying or mining operation will not adversely affect the quantity or quality of the surface water and groundwater table within one thousand (1,000) feet of the source of operations.
2. A geological and geotechnical site investigation shall be prepared by a professional geologist or engineer, which shall demonstrate that the surrounding area is not prone to sinkhole development.

3. A preliminary utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site or relocated to accommodate the quarrying and mining operation.

4. A preliminary landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

5. A grading plan shall be developed to identify the limits of disturbance for all site improvements, the proposed ground elevations, quarrying stages, overburden piles, stormwater management facilities, and other natural or man-made features of the site. The grading plan shall include cross-sections depicting horizontal and vertical topographic conditions considering existing and final grading during all permitted stages of the quarrying or mining operation.

6. A reclamation plan shall be developed identifying the structure, features and final elevations considering post-quarrying or post mining activities. The reclamation plan shall include a conceptual phasing plan for future land use, site activities, landscaping, erosion control and stabilization.

7. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

8. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

H. Where required, a complete land development plan shall be submitted to Robeson Township for review and consideration. The applicant or operator shall be responsible for submitting a complete application to satisfy the requirements of Robeson Township and the Commonwealth of Pennsylvania. Where appropriate, Robeson Township may waive or modify certain requirements if such requirements are considered to be excessive, not warranted, and under the jurisdiction of Robeson Township.

I. Robeson Township shall have the right, but not the duty, to inspect the quarry site and operations at any given time during the normal business hours of Robeson Township.
§ 719. Solid Waste Disposal and Reduction Facilities

A. Solid waste disposal and reduction facilities, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the Q-2 Zoning District, subject to the appropriate provisions specified within this Zoning Ordinance.

B. All solid waste disposal and/or reduction facilities shall comply with all local, county, state and federal laws governing the ownership, operation and maintenance of such facilities, which shall have the appropriate permits to operate the solid waste disposal and/or reduction facilities in accordance.

C. All solid waste disposal and/or reduction facilities shall be owned and operated by municipal government.

D. The following design standards and specifications shall apply to a solid waste disposal and/or reduction facilities:

1. A minimum of twenty (20) acres of contiguous net land area shall be required to accommodate all of the uses associated with a solid waste disposal and/or reduction facilities.

2. The office and maintenance buildings for the solid waste disposal and reduction facilities shall be serviced by public sanitary sewage facilities or by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

3. The solid waste disposal and reduction facilities shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. The applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. The minimum lot width requirement for the solid waste disposal and/or reduction facility shall be 250 feet.

5. All solid waste disposal and/or reduction facilities shall be located at least two hundred (200) feet from any property line or street right-of-way line.

6. All means of ingress and/or egress shall be located at least five hundred (500) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

7. Access to the site of the solid waste disposal and/or reduction facility shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized activities, the site shall be protected by
locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations. Such barricade, fence or gate shall be at least twelve (12) feet in height and shall be kept in good repair.

8. No vehicles shall be staged or parked at any entrance and/or access road of the site prior to one (1) hour of the standard operation hours of the solid waste disposal and/or reduction facility. Overnight parking shall be prohibited.

9. Measures shall be provided to control dust and debris. The entire area shall be kept clean and orderly. The perimeter of the site shall be inspected for debris on a daily basis.

10. Truck access shall be designed to minimize traffic hazards and inconveniences. All interior roadways shall be maintained and constructed by the operator. All trucks leaving the site shall not deposit accumulating amounts of dirt, mud or other such substances on public roads.

11. An equipment cleaning and tire cleaning area shall be provided on-site. All equipment used to dispose, dump, move, transport, grade, and compact solid waste shall be cleaned daily. Runoff from the equipment cleaning area shall be controlled and disposed of in accordance with all pertinent local, state and federal laws.

12. All tires of all trucks leaving the site shall be cleaned. Runoff from the tire cleaning area shall be controlled and disposed of in accordance with all pertinent local, county, state or federal standards.

13. A security fence with a minimum height of twelve (12) feet shall be erected along all boundary lines of the area, which is approved for a solid waste disposal and/or reduction facility. The fence shall not contain openings greater than four (4) square inches and shall contain, at all entrances, gates, which are locked except during operating hours. Warning signs shall be placed on the fence at intervals of no more than fifty (50) feet.

14. A fifty (50) foot wide buffer yard shall completely surround all areas approved for the solid waste disposal and/or reduction facility. The buffer yard shall consist of a dense evergreen screen, and is to be located and maintained along all boundary lines of the site, except at the entrances. The selected evergreens shall have a minimum height of six (6) feet and shall be staggered on twelve (12) foot centers. No materials of any nature shall be stored within this buffer yard.

15. No substances, which can harm persons, animals, vegetation or other form of property shall be dispersed beyond the property lines of the solid waste disposal and/or reduction facility.

16. The applicant shall comply with all locals, state and federal requirements pertaining to the solid waste disposal and/or reduction facility. A copy of all
permits and licenses issued to the applicant shall be submitted to Robeson Township.

17. Hazardous, contaminated and/or toxic materials, including but not limited to highly flammable materials, explosives, pathological wastes and radio-active materials, shall not be disposed of in the solid waste disposal and/or reduction facility.

18. The operator shall comply with all local, state and federal laws concerning stabilization, stormwater management, and erosion and sedimentation control.

19. Routine inspections of the entire site shall be permitted to take place by any local, county, state or federal official who has proper authorization to conduct such inspections. Any necessary corrective work or action shall be performed by the applicant in the time frame specified by the authorized inspector.

20. All components of the solid waste disposal and/or reduction facility shall be conducted within an approved facility, building, cell site, area, transfer site, or other area permitted by the appropriate local, state and federal agencies.

21. All solid waste materials awaiting disposal and/or reduction shall be stored or staged in a manner or period of time, which does not exceed the requirements specified on the permit.

22. The solid waste disposal and/or reduction facility shall contain an on-site scale, which shall be accurately calibrated to weigh and record all solid waste that is disposed or reduced in a manner permitted by the Commonwealth of Pennsylvania. All records concerning the daily tonnage, which is delivered, transported, disposed and/or reduced shall be submitted to Robeson Township on a monthly basis.

E. As part of the special exception application, the applicant or developer shall submit the following information for review and consideration:

1. A complete hydrological report, analysis and impact plan shall be prepared by a professional hydrogeologist, geologist or engineer who shall demonstrate the proposed solid waste disposal and/or reduction facility will not adversely affect the quantity or quality of the surface water and groundwater table within one thousand (1,000) feet of the source of operations.

2. A geological and geotechnical site investigation shall be prepared by a professional geologist or engineer, which shall demonstrate that the surrounding area is not prone to sinkhole development from the preparation stages through the post-closure stages.

3. A preliminary utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities
will service the site or relocated to accommodate the solid waste disposal and/or reduction facility.

4. A preliminary landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

5. A preliminary grading plan shall be developed identify the limits of disturbance for all site improvements, the proposed ground elevations, erosion and sedimentation control facilities, stormwater management facilities, and other natural or man-made features of the site.

6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

7. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

8. A contingency plan for the disposal and/or reduction of solid waste during any discontinuation of the normal operations.

F. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the conditional use application as well as all other provisions specified by Robeson Township.

§ 720. Junk Yards and Salvage Yards

A. Junk yards and/or salvage yards, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by special exception within the Q-2 Zoning District, subject to the appropriate provisions specified within the Zoning Ordinance.

B. All junk yards and/or salvage yards shall be licensed and permitted in accordance with the provisions of Robeson Township Ordinance 84-21, or as subsequently amended by similar provisions by Robeson Township.

C. The following design standards and specifications shall apply to a junk yard or salvage yard:

1. A minimum of 20 acres of contiguous net land area shall be required to accommodate all of the uses associated with a junk yard or salvage yard.
2. The offices and maintenance buildings for the junk yard and/or salvage yard shall be serviced by public sanitary sewage facilities.

3. The junk yard and/or salvage yard shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. The minimum lot width requirement for the junk yard of salvage yard shall be 300 feet.

5. All junk yards and/or salvage yards shall be located at least one hundred (100) feet from any property line or street right-of-way line.

6. All means of ingress and/or egress shall be located at least five hundred (500) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

7. Access to the site of the junk yard and/or salvage yard shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized activities, the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations. Such barricade, fence or gate shall be at least eight (8) feet in height and shall be kept in good repair.

8. No vehicles shall be staged or parked at any entrance and/or access road of the site prior to one (1) hour of the standard operation hours of the junk yard and/or salvage yard facility. Overnight parking shall be prohibited.

9. Measures shall be provided to control dust and debris. The entire area shall be kept clean and orderly. The perimeter of the site shall be inspected for debris on a daily basis.

10. Truck access shall be designed to minimize traffic hazards and inconveniences. All interior roadways shall be maintained and constructed by the operator. All trucks leaving the site shall not deposit accumulating amounts of dirt, mud or other such substances on public roads.

11. An equipment cleaning and tire cleaning area shall be provided on-site. All equipment used to dispose, dump, move, transport, grade, and compact solid waste shall be cleaned daily. Runoff from the equipment cleaning area shall be controlled and disposed of in accordance with all pertinent local, state and federal laws.
12. All tires of all trucks leaving the site shall be cleaned. Runoff from the tire cleaning area shall be controlled and disposed of in accordance with all pertinent local, county, state or federal standards.

13. A security fence with a minimum height of eight (8) feet shall be erected along all boundary lines of the area, which is approved for a junk yard and/or salvage yard. The fence shall not contain openings greater than four (4) square inches and shall contain, at all entrances, gates, which are locked except during operating hours. Warning signs shall be placed on the fence at intervals of no more than fifty (50) feet.

14. A fifty (50) foot wide buffer yard shall completely surround all areas approved for the junk yard and/or salvage yard. The buffer yard shall consist of a dense evergreen screen, and is to be located and maintained along all boundary lines of the site, except at the entrances. The selected evergreens shall have a minimum height of six (6) feet and shall be staggered on twelve (12) foot centers. No materials of any nature shall be stored within this buffer yard.

15. No substances, which can harm persons, animals, vegetation or other form of property shall be dispersed beyond the property lines of the junk yard and/or salvage yard.

16. The applicant shall comply with all locals, state and federal requirements pertaining to the junk yard and/or salvage yard. A copy of all permits and licenses issued to the applicant shall be submitted to Robeson Township.

17. Hazardous, contaminated and/or toxic materials, including but not limited to highly flammable materials, explosives, pathological wastes and radio-active materials, shall not be disposed of in the junk yard and/or salvage yard.

18. The operator shall comply with all local, state and federal laws concerning stabilization, stormwater management, and erosion and sedimentation control.

19. All junk and salvage shall be stored and arranged so as to permit access to emergency management equipment and to prevent accumulation of stagnant water.

20. No materials shall be piled to a height of more than eight (8) feet from the elevation of the ground.

21. All liquids and/or fluids shall be drained from any junk or scrapped automobiles.

D. As part of the special exception application, the applicant or developer shall submit the following information for review and consideration:

1. A complete hydrological report, analysis and impact plan shall be prepared by a professional hydrogeologist, geologist or engineer, which shall demonstrate the
proposed facility will not adversely affect the quantity or quality of the surface
water and groundwater table within one thousand (1,000) feet of the source of
operations.

2. A preliminary landscaping plan showing how the buffer yards and other
landscaping enhancements will be incorporated within the site.

3. A preliminary grading plan shall be developed identify the limits of disturbance
for all site improvements, the proposed ground elevations, erosion and
sedimentation control facilities, stormwater management facilities, and other
natural or man-made features of the site.

4. A Traffic Impact Study (TIS) shall be conducted in accordance with the
provisions of the Robeson Township Zoning Ordinance in order to assess
transportation conditions and needs. The TIS should identify how the potential
adverse impacts associated with traffic volumes and vehicle weight will be
mitigated and/or prevented.

5. An Environmental Impact Assessment (EIA) Report shall be conducted in
accordance with the procedures and requirements specified by this Zoning
Ordinance. The EIA Report should identify how the potential adverse impact
will be mitigated and/or prevented.

E. If the Zoning Hearing Board approves the special exception application, a complete
land development plan shall be submitted to Robeson Township for review and
consideration. The land development plan shall comply with all conditions of approval
issued as part of the special exception application as well as all other provisions
specified by Robeson Township.

§ 721. Trucking or Motor Freight Establishments, Terminals and Convenience Centers

A. Trucking or motor freight establishments and trucking or motor freight convenience
centers, as further defined under Part 2 of this Zoning Ordinance, shall be permitted by
special exception within the GI Zoning District, subject to the appropriate provisions
specified within this Zoning Ordinance.

B. The following design standards and specifications shall apply to a trucking or motor
freight establishments, terminals and/or convenience centers:

1. A minimum of ten (10) acres of contiguous net land area shall be required to
accommodate all of the uses associated with a trucking or motor freight
establishments, terminals and/or convenience centers.

2. The trucking or motor freight establishment, terminal and/or convenience center
shall be serviced by public sanitary sewage facilities.

3. The trucking or motor freight establishment, terminal and/or convenience center
shall be serviced by a public water supply system or by a private water supply
system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. The minimum lot width requirement for the lot occupying the trucking or motor freight terminal shall be 300 feet. In addition, the minimum and maximum dimensional requirements for trucking or motor freight establishments, terminals and/or convenience centers, as specified by the zoning district in which the use is located shall apply.

5. All trucking or motor freight establishments, terminals and/or convenience centers shall be located at least one hundred (100) feet from any property line or street right-of-way line.

6. All means of ingress and/or egress shall be located at least five hundred (500) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

7. All designated points of ingress and egress for all vehicles shall be designed to consider traffic volumes on existing streets and adjacent uses.

8. Measures shall be provided to control dust and debris. The entire area shall be properly maintained and the perimeter of the site shall be inspected for debris on a daily basis.

9. Where overnight parking is permitted, the trucks or commercial vehicles utilizing the facilities shall not be kept running or idling for a period of time exceeding 30 consecutive minutes or 90 cumulative minutes within any 24 hour time period.

10. Truck access shall be designed to minimize traffic hazards and inconveniences. All interior roadways shall be maintained and constructed by the owner or manager. All trucks leaving the site shall not deposit accumulating amounts of dirt, mud or other such substances on public roads.

11. A fifty (50) foot wide buffer yard shall completely surround all areas approved for the trucking or motor freight establishment, terminal and/or convenience center. The buffer yard shall consist of a dense evergreen screen, and is to be located and maintained along all boundary lines of the site, except at the entrances. The selected evergreens shall have a minimum height of six (6) feet and shall be staggered on twelve (12) foot centers. No materials of any nature shall be stored within this buffer yard.
12. Hazardous, contaminated and/or toxic materials, including but not limited to highly flammable materials, explosives, pathological wastes and radioactive materials, shall not be stored at the site of the trucking or motor freight terminal.

13. The owner or manager shall comply with all local, state and federal laws concerning stabilization, stormwater management, and erosion and sedimentation control.

14. All vehicle service, maintenance and repair activities shall be conducted within an enclosed building, which has been approved and permitted by Robeson Township.

15. All vehicles that have been brought in for service, maintenance or repair shall be in a state of active repair and in no case shall be stored on the premises for thirty (30) consecutive days.

16. The outdoor storage of unlicensed or non-inspected vehicles or trailers shall be prohibited.

17. All trucks, trailers and commercial vehicles stored on the property shall be arranged so as to permit access to emergency management equipment. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance.

18. All proposed signs shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

19. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line.

C. As part of the special exception application, the applicant or developer shall submit the following information for review and consideration:

1. A preliminary landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

2. A preliminary grading plan shall be developed identify the limits of disturbance for all site improvements, the proposed ground elevations, erosion and sedimentation control facilities, stormwater management facilities, and other natural or man-made features of the site.

3. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential
adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

4. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

D. If the Zoning Hearing Board approves the special exception application, a complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by Robeson Township.

§ 722. Convenience Stores and Mini-Markets

A. Convenience stores or mini-markets, as defined under Part 2 of this Zoning Ordinance, are permitted as follows:

1. Convenience stores or mini-markets are permitted by conditional use within the R-3 Zoning District.

2. Convenience stores or mini-markets are permitted by right within the VC and GC Zoning Districts.

B. All convenience stores or mini-markets shall comply with the minimum and maximum dimensional requirements established for the zoning district to which it is located.

C. All convenience stores or mini-markets shall be designed in accordance with the following design requirements:

1. The convenience store or mini-market shall contain a minimum gross floor area of not less than 4,000 square feet and a maximum gross floor area of not more than 10,000 square feet, exclusive of any area of such lot being used for gasoline pump dispensers and the canopy over such dispensers. Accessory buildings shall not be permitted.

2. The convenience store or mini-market shall be serviced by public sanitary sewage facilities.

3. The convenience store or mini-market shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the conditional use application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the use.
4. The maximum number of fueling pumps (one pump serves two fueling positions only) shall be permitted based upon the size of the building housing the convenience store, which shall be specified as follows:

<table>
<thead>
<tr>
<th>Convenience Store/Mini-Market Gross Floor Area</th>
<th>Maximum Number of Fuel Pumps</th>
<th>Maximum Number of Fueling Positions</th>
</tr>
</thead>
<tbody>
<tr>
<td>4,000 square feet to 5,000 square feet</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>5,000 square feet to 6,000 square feet</td>
<td>6</td>
<td>12</td>
</tr>
<tr>
<td>6,000 square feet to 8,000 square feet</td>
<td>7</td>
<td>14</td>
</tr>
<tr>
<td>8,000 square feet to 10,000 square feet</td>
<td>8</td>
<td>16</td>
</tr>
</tbody>
</table>

5. As part of the conditional use application, the Board of Supervisors may require a reduction of the total number of fuel pumps if, in its evaluation of the applicant's traffic study, it determines that safe and convenient vehicular circulation cannot be accommodated on the site.

6. The canopy covering the fuel pumps shall not exceed 20 feet from ground level at its highest point and shall be of a peak-roof design. The Board of Supervisors may permit a greater canopy height up to 30 feet if the design of the canopy is considered as architectural enhancement.

7. The canopy shall not exceed in area (as measured in square feet) the gross floor area of the convenience store or mini-market building. However, the canopy shall not exceed in total area of 7,000 square feet.

8. The convenience store or mini-market shall be constructed with brick, stone and stucco, or such combination thereof as is approved by the Board of Supervisors, facing on all four sides of the building from the ground level to the roof.

9. The following provisions for exterior lighting shall apply to all proposed convenience stores or mini-markets:
   a. A lighting plan shall be prepared by the applicant and submitted to Robeson Township for review and consideration. The lighting plan shall conform to all provisions relating to exterior lighting, as adopted by Robeson Township.
   b. All gasoline pump dispensers shall be covered by a canopy and shall be illuminated by overhead lighting during non-daylight hours. Canopy lighting shall be located on the undersurface (ceiling) of the canopy and shall be limited to flush lens fixtures mounted on the canopy ceiling. Drop lens fixtures are prohibited. Up-lens lighting fixtures mounted on the canopy structure above the level of gas pumps are permitted if they have the effect of reducing glare from the lighting fixtures mounted on the canopy ceiling. Outdoor canopies include, but are not limited to, fuel
island canopies associated with service stations and convenience stores and exterior canopies above storefronts. In no event shall any other lighting fixtures be located on or otherwise attached to or used to light a canopy or any area of the property adjacent to the canopy. Canopy lighting over fuel dispensing positions shall not exceed an average of 35.0 maintained footcandles.

c. Lighting for parking areas shall provide an illumination level utilizing currently recommended standards of the Illuminating Engineering Society of North America, unless a more stringent standard is imposed as a condition of a conditional use approval granted by the Board of Supervisors under the circumstances of each application. Exterior lighting of the building is precluded, except as determined necessary by the Board of Supervisors for security. The Board of Supervisors may preclude any exterior lighting that in its judgment adversely affects adjoining properties.

d. In no case shall illumination exceed 0.5 footcandle measured at the property lines, except at driveway entrances, provided the illumination at the cartway center line of the contiguous street shall not exceed 1.0 footcandle, unless a more stringent standard is ordered by the Board under the circumstances of each application.

10. All designated points of ingress and egress to and from the lot shall be designed to promote safe and convenient access, as approved by the Robeson Township Engineer and/or the Pennsylvania Department of Transportation.

11. The internal vehicular circulation pattern of any lot upon which a convenience store with gasoline sales is proposed shall be designed so as to prevent vehicles waiting for such gasoline service from stacking onto public streets. In addition to the required minimum parking spaces, there shall be a minimum of one vehicular stacking space for each fueling position.

12. The outdoor display of products or retail items shall be prohibited. Hand equipment intended to be utilized for the washing of windows of motor vehicles, as well as places for the storage of such equipment, shall be permitted.

13. The applicant shall submit a traffic study with the conditional use application demonstrating the adequacy of existing or proposed streets to accommodate any increase in traffic from the proposed use and the adequacy of the proposed vehicular interior circulation on the lot.

D. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.
E. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance.

F. All proposed signs for the convenience store or mini-market shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

G. A complete subdivision and land development plan shall be submitted to Robeson Township for review and consideration. The subdivision and land development plan shall comply with all provisions specified by Robeson Township.

§ 723. Commercial Outdoor Sales

A. Unless otherwise specifically approved or permitted for the non-residential use, commercial outdoor sales of merchandise shall be prohibited.

B. Commercial outdoor sales may be permitted for those non-residential uses whose merchandise are customarily displayed outdoors, provided the use has been designated on an approved land development plan or occupancy permit.

C. All permitted commercial outdoor sales or display areas shall comply with the minimum setback requirements for the zoning district to which the commercial use is located.

D. Seasonal or sidewalk sales may be permitted on the sidewalk or outside of the front or side of the principal building of a retail establishment, whereas, goods are offered for retail sale to the public, typically at discounted price, provided that all such sales shall not exceed 60 cumulative days during the course of a calendar year.

§ 724. Mini-Malls, Shopping Centers and Shopping Malls

A. The term “multiple commercial uses” shall include “mini-malls”, “shopping centers” and/or “shopping malls”, which are further defined under Part 2 of this Zoning Ordinance.

B. Mini-malls, shall be permitted by right within the VC and GC Zoning Districts, subject to the applicable minimum requirements specified under Section 724.1 of this Zoning Ordinance.

C. Shopping centers or shopping malls shall be permitted by right within the GC and GI Zoning Districts, subject to the applicable minimum requirements specified under Section 724.2 of this Zoning Ordinance.

D. Each commercial use within a permitted mini-mall, shopping center or shopping mall shall be serviced by public sanitary sewage disposal facilities and public water supply facilities. Unless otherwise permitted by the Robeson Township, each use shall have separate sanitary sewage disposal connections and water supply connections.
§ 724.1. Mini-Malls

A. Mini-malls containing less than 30,000 square feet of cumulative gross floor area and as further defined under Part 2 of this Zoning Ordinance, shall be permitted by right within the VC and GC Zoning Districts.

B. Mini-Mall shall have a minimum net lot area of five (5) acres and shall comply with the minimum and maximum dimensional requirements established for the zoning district to which it is located. In addition, mini-malls shall be subject to the following design requirements:

1. The cumulative gross floor area for a mini-mall shall not exceed 30,000 square feet. For commercial applications exceeding this size, the provisions for a shopping center or shopping mall may apply, subject to the provisions of Section 724.2 of this Zoning Ordinance.

2. The permitted uses within a mini-mall shall be limited to: retail business establishments; personal business or service establishments; professional offices; banks or financial institutions; medical or dental offices; municipal or governmental uses; restaurants; taverns; and other similar uses.

3. The maximum number of uses within a mini-mall shall be limited to 20 independent uses. All proposed uses shall be designed as self-contained structures without common facilities, which comply with all requirements of the Robeson Township Zoning Ordinance.

4. All uses within a mini-mall shall be harmoniously planned as attached units within a single building. As part of the conditional use application, the applicant or developer shall identify the planned uses within the mini-mall and demonstrate how these uses can be amicably planned during all hours of operation.

5. Unless otherwise permitted by the Board of Supervisors as part of the conditional use application, planned out parcels, pad sites or detached buildings shall not be considered as part of the design of a mini-mall.

6. The uses contained within the mini-mall shall be serviced by public sanitary sewage facilities.

7. The uses contained within the mini-mall shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. As part of the conditional use application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the use.
8. Unless otherwise required by the utility company or authority providing service, all uses within the mini-mall shall have individual utility connections, which shall be installed underground.

9. All means of ingress and/or egress shall be located at least two hundred (200) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

10. Interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of trucks and/or other commercial vehicles shall be planned and arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

11. The off-street parking spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The total number of off-street parking spaces shall meet or exceed the cumulative total for all uses within the mini-mall. As part of the conditional use application, the Board of Supervisors may permit a reduction of 20 percent of the required cumulative total off-street parking spaces provided the applicant or developer demonstrates that the uses will not generate the additional off-street parking demands from employees and patrons during peak operational hours.

12. All proposed signs for the mini-mall shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

13. The side and rear lot lines of the property shall be adequately screened with a 20 foot wide landscaped buffer yard.

14. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line.

C. The ownership of any mini-mall shall be under single ownership, partnership, corporation, or under a guaranteed unified management control. The shopping center must have at least one (1) on-site manager or a designated individual whose office is located within 100 miles of Robeson Township. The owner shall provide Robeson Township with a complete list of on-site managers or designated individuals on an annual basis. The list shall include the name, mailing address and telephone number of each on-site manager or each designated individual responsible for the daily operation of the mini-mall.
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D. The owner or manager shall provide a complete list of tenants located within the mini-mall on an annual basis. The list shall include the name of the tenant, business name, mailing address, telephone number, land use activity and scheduled hours of operation.

E. As part of the land development plan application, the applicant or developer shall submit the following information for review and consideration:

1. A utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.

2. A landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

3. A grading plan shall be developed identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, and other natural or man-made features of the site.

4. Architectural renderings of the proposed building elevations and plan views.

5. A lighting plan showing the location and intensity of the proposed lighting within the property to a point 50 feet beyond the perimeter of the property line. The proposed lighting for buildings, signs, accessways and parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.

6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

F. A complete subdivision and land development plan shall be submitted to Robeson Township for review and consideration. The subdivision and land development plan shall comply with all other pertinent provisions specified by Robeson Township.

§ 724.2. Shopping Centers or Shopping Malls

A. Shopping centers or shopping malls containing more than 30,000 square feet of cumulative gross floor area and as further defined under Part 2 of this Zoning Ordinance, shall be permitted by right within the GC and GI Zoning Districts.

B. Shopping centers shall have a minimum net lot area of five (5) acres and shall comply with the minimum and maximum dimensional requirements established for the PC and LI Zoning Districts. In addition, shopping centers or shopping malls shall be subject to the following design requirements:
1. The cumulative gross floor area of a shopping center or shopping mall should generally exceed 30,000 square feet. For commercial applications less than this size, the provisions for a mini-mall may apply, subject to the provisions of Section 724.1 of this Zoning Ordinance.

2. The permitted uses within a shopping center or shopping mall shall be limited to: retail business establishments; personal business or service establishments; professional offices; banks or financial institutions; medical or dental offices; family entertainment complex; movie theaters; recreational uses; municipal or governmental uses; restaurants; taverns; night clubs; and other similar uses.

3. The maximum number of uses within a shopping center or shopping mall shall be unlimited, provided that each use is designed as part of a common facility or as self-contained structures, which comply with all requirements of the Robeson Township Zoning Ordinance.

4. All uses within a shopping center or shopping mall shall be harmoniously planned within a single building or within groups of buildings. As part of the conditional use application, the applicant or developer shall identify the planned uses within the shopping center or shopping mall and demonstrate how these uses can be amicably planned during all hours of operation.

5. Planned out parcels, pad sites or detached buildings may be permitted, provided the use is located within a separate lot meeting the appropriate minimum and maximum dimensional requirements of the HC Zoning District for that specific use.

6. The uses contained within the shopping center or shopping mall shall be serviced by public sanitary sewage facilities.

7. The uses contained within the shopping center or shopping mall shall be serviced by a public water supply system.

8. Unless otherwise required by the utility company or authority providing service, all uses within the shopping center or shopping mall shall have individual utility connections, which shall be installed underground.

9. All means of ingress and/or egress shall be located at least three hundred (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

10. Interior accessways shall be designed so as to prevent traffic congestion at points of ingress and egress. All proposed areas designated for the loading or unloading of trucks and/or other commercial vehicles shall be planned and
arranged so they may be utilized without interfering with the interior traffic circulation and parking facilities.

11. The off-street parking spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance. The total number of off-street parking spaces shall meet or exceed the cumulative total for all uses within the shopping center or shopping mall. As part of the conditional use application, the Board of Supervisors may permit a reduction of 10 percent of the required cumulative total off-street parking spaces provided the applicant or developer demonstrates that the uses will not generate the additional off-street parking demands from employees and patrons during peak operational hours.

12. All proposed signs for the shopping center or shopping mall shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

13. The side and rear lot lines of the property shall be adequately screened with a 30 foot wide landscaped buffer yard.

14. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within fifty (50) feet from any lot line.

C. The ownership of any shopping centers or shopping malls shall be under single ownership, partnership, corporation, or under a guaranteed unified management control. The shopping center must have at least one (1) on-site manager or a designated individual whose office is located within 100 miles of Robeson Township. The owner shall provide Robeson Township with a complete list of on-site managers or designated individuals on an annual basis. The list shall include the name, mailing address and telephone number of each on-site manager or each designated individual responsible for the daily operation of the shopping center or shopping mall.

D. The owner or manager shall provide a complete list of tenants located within the shopping center or shopping mall on an annual basis. The list shall include the name of the tenant, business name, mailing address, telephone number, land use activity and scheduled hours of operation.

E. As part of the land development plan application, the applicant or developer shall submit the following information for review and consideration:

1. A utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site.

2. A landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.
3. A grading plan shall be developed to identify the limits of disturbance for all municipal site improvements, the proposed ground elevations, stormwater management facilities, and other natural or man-made features of the site.

4. Architectural renderings of the proposed building elevations and plan views.

5. A lighting plan showing the location and intensity of the proposed lighting within the property to a point 50 feet beyond the perimeter of the property line. The proposed lighting for buildings, signs, accessways, and parking areas shall be arranged so they do not reflect towards any public street or residential zoning districts.

6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

F. A complete subdivision and land development plan shall be submitted to Robeson Township for review and consideration. The subdivision and land development plan shall comply with all pertinent provisions specified by Robeson Township.

§ 725. Utilities

A. Community utilities, as defined under Part 2 of this Zoning Ordinance, shall be permitted by right as an accessory use within the AP, R-1, R-2, R-3, VC, GC, GI, Q-1 and Q-2 Zoning Districts, subject to the following requirements:

1. Community utilities shall be designed to provide service in an isolated service area, community or neighborhood.

2. The community facilities shall be located on a self-contained lot, which meets the minimum and maximum dimensional lot requirements of the underlying zoning district.

3. A complete subdivision and land development plan shall be submitted to Robeson Township for review and consideration. The subdivision and land development plan shall comply with all provisions specified by the Robeson Township Zoning Ordinance.

B. Private utilities, as defined under Part 2 of this Zoning Ordinance, shall be permitted by right in the GI, Q-1 and Q-2 Zoning Districts, subject to the following requirements:

1. A minimum of 20 acres of contiguous net land area shall be required to accommodate all of the uses associated with a private utility provider.
2. The offices, terminals, storage and maintenance buildings for the private utility provider shall be serviced by public sanitary sewage facilities and public water supply facilities.

3. The minimum lot width for the private utility use shall be 300 feet.

4. All facilities and uses associated with the private utility use shall be located at least 200 feet from any property line or street right-of-way line.

5. The maximum height of the buildings and all accessory equipment shall be 50 feet.

6. The maximum building coverage shall be 25 percent of the total lot area.

7. The maximum lot coverage shall be 40 percent of the total lot area.

8. All means of ingress and/or egress shall be located at least five hundred (500) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

9. Measures shall be provided to control dust and debris. The entire area shall be kept clean and orderly. The perimeter of the site shall be inspected for debris on a daily basis.

10. Truck access shall be designed to minimize traffic hazards and inconveniences. All interior roadways shall be maintained and constructed by the owner or manager. All trucks leaving the site shall not deposit dirt, mud or other such substances on public roads.

11. A fifty (50) foot wide buffer yard shall completely surround all areas approved for the private utility use. Unless otherwise permitted by Robeson Township, the buffer yard shall consist of a dense evergreen screen, and is to be located and maintained along all boundary lines of the site, except at the entrances. The selected evergreens shall have a minimum height of six (6) feet and shall be staggered on twelve (12) foot centers. No materials of any nature shall be stored within this buffer yard.

12. Hazardous, contaminated and/or toxic materials, including but not limited to highly flammable materials, explosives, pathological wastes and radioactive materials, shall not be stored at the site of the use.

13. All local, state and federal regulations concerning air pollution or air quality shall be considered as minimum standards for the control of smoke, dust, fumes and emissions.
14. The owner or manager shall comply with all local, state and federal laws concerning stabilization, stormwater management, and erosion and sedimentation control.

15. All designated points of ingress and egress for all vehicles shall be designed to consider traffic volumes on existing streets and adjacent uses.

16. All trucks and trailers stored on the property shall be arranged so as to permit access by emergency management equipment. The off-street parking and loading spaces shall be designed to comply with the provisions specified under Part 9 of this Zoning Ordinance.

17. All proposed signs shall comply with the provisions specified under Part 10 of this Zoning Ordinance.

18. Exterior storage areas for trash and rubbish shall be properly screened with secured fencing and landscaping materials. All containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area will be permitted within one hundred (100) feet from any lot line.

19. A complete land development plan shall be submitted to Robeson Township for review and consideration. The land development plan shall comply with all conditions of approval issued as part of the conditional use application as well as all other provisions specified by the Zoning Ordinance.

20. As part of the land development plan, the applicant shall provide documentation to indicate that the private utility use shall comply with the provisions established within the Robeson Township Zoning Ordinance. This may include the submission of a grading plan, utility plan, landscaping plan, architectural renderings, traffic impact study and/or environmental impact assessment report. Prior to the submission of the land development plan, the applicant shall consult with the Robeson Township Engineer and Zoning Officer to discuss the supplemental documentation that may be required.

C. Public utilities, as defined under Part 2 of this Zoning Ordinance, shall be permitted by right within the AP, R-1, R-2, R-3, VC, GC, GI, Q-1 and Q-2 Zoning Districts. The provisions of this Zoning Ordinance shall not specifically apply to certain public utilities, which because of their status with the Pennsylvania Public Utility Commission may be exempt from the provisions of this Zoning Ordinance.

§ 726. Telecommunication and Wireless Communication Facilities

A. The purpose of this section and the standards established herein is to govern the use, construction and location of telecommunication and wireless communications facilities in recognition of the nature of commercial communication systems and the Federal Telecommunications Act of 1996. These regulations are intended to:
1. Accommodate the need for telecommunication and wireless communications facilities while regulating their location and number so as to insure the provision for necessary services;

2. Minimize the adverse visual affects and the number of such facilities through proper design, locating, screening, material, color and finish and by requiring that competing providers of wireless communications services collocate their commercial communications antennas and related facilities on existing towers;

3. Ensure the structural integrity of commercial communications antenna support structures through compliance with applicable industry standards and regulations; and

4. Promote the health, safety and welfare of the residents and property owners within Robeson Township.

B. Unless otherwise specified within this Zoning Ordinance, telecommunication or wireless communication facilities, as further defined under Part II, shall be permitted by conditional use within the following areas:

1. All land areas owned and maintained by Robeson Township.

2. On existing telecommunication or wireless communication facilities, which have the capacities to accommodate addition facilities.

3. On existing buildings and/or structures within the GC and GI Zoning Districts, which have sufficient height to facilitate the immediate service area of the telecommunication or wireless communication provider.

4. As permitted by the criteria specified under this section of the Zoning Ordinance.

C. All applicants seeking to construct, erect, relocate or alter telecommunication or wireless communications facilities shall secure approval from the Board of Supervisors, which shall be conditioned upon their demonstrated compliance with the regulations specified under this section of the Zoning Ordinance. As part of this requirement, a land development plan or site plan shall be prepared and submitted to Robeson Township for review and consideration.

D. The following specifications concerning location and height shall apply to telecommunication or wireless communication facilities:

1. Telecommunication or wireless communications facilities must be located on a sites identified or permitted by this section of the Zoning Ordinance. A land development plan or site plan shall be submitted to demonstrate that the requirements for location, height, design, infrastructure and site improvements have been properly addressed by the applicant considering the telecommunication or wireless communication network.
2. No applicant shall have the right under the provisions of this section of the Zoning Ordinance to erect any commercial communications antenna support structure, also referred to as a "tower" in these regulations, to the maximum height specified within this section of the Zoning Ordinance, unless it proves the necessity for such height. The applicant shall demonstrate that the proposed height of the commercial communications antenna support structure and the commercial communications antennas intended to be attached thereto is the minimum height required to provide satisfactory service for wireless communications.

3. Prior to the Board of Supervisors approval of a land development plan or site plan authorizing the construction and installation of a commercial communications antenna support structure in a permitted location or zoning district, it shall be incumbent upon the applicant for such land development plan or site plan approval to prove to the reasonable satisfaction of the Board of Supervisors that the applicant cannot adequately extend or infill its communications system by the use of equipment such as radomes, repeaters, antennas and other similar equipment installed on existing structures, such as utility poles or their appurtenances, and other available tall structures described in this section of the Zoning Ordinance, actually constructed and in existence on the effective date of this ordinance, hereinafter referred as an "existing structure".

4. The land development plan or site plan application, whether for a tower or antennas on existing structures, shall be accompanied by a propagation study evidencing the need for the proposed tower or other communications facilities and equipment, a description of the type and manufacturer of the proposed transmission/radio equipment, the frequency range (megahertz band) assigned to the applicant, the power in watts at which the applicant transmits, the design gain of applicant's antennas, the subscriber equipment sensitivity expressed in dBm, the design dBm of the transmission and receiving equipment and the results of the drive test and other studies conducted by the applicant in determining the need for the proposed site and installation.

5. No commercial communications antenna support structure shall be taller than 120 feet, as measured from undisturbed ground level, unless the applicant proves that another provider of wireless communications services has agreed to collocate commercial communications antennas on the applicant's tower or that the tower will be available for such collocation. If collocation agreements can be executed and achieved to the satisfaction of the Board of Supervisors, the commercial communications antenna support structure may extend to a height no taller than 150 feet, as measured from undisturbed ground level.

6. It shall be incumbent upon the applicant to prove that a greater tower height is necessary to provide satisfactory service for wireless communications than is required by the applicant. In such case, the commercial communications antenna support structure shall not exceed 150 feet unless the applicant secures approval
from the Board of Supervisors by demonstrating such proof as would be required for the granting of a variance under the provisions of this section of the Zoning Ordinance. In no event shall mounted commercial communications antennas' height on any tower extend more than 10 feet above the installed height of the tower.

7. In those areas where commercial communications antennas and commercial communications antenna support structures are permitted, either a one single-story wireless communications equipment building not exceeding 1,000 square feet in area or up to five (5) metal boxes placed on a concrete pad not exceeding 25 feet by 30 feet in area housing the receiving and transmitting equipment may be located on the permitted site selected for installation and location of the tower for each unrelated company sharing commercial communications antenna space on the tower.

8. With the exception of the transmitting and wireless communications equipment necessary to facilitate the tower and commercial communications antennas, all other uses ancillary to commercial communications antennas and commercial communications antenna support structures, including but not limited to a business office, mobile telephone switching office, maintenance depot and vehicular storage area, shall not be located on any site, unless otherwise permitted by the applicable district regulations in which the site is located.

9. The attachment of telecommunication or wireless communication facilities to existing structures shall be permitted by right, provided the following condition apply:

   a. The proposed use or structure complies with all other provisions of this section of the Zoning Ordinance, whereas the applicant may locate commercial communications antennas and their support members, but not a commercial communications antenna support structure, on a smokestack, utility pole, water tower, commercial or industrial building or any similar tall structure, actually constructed and in existence on the effective date of this ordinance amendment.

   b. The height of the commercial communications antennas and apparatus attaching the commercial communications antennas thereto shall not exceed by more than 10 feet the height of such existing structure, unless the applicant proves that a greater antenna height is required to make it an adequately functional component of the applicant's system, but in no case shall such height exceed 25 feet.

   c. The applicant proves that such location is necessary to satisfy the antenna's function in the applicant's wireless communications system and, where applicable, will obviate the need for the erection of a commercial communications antenna support structure in another location where the same is permitted.
d. The applicant employs concealment or other reasonably appropriate stealth measures, as determined appropriate by the Board of Supervisors, to camouflage or conceal the antennas, such as the use of neutral materials that hide antennas, the location of antennas within existing structures, such as steeples, silos, and advertising signs, the replication of steeples and other structures for such purpose, the simulation of elements of rural landscapes, such as trees, and such other measures as are available for use for such purpose.

e. Commercial communications antennas may be located entirely within a steeple, but no portion of the antenna shall be visible from the outside.

f. If the Board of Supervisors finds that location of antennas on a structure, which was constructed prior to the effective date of this Zoning Ordinance, obviates the need for the construction and erection of a tower in a permitted zoning district in which a tower is a permitted by right, the Board of Supervisors may authorize as part of the land development plan or site plan approval process, the location of up to five (5) metal boxes placed on a concrete pad not exceeding 25 feet by 30 feet in area housing the receiving and transmitting equipment necessary to the operation of the antennas provided that: the pad is located within the side yard or rear yard; that the pad and boxes are set back from the property line by a minimum of 30 feet; the combined height of the pad and boxes does not exceed eight feet; and an evergreen landscape buffer screen is planted and maintained as required by the Board of Supervisors.

10. The minimum distances between the base of a commercial communications antenna support structure and any adjoining property line or street right-of-way line shall equal the height of the commercial communications antenna support structure height. The required setback requirement may be extended provided that the applicant can secure a fall zone easement on an adjoining property and provided that the applicant can demonstrate that in the event of tower failure, the tower is designed to collapse upon itself within a setback area less than the required minimum setback without endangering such adjoining uses and their occupants.

11. Unless otherwise specified within this Zoning Ordinance, a proposed telecommunication or wireless communications facility must be located or separated by a horizontal distance of 2,000 feet from any another telecommunication or wireless communications facility.

E. The following standards and specifications shall apply structural stability, support and design of all telecommunication or wireless communication facilities:

1. The applicant shall demonstrate that the proposed commercial communications antennas and commercial communications antenna support structures are designed and constructed in accordance with all applicable national building standards for such facilities and structures, including, but not limited to, the
standards developed by the Electronics Industry Association, Institute of Electrical and Electronics Engineer, Telecommunications Industry Association, American National Standards Institute and Electrical Industry Association, and other established standards identified by the Robeson Township Engineer. The applicant shall demonstrate that the proposed wireless communications facility is designed in such a manner so that no part of the facility will attract/deflect lightning onto adjacent properties.

2. When one or more commercial communications antennas are to be located on an existing structure and the general public has access to the structure on which the commercial communications antenna is to be located, the applicant shall provide engineering details showing what steps have been taken to prevent microwave binding to wiring, pipes or other metals. For purposes of this subsection, the term "microwave binding" shall refer to the coupling or joining of microwave energy to electrical circuits, including but not limited to power lines and telephone wires, during which process the transference of energy from one to another occurs.

3. In order to reduce the number of commercial communications antenna support structures within Robeson Township in the future, the proposed commercial communications antenna support structure shall be designed to accommodate other potential communications users, including but not limited to, commercial wireless communications companies, local police and fire and ambulance companies.

4. If the wireless communications facility is fully automated, adequate parking shall be required for all maintenance workers, with a minimum of two spaces provided. If the wireless communications facility is not fully automated, the number of required parking spaces shall equal the number of employees present at the wireless communications facility during the largest shift.

5. Commercial communications antenna support structures shall be painted silver or another color approved by the Board of Supervisors, or shall have a galvanized finish. All wireless communications equipment buildings and other accessory facilities shall be aesthetically and architecturally compatible with the surrounding environment and shall maximize the use of a like facade to blend with the existing surroundings and neighboring buildings to the greatest extent possible. In furtherance of this provision, the Board of Supervisors may require that:

   a. Commercial communications antenna support structures be painted green up to the height of nearby trees; and/or

   b. Wireless communications equipment buildings, which house electrical transmitter equipment be placed underground, unless determined to be detrimental to the functioning and physical integrity of such equipment.
6. In making these determinations concerning aesthetics and architectural compatibility, the Board of Supervisors shall consider the following:

   a. If it will promote the harmonious and orderly development of the zoning district involved;

   b. If it is compatible with the character and type of development existing within the area;

   c. If the benefits exceed any negative impacts on the aesthetic character of the community;

   d. If it preserves woodland areas and trees existing at the site to the greatest possible extent; and

   e. If it encourages sound engineering practices and land development design.

F. Unless otherwise permitted by the Board of Supervisors as part of the land development plan or site plan application, the following general site improvements, compliance provisions and procedural obligations shall be required for all telecommunication or wireless communication facilities:

1. No sign or other structure shall be mounted on the wireless communications facility, except as may be required by the Federal Communications Commission (FCC), Federal Aviation Administration (FAA) or other governmental agency.

2. Where appropriate, the commercial communications antenna support structures shall meet all FAA regulations. No commercial communications antenna support structure may be artificially lighted except when required by the FAA or other governmental authority. When lighting is required by the FAA or other governmental authority, it shall be limited to the minimum lumens and number of lights so required and it shall be oriented inward so as not to project onto surrounding properties. The applicant shall promptly report any outage or malfunction of FAA-mandated lighting to the appropriate governmental authorities as well as Robeson Township.

3. The applicant shall describe the anticipated maintenance needs, including frequency of service, personnel needs and equipment needs, and the traffic safety and noise impacts of such maintenance.

4. In the event that a commercial communications antenna is attached to an existing structure, vehicular access to the wireless communications facility shall not interfere with the parking or vehicular circulation on the site for the existing principal use.

5. If the applicant proposes to build a commercial communications antenna support structure (as opposed to mounting the commercial communications antenna on
an existing structure), the applicant shall prove to the Board of Supervisors that it has contacted the owners of structures of suitable location and height, either other towers or existing tall structures within 3,000 foot radius of the site proposed, asked for permission to install the commercial communications antennas on those structures and has been denied. The Board of Supervisors may deny an application to construct a new commercial communications antenna support structure if the applicant has not made a good faith effort to mount the commercial communications antenna on an existing structure.

6. If use of the wireless communications facility is abandoned or if the wireless communications facility is not in use for a period of six (6) months or longer, the owner shall demolish and/or remove the wireless communications facility from the site within six (6) months of such abandonment and/or nonuse. All costs of demolition and/or removal shall be borne by the owner of the wireless communications facility. In the event that the demolition and/or removal referred to above are not performed in a timely manner, the landowner shall be subject to the enforcement remedies of this Zoning Ordinance.

7. As part of the land development plan or site plan application, the applicant seeking to construct, erect, relocate or alter a wireless communications facility shall file a written certification that all property owners within a one thousand (1,000) foot radius of the property on which the commercial communications antenna support structure is proposed to be located have been given written notice by the applicant of the applicant's intent to construct, erect, relocate or alter a wireless communications facility. The certification shall contain the name, address and tax parcel number of the property owners.

8. In the event that the wireless communications facilities cause interference with the radio or television reception of any residential or non-residential use within Robeson Township for a period of three (3) continuous days, the resident shall notify the applicant of such interference, and the applicant, at the applicant's sole expense, shall thereafter ensure that any interference problems are promptly corrected. In the event that the interference is not corrected in a timely manner, the applicant shall be subject to the enforcement remedies of this Zoning Ordinance.

9. A security fence shall be required around the antenna support structure and other equipment, unless the commercial communications antenna is mounted on an existing structure.

10. Landscaping shall be required to screen and buffer the newly constructed commercial communications antenna support structure as possible. The Board of Supervisors may permit a combination of existing vegetation, topography, walls, decorative fences or other features in lieu of landscaping.

G. The following information and documentation shall be submitted as part of the land development plan or site plan:
1. The applicant shall demonstrate that it is a commercial wireless communications company, licensed by the Federal Communications Commission (FCC) or, in the case of those companies that own and erect towers for lease to such companies, that it has an existing contract with one or more such companies to locate on the proposed tower (in those zoning districts or areas where such towers are permitted) and provide the Township Secretary with copies of all FCC applications, permits, approvals, licenses and site inspection records. All such information shall be accompanied by a certification signed by two officers of the applicant that the information being supplied is true and correct to the best of their knowledge, information and belief. The applicant shall also provide Robeson Township with copies of all applicable federal regulations with which it is required to comply and a schedule of estimated FCC inspections.

2. The owner of a commercial communications antenna support structure shall submit to the Robeson Township Engineer proof of the annual inspection of the commercial communications antenna support structure and commercial communications antenna(s) by an independent professional engineer as required by the ANSI/EIA/TIA-222-E Code. Based upon the results of such an inspection, the Board of Supervisors may require removal or repair of the wireless communications facility. In the event that the annual inspection referred to above is not performed in a timely manner, the owner shall be subject to enforcement remedies of this Zoning Ordinance.

3. A soil report complying with the standards of geotechnical investigations shall be submitted to the Robeson Township Engineer to document and verify the design specifications of the foundation for the commercial communications antenna support structure, and anchors for the guy wires, if used.

4. Prior to the issuance of a permit authorizing construction and erection of a commercial communications antenna support structure, a structural engineer registered in the Commonwealth of Pennsylvania shall issue a written certification to Robeson Township of its ability to meet the structural standards required by either the Electronic Industries Association or the Telecommunication Industry Association and certify the proper construction of the foundation and the erection of the commercial communications antenna support structure. Where antennas are proposed to be attached to an existing structure, the structural engineer shall certify that both the structure and the antennas and their appurtenances meet minimum industry standards for structural integrity.

5. The land development plan or site plan application shall be accompanied for all wireless communications facilities, showing all existing and proposed structures and improvements, including but not limited to the commercial communications antennas, commercial communications antenna support structure, building, fencing, buffering and ingress and egress. The land development plan or site plan shall comply with the requirements of this section of the Zoning Ordinance.
6. In January of each year, the owner of any wireless communications facilities shall pay any required registration fees and shall provide Robeson Township with the following information:

   a. The names and addresses of the owner of the communications facilities and any organizations utilizing the wireless communications facility and telephone numbers of the appropriate contact person in case of emergency.

   b. The name and address of the property owner on which the communications facility is located.

   c. The location of the wireless communications facility by geographic coordinates, indicating the latitude and longitude.

   d. Output frequency of the transmitter, type of modulation, digital format and class of service.

   e. Commercial communications antenna(s) gain.

   f. The affective radiated power of the commercial communications antenna(s).

   g. The number of transmitters, channels and commercial communications antenna(s).

   h. A copy of the owner or operator's FCC authorization.

   i. Commercial communications antenna(s) height with the distance to the nearest base station.

   j. Power input to the commercial communications antenna(s).

   k. A certification signed by two (2) officers of the applicant that the communications facility is continuing to comply with this Zoning Ordinance and all applicable governmental regulations, including but not limited to output and emission limits established by the FCC.

7. A certificate of insurance issued to the owner/operators evidencing that there is adequate current liability insurance in effect insuring against liability for personal injuries and death and property damage caused by the site and the wireless communications facilities.

H. At the discretion of the Board of Supervisors, the provisions of this section of the Zoning Ordinance may be adjusted or modified to facilitate the evolving technology of the telecommunication and wireless communication industry. In all such cases, the applicant shall provide technical evidence to Robeson Township that the adjustment or modification will meet the purpose and objectives of this section of the Zoning
Ordinance. In no such case, shall any adjustment of modification of these provisions be contrary to the intent of these regulations, as specifically defined under this section of the Zoning Ordinance.

§ 727. Municipal and Governmental Uses

A. Municipal uses, as defined under Part 2 of this Zoning Ordinance, shall be permitted by right within the AP, R-1, R-2, R-3, VC, GC, GI, Q-1 and Q-2 Zoning Districts.

B. The provisions of this Zoning Ordinance shall not apply to Robeson Township nor to any of the following: any lands or buildings of Robeson Township or extensions thereof, the use of any premises by Robeson Township, and any buildings, lands or premises owned or operated by Robeson Township; provided, however, that Robeson Township shall comply with any provision of this Zoning Ordinance respecting the preservation of historic site or structure, and this municipal exemption shall not apply thereto, and provided further that Robeson Township shall comply with all applicable requirements pertaining to public health, safety and general welfare of the community as deemed pertinent by the Robeson Township Board of Supervisors.

C. Governmental uses shall be permitted by right within the VC, GC and GI Zoning Districts. Unless otherwise exempt from the provisions of this Zoning Ordinance, all governmental uses shall comply with this Zoning Ordinance.

§ 728. Undefined or Other Land Uses

A. Other types of land uses, not specifically identified or recognized within this Zoning Ordinance, may evolve or become commonly acceptable as a reasonable use. It is the purpose of this section to provide for all reasonable and appropriate land uses and to establish a mechanism for the inclusion of such land uses within Robeson Township.

B. All undefined or other reasonable land uses that are not recognized by this Zoning Ordinance shall be permitted by special exception within the GI Zoning District.

C. Unless otherwise permitted by the Zoning Hearing Board as part of the special exception application, the following design and development requirements shall apply to all undefined or other reasonable land uses, which are not recognized by this Zoning Ordinance:

1. A minimum of 20 acres of net land area shall be required to accommodate the undefined use. Depending upon the complexity or intensity of the proposed undefined land use, the Zoning Hearing Board may consider a reduction of the minimum area requirement, however, in no case shall the minimum lot size be reduced to less than 5 contiguous net acres of land.

2. The undefined use shall be serviced by public sanitary sewage facilities.

3. The undefined use shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and
the Pennsylvania Department of Environmental Protection. As part of the special exception application, the applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the undefined use.

4. Depending upon the complexity or intensity of the undefined use, the Zoning Hearing Board shall establish the minimum and maximum dimensional requirements as part of the special exception application. These provisions shall include the lot width, setback requirements (front, side and rear), height, building coverage and lot coverage requirements for the undefined use.

D. As part of the special exception application, the Zoning Hearing Board shall consider the following information and documentation submitted to Robeson Township on behalf of the applicant:

   1. The applicant shall submit a request for inclusion of an undefined or other reasonable land use that is not recognized as part of the Zoning Ordinance, with illustrations and complete documentation that completely describes the land use activity and the manner in which it differs from the permitted uses defined or permitted by the Zoning Ordinance.

   2. Prior to the commencement of the hearing for the special exception application, the Zoning Officer shall review the submission and advise the Planning Commission and Board of Commissioner if the application meets the purpose and objective of this section of the Zoning Ordinance.

   3. The applicant shall provide evidence that the undefined use shall comply with all provisions established within the Zoning Ordinance. This may include the submission of a grading plan, utility plan, landscaping plan, architectural renderings, traffic impact study and/or environmental impact assessment report. Prior to the submission of the special exception application, the applicant shall consult with the Robeson Township Engineer and Zoning Officer to initially discuss the supplemental documentation that may be required as part of the special exception application.

E. If the Zoning Hearing Board approves the special exception application, a complete subdivision and/or land development plan shall be submitted to Robeson Township for review and consideration. The subdivision and/or land development plan shall comply with all conditions of approval issued as part of the special exception application as well as all other provisions specified by the Zoning Ordinance.

§ 729. Quarry Support Activities

A. Quarry support activities, as further defined under Part II, may be permitted within the Q-1 Zoning District, subject to the procedural requirements specified under Section 409 of this Zoning Ordinance.
B. Quarry support activities may include bituminous asphalt plants, concrete manufacturing facilities, concrete plants, concrete and asphalt recycling facilities, demolition recycling facilities, manufacturing facilities and/or similar quarry support uses that are intended to complement or support quarrying or mining activities.

C. All quarry support activities and uses shall comply with all pertinent state and federal regulations, and shall be permitted by the appropriate agencies having jurisdiction. The applicant or operator of the quarry support activities shall submit all active permits with Robeson Township.

D. The following general design standards and specifications shall apply to all quarry support activities:

1. The site of the quarry support activities shall be located on a permitted area within the Q-1 Zoning District, which meets the dimensional requirements for a quarrying and mining operation.

2. The office and maintenance buildings for the quarry support activities shall be serviced by public sanitary sewage facilities or by on-lot sanitary sewer facilities approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection.

3. The quarry support activities shall be serviced by a public water supply system or by a private water supply system approved and permitted by Robeson Township and the Pennsylvania Department of Environmental Protection. The applicant shall demonstrate that the quantity and quality of the water supply source will be sufficient to accommodate the proposed use.

4. The maximum height of any building or structure shall not exceed 75 feet.

5. Except for pre-existing permitted uses or non-conforming uses, quarry support activities shall comply with the following provisions for isolation or separation distance and buffer yards:

   a. A 100 foot setback shall be provided along the zoning line separating the Q-1 from all other zoning districts and/or property lines;

   b. Unless otherwise permitted by the Robeson Township Board of Supervisors as part of a land development plan, a 50 foot wide buffer yard or landscaping screen shall be established and maintained within the 100 foot setback. Modifications to the depth, location and selected landscaping materials may be considered based upon the proximity and elevations of adjacent residential uses or adjacent residential zoning districts.

   c. The buffer yard or landscaping screen may include a combination of trees, stabilized earthen berms, fencing, or other landscaping features that should be designed in order to achieve the required buffering or
screening. The use of mature trees should be encouraged as part of the required buffer yard or landscaping screen.

d. Within the 100 foot setback, no quarrying or mining activities shall be permitted. However, within 50 to 100 feet, as measured from the outer edge of the property line, only landscaping, earthen berms, fencing, storage of overburden materials and access roads shall be permitted. The required setback shall be measured perpendicular to property lines or street right-of-way.

e. A 300 foot setback shall be applied for a public or private dwelling occupied at the time of permitting or the adoption of this ordinance, unless otherwise waived by Robeson Township, the Pennsylvania Department of Environmental Protection and the property owner.

6. The quarry support activities shall comply with the non-residential performance standards specified under Section 702 of this Zoning Ordinance.

7. No substances, which can harm persons, animals, vegetation or other form of property shall be dispersed beyond the property lines of the site occupying the quarry support activities.

8. No garbage, municipal waste, hazardous waste, toxic waste, or other forms of solid waste shall be imported onto any the Q-1 Zoning District for temporary storage or permanent disposal.

9. The importing of products or materials shall only be permitted to facilitate the quarry support activities. All imported materials shall only be permitted into the Q-1 Zoning District for the purposes of processing, manufacturing, assembling, recycling and/or fabricating, whereas, the exportation of a product shall occur within a period of time not to exceed 180 days from the date of importation of the products and materials utilized for the permitted use.

E. The following provisions shall apply to access roads and fencing of the quarry support activities:

1. All means of ingress and/or egress shall be located at least three (300) feet from any intersecting street and shall be designed to accommodate traffic in a safe and efficient manner. The applicant or developer shall be responsible for the purchase and installation of any traffic control devices and the construction of additional acceleration and/or deceleration lanes as may be required by the Pennsylvania Department of Transportation or Robeson Township.

2. All internal access roads within the site shall be constructed on stable areas. Erosion and sedimentation control measures should be installed and maintained by the applicant or operator.
3. Access to the site of the quarry support activities shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized activities, the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations. Such barricade, fence or gate shall be at least eight (8) feet in height and shall be kept in good repair.

4. No vehicles shall be staged or parked at any entrance and/or access road of the site prior to one (1) hour of the standard operation hours of the quarry support activity. Overnight parking shall be prohibited.

5. Measures shall be provided to control dust and debris. The entire area shall be kept clean and orderly. The perimeter of the site shall be inspected for debris on a daily basis.

6. Truck access shall be designed to minimize traffic hazards and inconveniences. All interior roadways shall be maintained and constructed by the operator. All trucks leaving the site shall not deposit accumulating amounts of mining products, dirt, mud or other such substances on public roads.

7. A tire cleaning area shall be provided on-site. All tires of all trucks leaving the site shall be cleaned. Runoff from the tire cleaning area shall be controlled and disposed of in accordance with all pertinent local, state and/or federal requirements.

8. A security fence may be required by Robeson Township in order to prevent unauthorized entry to areas of the site that may be considered unsafe or hazardous. The size, type and proximity of any required fencing shall be considered as part of the land development plan.

F. The hours of operation for all quarry support activities shall be as follows:

1. The hours of operation for all quarry support activities shall be evaluated and determined by Robeson Township as part of the land development plan.

2. Upon request by the owner or operator, additional hours or days of operation may be considered by the Board of Supervisors. All such requests shall not be unreasonably denied and shall only be considered for a temporary period of time.

G. Unless otherwise permitted by Robeson Township, the applicant or operator shall submit the following information for review and consideration as part of the permit application or land development plan application:

1. A complete hydrological report, analysis and impact plan shall be prepared by a professional hydrogeologist, geologist or engineer, which shall demonstrate the proposed quarry support activities will not adversely affect the quantity or
quality of the surface water and groundwater table within one thousand (1,000) feet of the source of operations.

2. A geological and geotechnical site investigation shall be prepared by a professional geologist or engineer, which shall demonstrate that the surrounding area is not prone to sinkhole development.

3. A preliminary utility plan showing how sanitary sewage disposal facilities, water supply facilities, electric, telephone, natural gas, cable and other utilities will service the site or relocated to accommodate the quarry support activities.

4. A preliminary landscaping plan showing how the buffer yards and other landscaping enhancements will be incorporated within the site.

5. A grading plan shall be developed identify the limits of disturbance for all site improvements, the proposed ground elevations, quarry support stages, overburden piles, stormwater management facilities, and other natural or man-made features of the site.

6. A Traffic Impact Study (TIS) shall be conducted in accordance with the provisions of the Robeson Township Zoning Ordinance in order to assess transportation conditions and needs. The TIS should identify how the potential adverse impacts associated with traffic volumes and vehicle weight will be mitigated and/or prevented.

7. An Environmental Impact Assessment (EIA) Report shall be conducted in accordance with the procedures and requirements specified by this Zoning Ordinance. The EIA Report should identify how the potential adverse impact will be mitigated and/or prevented.

H. Where required, a complete land development plan shall be submitted to Robeson Township for review and consideration. The applicant or operator shall be responsible for submitting a complete application to satisfy the requirements of Robeson Township and the Commonwealth of Pennsylvania. Where appropriate, Robeson Township may waive or modify certain requirements if such requirements are considered to be excessive, not warranted, and under the jurisdiction of Robeson Township.

I. Robeson Township shall have the right, but not the duty, to inspect the quarry support activities at any given time during the normal business hours of Robeson Township.

§ 730. Public Emergency Services Telecommunication Facility

A. A public emergency services telecommunication facility, as further defined under Part 2, shall be permitted by right within the R-1 Zoning District, subject to the following requirements:

1. The public emergency services telecommunication facility shall be located within five hundred feet (500’) of an existing telecommunication facility.
2. The public emergency services telecommunication facility shall comply with all Federal Communications Commission (FCC) regulations regarding interference with existing radio frequency users.

3. A land development plan addressing all land development planning requirements which are reasonably related to the proposed facility shall be submitted to Robeson Township for any proposed public emergency services telecommunication facility.

4. Documentation shall be provided, to the satisfaction of the Township Engineer, indicating that utilities and road access to the proposed site are adequate for the intended use.

5. Any requirements for a telecommunication facility, as provided in Section 726, which the Township Engineer deems applicable to the proposed public emergency services telecommunication facility, shall be satisfied.

6. Any public emergency services telecommunication facility shall comply with all of the requirements of Section 726(G) of the Zoning Ordinance.

7. The owner of the public emergency services telecommunication facility shall, if technically feasible with respect to radio frequency, structural and tower requirements (as evaluated by the owner at its cost), permit Robeson Township to collocate a local communication system at such facility. This permission for collocation shall:
   
   a. permit Robeson Township to locate an antenna on the tower structure at such facility,
   
   b. permit Robeson Township to locate a radio repeater in a structure or enclosure within the security fencing at such a facility,
   
   c. provide to Robeson Township access to emergency backup power for such repeater, and
   
   d. permit to Robeson Township, or its previously authorized agent(s), access to the public emergency services telecommunications facility for the installation, operation, and maintenance of such antenna and repeater.

   The above shall be provided without any cost for these rights being paid by Robeson Township to the owner of the tower. Robeson Township shall assume responsibility for all costs related to licensing, engineering, installing, operating, and maintaining such local communication system.

8. The public emergency services telecommunication facility shall have a height of less than two hundred feet (200’).
PART 8
SUPPLEMENTARY REGULATIONS

§ 801. Statement of Intent

A. The purpose and objective of the provisions established under Part 8 of this Zoning Ordinance is to establish specific supplementary regulations for residential and non-residential land uses.

B. The provisions contained in Part 8 of this Zoning Ordinance are intended to serve as minimum requirements to promote the public health, safety and the general welfare of the residents and property owners of Robeson Township. The regulations shall supplement and not replace the provisions established within this Zoning Ordinance. Unless otherwise specified within this Zoning Ordinance and/or where the supplementary regulations contained within this Part impose greater restrictions than those of any other statute, ordinance or regulation, the provisions established under this Part shall prevail.

§ 802. Access to Lots, Buildings, Structures and Uses

A. Every building and structure hereafter erected or moved shall be located on a lot adjacent to a public street or an approved private street. The buildings and structures shall be so located on the lots in such a manner to provide safe and convenient access for emergency vehicles and off-street parking.

B. Unless specifically stated otherwise within this Zoning Ordinance, no more than one (1) principal building, structure or use of land shall be permitted or erected on a single lot.

§ 803. Accessory Uses and Structures

A. The following provisions for accessory land uses and structures shall apply to residential uses within all zoning districts:

1. Unless otherwise specified within this Zoning Ordinance, no accessory building or structure for a residential use shall be permitted within any required front, side or rear yard. However, an accessory building or structure meeting the structural requirements of the Pennsylvania Uniform Construction Code is permitted such that the minimum required setback within the rear yard or a side lot line shall be the side yard requirement of the applicable zoning district or fifteen (15) feet, whichever is less.

2. Garages, porches, decks, terraces, patios, and similar buildings or structures, which are located within the rear yard of single family semi-detached dwellings, multi-family townhouse units and multi-family apartment units may be located along the common lot line, provided that they do not project onto another property and they are located at least five (5) feet from the rear yard.
3. Detached garages and other out buildings are permitted as residential accessory uses provided they are located in a manner to comply with the building setback lines for the zoning district in which they are located. The maximum floor area of a detached garage or other residential accessory out building shall be 1,900 square feet, which shall be located at least ten (10) feet away from the dwelling and shall not exceed a height of twenty-five (25) feet. All such detached garages and accessory buildings shall be erected, enlarged and/or demolished in accordance with the provisions established by Robeson Township.

4. No permanent residential accessory building or structure shall be constructed on any lot prior to the commencement of construction of the principal building to which it is accessory.

5. Unless otherwise permitted under Section 803.A(6) of this Zoning ordinance, prefabricated storage sheds having no dimension greater than sixteen (16) feet are permitted as an accessory building or structure on a residential lot provided that the prefabricated storage shed complies with the minimum setback requirements.

6. Prefabricated storage sheds having the anchoring necessary to meet the requirements of the Pennsylvania Uniform Construction Code, including grade beams, corner anchors, or slab on grade, and having no dimension greater than sixteen (16) feet are permitted on a residential lot, provided that they are located not closer than five (5) feet to any property line or public right-of-way line.

7. Private non-commercial in-ground or above-ground swimming pools, which are designed to contain water with a total surface area greater than one hundred (100) square feet and a depth of twenty-four (24) inches or more shall be located at least fifteen (15) feet from the rear or side property lines and shall be entirely enclosed with permanent fence not less than four (4) feet in height. The pool shall not occupy more than fifty (50) percent of the minimum side or rear yard area in which it is located.

8. Private non-commercial in-ground or above-ground hot tubs or therapeutically spas, which are designed to contain water with a total surface area less than one hundred (100) square feet and a depth of twenty-four (24) inches or more shall be located at least fifteen (15) feet from the rear or side property lines, which shall be properly secured pursuant to the manufacturers specifications.

9. Private non-commercial above-ground temporary pools, which could be inflated, erected and installed as a short-term or seasonal use and could be removed from the property at any given time shall comply with all provisions for swimming pools, as specified by Robeson Township.

10. Paved terraces, patios or porches (open or enclosed) are permitted as a residential accessory structure, provided that such terraces, patios or open
porches comply all building setback requirements specified for the residential use and zoning district to which it is located.

11. Private non-commercial tennis courts shall not be located closer than fifteen (15) feet from any property line.

12. Unless otherwise specified by this Zoning Ordinance, the height of a residential accessory structure shall not exceed twenty-five (25) feet in height.

13. The keeping of domestic farm animals within an accessory structure is permitted, provided that all activities are in compliance with the provisions established by Robeson Township and provided that the accessory structure is located in a manner to comply with the building setback lines for the zoning district in which it is located.

14. Alternative energy systems, including windmills, solar energy panels, geothermal systems, or other similar systems, shall be permitted as an accessory structure, provided they are located in a manner to comply with the building setback lines for the zoning district in which it is located.

15. Fences, walls and hedges shall comply with the provisions specified by Section 810 of this Zoning Ordinance.

B. The following provisions for accessory land uses and structures shall apply to non-residential uses within all zoning districts:

1. Storage facilities are permitted provided that such facilities are located in areas, which have direct access to a street or driveway. The outdoor storage of materials shall be screened from the view of adjacent properties.

2. Pursuant to Section 615.4 of this Zoning ordinance, living quarters for proprietors, watchmen, caretakers or similar employees may be permitted by special exception within the GC and GI Zoning Districts.

3. Restaurants, cafeterias and/or recreational facilities are permitted provided they are intended for the use of employees only, unless they are permitted as principal uses in the district in which they are constructed.

4. Unless otherwise specified within this Zoning Ordinance, all accessory buildings and structures shall be located in a manner to comply with the building setback lines for the zoning district in which they are located.

5. No permanent non-residential accessory building or structure shall be constructed on any lot prior to the commencement of construction of the principal building to which it is accessory.

6. Unless otherwise specified by this Zoning Ordinance, the height of a non-residential accessory structure shall be the thirty (30) feet in height.
7. Alternative energy systems, including windmills, solar energy panels, geothermal systems, or other similar systems, shall be permitted as accessory structures, provided they are located in a manner to comply with the building setback lines for the zoning district in which they are located.

8. Fences, walls and hedges shall comply with the provisions specified by Section 810 of this Zoning Ordinance.

§ 804. Residential Conversions

A. The Zoning Hearing Board may authorize as a special exception the conversion of any single-family detached dwelling into a dwelling for not more than two (2) families, provided that the tract or lot is located within the R-3 or VC Zoning District.

B. As part of the special exception application, the applicant shall demonstrate that the residential conversion shall comply with the following provisions:

1. The minimum lot area per family shall not be reduced to less than the minimum lot area that is required for a single family dwelling in the zoning district in which the residential conversion is located.

2. The minimum and maximum dimensional requirements for the appropriate zoning district shall not be reduced.

3. The residential uses are serviced by public sewage disposal facilities and public water supply facilities, whereas, separate utility connections are provided that comply with the provisions of Robeson Township.

4. The residential conversion shall take place within a building capable of accommodating two (2) families. The applicant shall demonstrate that the building has relatively little economic value or usefulness as a single-family detached dwelling.

5. The building can be altered and improved to comply with all building code requirements. The applicant shall provide documentation to the Zoning Hearing Board, Zoning Officer, Code Enforcement Officer and Sewage Enforcement Officer that all plumbing, heating, electrical, sanitary sewer, storm sewer and similar facilities comply with all applicable ordinances, regulations and laws of Robeson Township and/or the Commonwealth of Pennsylvania.

6. Each residential unit shall contain independent washing and bathing facilities as well as a complete kitchen with cooking facilities to accommodate the tenants.

7. At least four (4) off-street parking spaces are provided, which are designed to comply with the provisions of Part 9 of this Zoning Ordinance.
8. There shall be no external alterations of the building, unless it is required for safety, structural durability, accessibility, architectural enhancement, or as permitted by Robeson Township.

C. If the residential conversion is permitted, the Zoning Hearing Board may prescribe such further conditions with respect to the conversion and use of such building as it deems appropriate.

D. All residential conversions shall be subject to an annual inspection by the Robeson Township Zoning Officer, Code Enforcement Officer, Sewage Enforcement Officer and/or Municipal Authority.

§ 805. Home Occupation Regulations

A. For the purposes of this Zoning Ordinance, home occupations shall include the following two (2) categories:

1. Category 1 Home Occupations: 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 a residential use. A “Category 1 Home Occupation” shall be synonymous with a “No Impact Home-Based Business”, as defined by the Pennsylvania Municipalities Planning Code.

2. Category 2 Home Occupations: A business or commercial activity administered or conducted as an accessory use, which is clearly secondary to a single family residential dwelling and which involves some customer, client or patient traffic (whether vehicular or pedestrian), pickup, meeting location, delivery or removal functions to or from the premises, in excess of those normally associated with a residential use.

B. Category 1 Home Occupations shall be permitted by right in the AP, R-1, R-2, R-3, VC, GC and GI Zoning Districts, subject to the following requirements:

1. The home occupation shall be conducted within an approved residential dwelling unit, which complies with the minimum and maximum dimensional requirements of the zoning district to which the use is located.

2. The home occupation shall be conducted only within the dwelling and may not occupy more than 25 percent of the gross floor area of the residential dwelling unit.

3. The home occupation shall include only lawful uses, which shall be clearly secondary to the residential use and shall be compatible with surrounding residential uses.
4. The home occupation shall employ no employees other than family members residing in the dwelling.

5. There shall be no visual display or sale of retail goods.

6. There shall be no stockpiling, storage or inventory of products of a substantial nature.

7. There should be no outside appearance of a business use, including, but not limited to, parking, signs or lights.

8. The home occupation may not use any equipment or process, which creates noise, vibration, glare, fumes, odors, electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

9. The home occupation may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

C. Category 2 Home Occupations shall be permitted by right within the AP, R-1, GC and GI Zoning Districts, and by special exception within the R-2, R-3 and VC Zoning Districts, subject to the following requirements:

1. The home occupation shall be conducted within an approved single family detached dwelling unit, which complies with the minimum and maximum dimensional requirements of the zoning district to which the use is located.

2. The home occupation shall be conducted only within the dwelling or an approved accessory structure, which may not occupy more than 25 percent of the gross floor area of the single family detached residential unit or no more than 500 square feet of an accessory structure.

3. The home occupation shall include only lawful uses, which shall be clearly secondary to the residential use and shall be compatible with surrounding residential uses. The exterior appearance shall be maintained as a single family detached residential use.

4. The home occupation shall be limited to the family members residing within the dwelling plus two (2) additional persons to provide support services and assistance.

5. There shall be no visual display or sale of retail goods.

6. There shall be no stockpiling, storage or inventory of products of a substantial nature.
7. The home occupation may not use any equipment or process, which creates noise, vibration, glare, fumes, odors, electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

8. No manufacturing, repairing or other mechanical work shall be performed in any open area. All such activities shall be conducted in such a manner that they are not detectable or noticeable at or beyond the property line.

9. The home occupation may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

10. No more than one (1) home occupation shall be permitted per residential unit.

11. An off-street parking area shall be provided to meet the following requirements: two (2) parking spaces shall be provided for the residential use; one (1) parking space shall be provided for each employee not residing within the dwelling; and no more than two (2) parking spaces shall be provided for guests or patrons. The maximum number of off-street parking spaces shall be limited to six (6) parking spaces, which shall not include any garage spaces and shall be designed to comply with the appropriate provisions of Part 10 of this Zoning Ordinance.

12. A sign displaying the name and address of the home occupation may be permitted, subject to the following requirements: no more than one (1) such sign shall be erected on the lot; the area of the sign shall not exceed two (2) square feet in size; and the sign shall be either fixed flat on the main wall of the building or may be erected in the front yard, but not within ten (10) feet of the cartway.

§ 806. Height Exceptions

A. Unless otherwise specified within this Zoning Ordinance, the building height limitations contained within this Zoning Ordinance shall not apply to chimneys, spires, belfries, cupolas, farm buildings, silos, greenhouse ventilators, antennas (not in combination with support towers), water tanks, solar energy collectors, windmills, and other similar appurtenances, which are usually required to be placed above the roof level provided they are not intended for human occupancy.

B. The projection of the exempted structures specified within Section 806(A) may be increased to a maximum height of fifty (50) feet provided that the height of the exempted structure is not greater than the distance to any property line, as measured from the exempted structure to any property line.

C. The height exceptions specified within this section of the Zoning Ordinance shall be consistent with the provisions specified by state and federal aviation laws. Where conflicts should arise, the provisions of the state or federal aviation law shall be upheld.
§ 807. Front Yard and Lot Width Exceptions

A. When an unimproved lot is situated between two (2) improved lots with front yard dimensions less than those required for the zoning district in which the unimproved lot is located, the front yard required for the unimproved lot may be reduced to a depth equal to the average of the two (2) adjoining lots; provided, however, that this provision shall only apply in such cases where the improved lots in question are improved as of the time of the adoption of the Ordinance and the improvements are located within one hundred (100) feet of the unimproved lot. For the purpose of this section, an unimproved lot shall be the same as a vacant lot and an improved lot shall be one on which a principal building is erected.

B. Unless otherwise specified by this Zoning Ordinance, all residential and non-residential lots shall comply with the appropriate minimum lot width requirement for that use in the zoning district to which it is located, as measured at the street line, legal right-of-way line, ultimate right-of-way line (where it exists) and the building setback line. The following lot width exceptions shall be permitted:

1. Where single family residential lots are created along the bulb of a cul-de-sac street, the minimum lot width may be reduced by twenty-five (25) percent of the required lot width at the street line, provided the that the minimum lot width requirement is established at the building setback line, as measure from the street right-of-way line to a point equivalent to the front yard setback requirement, which is specified by the appropriate zoning district in which the single family detached dwelling is located. In no case shall there be more than four (4) single family lots located along the bulb of a cul-de-sac street.

2. Where single family residential lots are created along a street curve with a horizontal radius exceeding 150 feet, as measured along the street centerline, the minimum lot width may be reduced by twenty-five (25) percent of the required lot width, provided the that the minimum lot width requirement is established at the building setback line, as measure from the street right-of-way line to a point equivalent to the front yard setback requirement, which is specified by the appropriate zoning district in which the single family detached dwelling is located. The side lot lines should be established at 80 degree angles to the street line tangents or radial to the street line curves.

C. The Zoning Officer shall review and authorize all front yard and lot width exceptions in accordance with the provisions established under this section of the Zoning Ordinance.

§ 808. Flag Lots or Key Hole Lots

A. When a “flag lot”, as defined under Part 2 of this Zoning Ordinance is permitted as part of a subdivision, such “flag lot” shall be designed as follows:

1. The access strip portion of such flag lot shall be in fee simple ownership to the owner of the main portion of said flag lot and shall extend to the public street. If the flag lot cannot be further subdivided based upon lot area or other physical
limitations which, will prohibit further subdivision, the access strip shall have a minimum width of twenty (20) feet and subject to constructability of a driveway meeting all design requirements of the Robeson Township Driveway Ordinance.

2. Where the flag lot may be further subdivided, the access strip shall be a minimum width of fifty (50) feet or as necessary to permit the construction of a street with a right-of-way meeting the requirements of the Robeson Township Subdivision and Land Development Ordinance, whichever is greater.

3. All subdivision plans containing a flag lot with an access strip less than fifty (50) feet in width and a net lot area greater than two (2) times the minimum lot area for the zoning district to which the flag lot is located, shall contain a restriction prohibiting further subdivision of the flag lot.

4. For any flag lot, the minimum lot width at the street line required by the applicable zoning regulations need not be met, however, the requirement for the minimum lot width at the building setback line shall be met. In the case of a flag lot, the building setback line shall be established in the wider portion of the lot (that portion intended for use as a construction site for a building or other structure) and shall be established from the lot line toward which the building will front.

5. The lot size of the flag lot shall be calculated exclusive of the access strip.

6. No more than one (1) lot in ten (10) may be designed as a flag lot.

7. Where determined beneficial by Robeson Township, common access points that are shared by adjoining lots may be permitted.

8. All structures shall be located on the flag lot so as to provide the required setback should the access strip be used for the construction of a public street extended to serve adjoining properties.

B. Throughout this Zoning Ordinance, the term “original tract” or “parent tract” shall be interpreted as a lot separately described on a recorded deed or approved plat prior to March 18, 2003.

§ 809. Corner Lot Restrictions and Requirements

A. Clear sight triangles shall be provided at all street intersections. Within such triangles, nothing, except permitted street signs, traffic lights or signs, utility poles and mail boxes, which impedes vision between a height of two and one-half (2-1/2) feet and ten (10) feet above the center line grades of the intersecting streets shall be erected, placed, planted or allowed to grow. Such triangles shall be established as follows:

1. For intersections involving a minor street, the dimension of the clear sight triangle shall be established for a distance of seventy-five (75) feet, as measured
from the middle of the intersection or where the centerlines of the intersecting streets cross.

2. For intersections involving a collector street, the dimension of the clear sight triangle shall be established for a distance of one hundred (100) feet, as measured from the middle of the intersection or where the centerlines of the intersecting streets cross.

3. For intersections involving an arterial street, the dimension of the clear sight triangle shall be established for a distance of one hundred and fifty (150) feet, as measured from the middle of the intersection or where the centerlines of the intersecting streets cross.

B. The functional classifications of all existing streets within Robeson Township are identified within the Southern Berks Regional Comprehensive Plan.

C. No fence, wall and/or hedge shall be erected or planted within or encroaching upon the street right-of-way.

D. For all corner lots, as defined under Part 2 of this Zoning Ordinance, the minimum lot width and front yard setback requirements of the zoning district to which the corner lot is located shall be applied to each street on which the corner lot has frontage.

E. In cases in which a pre-existing lot of record is changed or converted into a corner lot, as the result of an adjacent subdivision or land development, the front yard of the pre-existing lot shall be established along the public street to which it originally had frontage as well as along the proposed or new road to which it will have frontage. All other setback requirements shall conform with the appropriate side and rear yard setback requirements for the zoning district to which the pre-existing lot is located.

§ 810. Fences, Walls and Hedges

A. Fences, walls and/or hedges may be permitted within and along the periphery of any required yard provided:

1. Unless otherwise permitted by this Zoning Ordinance, no fence, wall and/or hedge shall be erected or planted within or encroaching upon the legal or ultimate street right-of-way, floodway, utility easement or drainage easement.

2. No fence, wall and/or hedge shall be erected in any manner that obstructs a clear line of sight or vision from a driveway or street intersection.

3. Unless otherwise specified within this Zoning Ordinance, fences erected within a required front yard shall not exceed the installed height of three-rail post and rail fence (5 feet) regardless of the type of fence installed, and shall maintain a minimum one to one ratio of open areas to structural members (picket wrought iron fence and post and rail fence). A wall within the front yard shall not exceed...
four (4) feet in height above the grade plane, unless the wall is constructed as a retaining wall.

4. Unless otherwise specified by this Zoning Ordinance and with the exception of a tennis court fence, all fences and walls within the required side yard or rear yard shall not exceed a maximum height of six (6) feet on any lot.

5. Fences and walls shall be constructed so as to place structural members toward the property being enclosed by the fence, thereby presenting the best appearance towards adjacent property.

6. Fences which are erected in residential zoning districts may be comprised of the following materials: wood; split rail; wrought iron; vinyl; a combination of the aforementioned materials; or other materials, which in the discretion of the Zoning Officer are recognized as standard materials utilized for residential fencing.

7. Fences which are erected in the non-residential zoning districts or for non-residential uses may be comprised of the following materials: wood; split rail; wrought iron; vinyl; chain-link; a combination of the aforementioned materials; or other materials which in the discretion of the Zoning Officer are recognized as standard materials utilized for non-residential fencing.

8. Walls may be comprised of the following materials: decorative concrete block; brick; stone; concrete with a brick or stone veneer; or other materials which in the discretion of the Zoning Officer are recognized as suitable industry standards.

9. No razor, barb wire or glass shards shall be placed upon a fence or wall in a residential zoning district.

10. The use of razor or barb wire fencing shall only be utilized as part of a security fence for agricultural or non-residential uses within the AP, R-1, GC, GI, Q-1 and Q-2 Zoning Districts.

11. An existing fence or wall replaced in its entirety shall comply with the provisions established within this Zoning Ordinance.

12. Ordinary and normal maintenance and/or repairs of a fence or wall in any zoning district shall not require the issuance of a permit. Otherwise, a permit shall be required for any fence installation or wall construction, as specified by this Zoning Ordinance.

13. Any fence or wall, which in the judgment of the Zoning Officer is unsafe, dangerous, or a threat to the public health, safety and/or welfare shall be removed, repaired or replaced as determined necessary by the Zoning Officer at the expense of the property owner.
14. Fences or walls erected on property that is dedicated to private or public open space shall comply with the provisions established under this Zoning Ordinance.

B. The following walls and/or fences shall be exempt from the provisions established within this section of the Zoning Ordinance:

1. Fences and walls used for agricultural and recreational purposes to contain livestock, provided that they do not hinder visibility or pose a threat to the public health, safety or welfare.

2. Fences and walls of an historic nature, which are accessory to an officially designated historic structure.

3. Buried electronic fences used to control pets, provided that they do not emit radiation, which would pose a threat to the public health, safety or welfare.

B. In situations where the property line is in doubt, the Zoning Officer may require the property owner to have a professional land surveyor determine and mark the precise limits of the property line in question.

§ 811. Projections Into Yards

A. The following projections shall be permitted into required yards and shall not be considered in the determination of the lot coverage requirements:

1. A lawful building erected prior to the effective date of this Zoning Ordinance, which encroaches into the required side yard established for that district may be further extended into the rear yard, provided that the building extension is contiguous to the existing building and provided that the building extension maintains at a minimum the rear yard setback established for that zoning district.

2. A porch abutting the frontage of a building, not exceeding twenty (20) feet in height nor sixteen (16) feet in width may be extended by not more than five (5) feet into the front yard with unenclosed sides except for two (2) columns, which support a roof limited to the dimensions of the porch plus an eighteen (18) inch projection on any side for cornices, eaves or gutters.

3. A porch abutting the side of a building, not exceeding twenty (20) feet in height nor sixteen (16) feet in width may be extended by not more than five (5) feet into the side yard with unenclosed sides except for two (2) columns, which support a roof limited to the dimensions of the porch plus an eighteen (18) inch projection on any side for cornices, eaves or gutters. In such cases, the porch shall be located at least five (5) feet from the property line.

4. Porches, decks, terraces or patios located within the rear yard of single family semi-detached dwellings, multi-family townhouse units and multi-family apartment units may be located along the common lot line, provided that they do not project into the rear yard.
5. A porch, deck, terrace or patio, which does not extend above the first floor elevation of the building, may be erected into a required yard for a distance of not more than ten (10) feet. In cases where a common wall or property line are not relevant, the porch, deck, terrace or patio shall be located at least 10 feet from the property line.

6. A carport may be erected over an existing driveway provided that the carport is located in a manner to comply with all setback requirements for that zoning district.

7. A buttress, chimney, cornice, pier or pilaster of a building may project not more than two (2) feet into a required yard setback.

8. Open balconies, steps, fire escapes, bilco door units, basement door units, bay windows, eaves, window sills, and other similar architectural features or structures may project into the required yard provided that such features shall project no more than five (5) feet into any required yard. In all such cases, the projection shall not be located closer than five (5) feet to a property line.

B. In situations where the property line is in doubt, the Zoning Officer may require the property owner to have a professional land surveyor determine and mark the precise limits of the property line in question.

§ 812. Common Open Space

A. The overall intent of these provisions is to supplement and not replace the provisions identified in those zoning districts where the designation of open space is explicitly applicable and further, to identify related use regulations and performance for land to be held for recreational use and/or for conservation, preservation or enhancement of natural and cultural resources. These provisions are designed to:

1. Provide an effective means for identifying, organizing and maintaining open space.

2. Provide for necessary active and passive recreation areas to complement existing open space and recreational uses.

3. Preserve the natural and environmental resources while maintaining ecological stability by: encouraging the preservation of floodplains; limiting the development of steep slopes; protecting the quality of existing watercourses, ponds, lakes and other water bodies, including riparian buffers; encouraging the preservation of groundwater resources through the provision of open space areas for groundwater recharge; and avoiding the disruption of woodland and forest areas.
4. Encourage the preservation of existing and potential agricultural land through the identification and use of open space lands, which are suited for agricultural production, particularly prime agricultural land.

5. Preserve historic and cultural resources by: promoting the preservation of significant historical and cultural sites and structures as open space; protecting the character of historic and cultural sites and structures by encouraging the designation of surrounding land as open space; and by implementing the Southern Berks Regional Comprehensive Plan.

B. All land and water areas designated as common open space within Robeson Township shall comply with the following provisions:

1. All residential developments requiring common open space, as specified under Part 6 of this Zoning Ordinance, shall comply with the appropriate provisions established under Part 6 of this Zoning Ordinance.

2. All non-residential developments requiring common open space, as specified under Part 7 of this Zoning Ordinance, shall comply with the appropriate provisions established under Part 7 of this Zoning Ordinance.

3. Where residential or non-residential developments do not specifically require common open space, as defined under Parts 6 and 7 of this Zoning Ordinance, the residential or non-residential development shall be subject to the provisions established under this section of the Zoning Ordinance, as well as those other applicable provisions established by Robeson Township.

4. The requirements for common open space, as specified under this Zoning Ordinance, does not relieve any person, applicant or developer from the mandatory requirements for dedication of open space for recreation purposes or recreation impact fees in lieu of land dedication or any combination thereof, as permitted under the provisions of the Pennsylvania Municipalities Planning Code and as adopted by Robeson Township.

5. All areas designated as common open space shall be subject to the review and approval of Robeson Township.

C. The following uses shall be permitted within areas designated as common open space:

1. Recreation uses, subject to the provisions of Section 705 of this Zoning Ordinance.

2. Conservation uses or areas to preserve woodland and forest areas, lakes, ponds, streams, floodplains, wetlands, and other related landscape features.

3. Agricultural uses, subject to the provisions of Section 704 of this Zoning Ordinance.
4. Municipal uses, subject to the provisions of Section 727 of this Zoning Ordinance.

5. Culturally and/or historically significant uses, as determined appropriate by the Board of Supervisors.

6. All other principal and accessory uses, which are considered appropriate for a permitted residential development, as further defined and specified under the appropriate sections of Part 6 of this Zoning Ordinance.

7. All other principal and accessory uses, which are considered appropriate for a permitted non-residential development, as further defined and specified under the appropriate sections of Part 7 of this Zoning Ordinance.

8. Utility services and stormwater management facilities, which are necessary to accommodate the residential or non-residential development.

D. Unless otherwise specified by this Zoning Ordinance, the land and water areas designated as common open space shall comply with the following standards and specifications:

1. The minimum area required or the percentage of the gross area to be set aside as common open space shall meet or exceed the requirement established by this Zoning Ordinance.

2. No more than fifty (50) percent of the common open space shall be located on lands within areas that are located within the 100-year floodplain, areas delineated as wetlands and/or areas exceeding twenty (20) percent in slope.

3. No more than fifty (50) percent of the common open space shall include land areas that are burdened by or are proposed to contain utilities easements and/or stormwater management facilities, as further described by Robeson Township.

4. The common open space shall be planned and located as a contiguous accessible area within the development. Existing and/or proposed roads may bisect the areas designated as common open space, provided a cross walk at grade is safely designed to link the common open space areas. Planned linkages to other areas designated as common open space shall be considered as part of the application.

5. Significant natural features shall be incorporated into the overall schematic of the design as common open space areas whenever possible.

6. A system for pedestrian circulation throughout the development shall be provided by utilizing sidewalks and trails.

7. The total land area designated to comply with the minimum open space requirements shall be comprised of areas not less than fifty (50) feet in width and shall not contain less than one (1) contiguous acre of land. In addition, there
shall be at least one (1) designated common area that is contiguous within the development containing no less than twenty-five (25) percent of the required common open space.

E. The following provisions shall apply to the ownership and maintenance of the areas designated as common open space:

1. For all common open spaces, satisfactory written agreements approved by the Board of Supervisors shall be executed as a declaration of easements, covenants and restrictions in perpetuity for the preservation of the common open spaces, and shall be recorded with the Berks County Recorder of Deeds.

2. The applicant or developer shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained. The applicant or developer shall have the following options for ownership, management and maintenance of the common open space:

   a. Dedicate the land encompassing the common open space to a homeowners association which is comprised of all the residents of the development;

   b. Dedicate the land encompassing the common open space to Robeson Township, who shall have the option to accept or refuse the land offered for dedication; or

   c. Dedicate the land encompassing the common open space to a conservation organization, as determined appropriate by the Board of Supervisors.

3. The selected options for the ownership, management and maintenance of the land and water areas, which are designated as common open space, shall be subject to the review by the Robeson Township Solicitor and subject to the approval of the Board of Supervisors.

F. The provisions specified herein for common open space do not relieve the applicant of other requirements for open space and recreation, as specified by Robeson Township, with which the applicant shall comply.

§ 813. Landscaping

A. Where zoning district or development regulations require buffer yards, screening and/or planting strips, the applicant shall prepare and submit a landscaping plan to comply with the following provisions:

1. The landscaping plan shall show the following information: the location and arrangement of each buffer yard; the species, placement and size of all plant
material selected; the type, placement and size of all fences to be placed in such buffer yards; and the type and density of planting, which shall adequately provide the screening effect required.

2. The plant materials utilized shall be selected from the approved list, as contained within the Robeson Township Subdivision and Land Development Ordinance.

3. All plant materials shall be permanently maintained and any plant material, which does not live, shall be replaced.

4. Any portion of a site which is not utilized for buildings, accessory structures, loading or parking spaces, aisles, sidewalks and designated storage areas shall be planted with an all-season ground cover and shall be landscaped according to an overall plan.

5. All buffer yards shall be maintained and kept clean of debris, rubbish, weeds and tall grass.

6. If permitted by Robeson Township, natural berms may be provided as a buffer yard. The applicant shall demonstrate that the soil type, hydrology, topography and selected landscaping material are appropriate for the area in which the buffer yard is to be located. All such natural berms shall be properly graded to a maximum side slope ratio of 4:1. The natural berms shall be properly stabilized by the developer in accordance with the standards specified by Robeson Township.

7. As part of the application phase for a subdivision plan, land development plan or conditional use, Robeson Township shall have the right to modify or consider alternatives to any of the above specifications if the applicant can demonstrate that the existing conditions of the site exceeds all applicable requirements listed under this section of the Zoning Ordinance.

B. Unless otherwise specified by the provisions of this Zoning Ordinance, a landscaping plan shall be prepared and submitted for the following subdivision and land development plan applications:

1. All residential developments containing ten (10) or more dwelling units.

2. All non-residential developments containing more than one (1) gross acre of land.

3. Where zoning district or development regulations require buffer yards, screening and/or planting strips.

4. All residential developments requiring landscaping plans, as specified under Part 6 of this Zoning Ordinance.
5. All non-residential developments requiring landscaping plans, as specified under Part 7 of this Zoning Ordinance.

C. Where landscaping plans are required, the following provisions shall be incorporated as part of the design:

1. The landscaping plan shall show the type, size and arrangement of all species selected.

2. Conventional residential developments containing single family detached dwelling units and/or single family semi-detached dwelling units shall provide a minimum of two (2) selected canopy, flowering or evergreen tree per residential lot. The overall development shall contain at least three (3) selected canopy, flowering and/or evergreen trees per gross acre, which may be planted as either street trees, as part of the interior portion of the lot, as part of the buffer yard, or within areas designated as open space.

3. Multi-family developments containing townhouse units and/or apartment units shall provide a minimum of three (3) selected canopy, flowering or evergreen tree per residential lot or unit, which may be planted as either street trees, as part of the buffer yard, or within areas designated as open space.

4. Conservation by design developments, traditional neighborhood developments and age-qualified retirement communities shall provide a minimum of three (3) selected canopy, flowering or evergreen tree per residential lot or unit, which may be planted as either street trees, as part of the buffer yard, or within areas designated as open space.

5. Non-residential developments shall provide a minimum of three (3) selected canopy, flowering and/or evergreen trees per gross acre.

6. All selected trees shall be planted a minimum of ten (10) feet outside of the legal right-of-way of all existing and proposed streets.

7. All selected plant or tree materials shall be located so as not to interfere with the installation and maintenance of sidewalks, drainage facilities and/or utilities.

8. The strategic placement of trees throughout the development to serve as a buffer against the wind and sun is encouraged for energy conservation purposes.

9. All plant materials shall be located so as not to create a potential traffic hazard.

10. All selected trees and/or all other plant materials exceeding two (2) feet in height above average ground elevation at maturity shall not be located within the limits of the clear sight triangle, as further defined under Section 809 of this Zoning Ordinance.
11. All plant and tree materials shall be permanently maintained and any plant material, which does not survive shall be replaced.

12. As part of the application phase for a subdivision plan, land development plan or conditional use, the Board of Supervisors shall have the right to modify or consider alternatives to any of the above specifications if the applicant can demonstrate that the existing conditions of the site exceeds all applicable requirements listed under this section of the Zoning Ordinance.

13. For residential applications involving fifty (50) or more residential lots, the landscaping plan shall be prepared and certified by a professional landscape architect.

14. For non-residential applications involving more than 40,000 cumulative gross floor area, the landscaping plan shall be prepared and certified by a professional landscape architect.

D. As part of the application phase for a subdivision plan, land development plan or conditional use, Robeson Township may permit alternative trees, hedges and/or shrubs from those specified by the Robeson Township Subdivision and Land Development Ordinance provided the applicant or developer provides sufficient evidence from a landscape architect to demonstrate that the alternative tree, hedge and/or shrub will be more effective to meet the standards and specifications for buffer yards and landscaping. Species selection shall be based upon the existing physical and natural conditions of the site.

E. Any tree, plant, shrub, flower, vine or grass species, which has been classified as invasive, noxious or destructive by any local, county, state or federal agency, including the Pennsylvania Department of Agriculture, shall be specifically prohibited for use in landscaping and ground cover.

F. Any tree or shrub, which dies within eighteen (18) months of planting shall be replaced within a six (6) month time period.

§ 814. Temporary Structures and Uses

A. A temporary permit shall be issued for the authorization of temporary structures or uses necessary during construction or other special circumstances of a discontinuing nature.

B. The time period of the initial permit shall be six (6) months, which may be renewed for three (3) month time periods up to and not exceeding one (1) year from the time the original temporary permit was issued.

C. The temporary structure(s) shall be removed completely within thirty (30) days of the expiration of the permit without cost to Robeson Township.
§ 815. Outdoor Storage and Sales

A. Outdoor storage of any type shall not be permitted unless such storage conforms to the normal functions and procedures conducted on the premises. Outdoor storage of any type that is not a normal function of the property or permitted use shall be prohibited, if such storage is considered as unsightly, malodorous, hazardous to the environment and potentially detrimental to the health and safety of the adjacent property owners.

B. The materials to be stored outdoors shall be enclosed by a fence and planting screen to conceal the storage facilities from the view of adjacent properties. The fence and planting screen shall be subject to the review and approval by the Robeson Township Zoning Officer.

C. The location of the permitted materials to be stored outside as well as any required fence enclosure shall comply with the minimum setback provisions of the zoning district in which it is located.

D. Any lot, land or structure, or parts thereof, used for the collection, storage, dismantling, salvage, sale, exchange and/or recycling of used and discarded materials, including, but not limited to, waste, paper, rags, glass, containers, fabric, debris, and similar material from vehicles, equipment or machinery shall be considered as a "junk yard" or "salvage yard", which as a result of being classified of such use shall conform with the provisions of Section 720 of this Zoning Ordinance as well as Robeson Township Ordinance 84-2, which may be revised or amended.

E. The deposit or storage of two (2) or more unlicensed, non-inspected, abandoned, wrecked or disabled vehicles shall be deemed to be a "junk yard" or "salvage yard", which as a result of being classified of such use shall conform with the provisions of Section 720 of this Zoning Ordinance as well as Robeson Township Ordinance 84-2, which may be revised or amended.

F. The storing or parking of automobiles for sale shall not be located within any street right-of-way and shall be located at least ten (10) feet from all other property lines.

G. No materials or waste shall be deposited on site in such form or manner by which it can be transported off the site by natural causes or forces.

H. No exterior storage of a substance, which has the potential to contaminate groundwater or surface water, shall be permitted unless the owner provides and installs safeguards, which are satisfactory to Robeson Township and the Pennsylvania Department of Environmental Protection. All such protective safeguards shall be subject to the review and approval by the Robeson Township Zoning Officer.

I. Unless otherwise specifically approved or permitted for the non-residential use, commercial outdoor sales of merchandise shall be prohibited. Commercial outdoor sales may be permitted in accordance with Section 723 of this Zoning Ordinance for those non-residential uses whose merchandise are customarily displayed outdoors,
provided the use has been designated on an approved land development plan or occupancy permit.

§ 816. Prohibited Uses

A. No building or structure may be erected, altered or used, and no lot or premises may be used, for any activity which is continuously noxious, injurious or offensive by reason of dust, smoke, odor, fumes, noise, vibration, gas, effluent discharge, illumination or similar substances or conditions.

B. No building, structure, land, watercourses, or parts thereof within Robeson Township shall be used or occupied, erected, constructed, assembled, moved, enlarged, reconstructed or structurally altered unless in conformity with the provisions of this Zoning Ordinance.

§ 817. Exterior Lighting

A. Where exterior lighting is required to illuminate a permitted use, all such exterior lighting shall be designed to consider the following: to provide public safety and security; to protect drivers and pedestrians on nearby streets from glare; to shield neighboring properties from glare resulting from excessive light sources; to limit the height of light standards to preclude or lessen light pollution; and to promote efficient design and operation with regard to energy conservation.

B. Lighting facilities shall be required for all off-street parking areas and off-street loading areas and for all driveways providing ingress and egress thereto and for all subdivisions and/or land developments for business, commercial, retail, personal service, industrial, multi-family, recreational, institutional and public uses, and for all construction or reconstruction or improvement of any such use for which land development approval is not required. In the approval of any subdivision or land development plan, Robeson Township shall have the authority to require lighting to be incorporated for other uses or locations where in their reasonable discretion such lighting is warranted. In addition, the provisions of this section shall apply to signs, architectural lighting, and landscape lighting.

C. All proposed exterior lighting shall be located and designed in accordance with the provisions of the Robeson Township Subdivision and Land Development Ordinance.

D. Where required by Robeson Township to demonstrate compliance with the zoning and land use provisions of Robeson Township, a lighting plan shall be prepared and submitted to Robeson Township for consideration.

§ 818. Swimming Pools and Therapeutic Spas

A. Private non-commercial swimming pools, which are designed to contain a water depth of twenty-four (24) inches or more, that are utilized for the purpose of swimming and bathing shall comply with the following standards and specifications:
1. The pool shall not occupy more than fifty (50) percent of the side yard area or rear yard area in which it is located.

2. The pool, filters, pumps and other mechanical or structural equipment shall only be permitted within the side yard or rear yard of a lot, and shall have a minimum setback of fifteen (15) feet from all property lines.

3. Any flood lighting or other illumination used in conjunction with the pool shall be shielded and directed away from adjacent property owners.

4. The pool shall be completely enclosed by a permitted fence, barrier or wall in accordance with the provisions established by Robeson Township.

5. The pool shall be used or intended to be used in connection with a single family residence and available only to the family of the householder and their private guests.

6. The pool shall be located, designed, constructed and installed in accordance with the Uniform Construction Code or other applicable codes adopted by Robeson Township.

B. Public, community or commercial swimming pools, which are designed to contain a water depth of twenty-four (24) inches or more shall comply with the provisions of Section 805 (Recreational Uses) of this Zoning Ordinance.

C. Therapeutic spas or hot tubs, which are designed to contain a water depth of twenty-four (24) inches or more shall comply with the following standards and specifications:

1. The therapeutic spa or hot tub, including the filters, pumps and other mechanical or structural equipment shall only be permitted within the side yard or rear yard of a lot, and shall have a minimum setback of fifteen (15) feet from all property lines.

2. Any flood lighting or other illumination used in conjunction with the pool shall be shielded and directed away from adjacent property owners.

3. The therapeutic spa or hot tub shall be completely enclosed by a cover in accordance with the manufacturers specifications and provisions established by Robeson Township.

4. The therapeutic spa or hot tub shall be used in connection with a permitted residential use and shall be available only to the family of the householder and their private guests.

D. In addition to these provisions, the requirements for permits, construction, plumbing, sanitation, inspection, operation and maintenance, which are further regulated under other codes adopted by Robeson Township should also be followed.
PART 9
OFF-STREET LOADING AND PARKING

§ 901. Statement of Intent

A. The purpose and objective of the provisions established under Part 9 of this Zoning Ordinance is to establish specific regulations pertaining to off-street loading, parking and access management.

B. The provisions contained in Part 9 of this Zoning Ordinance are intended to serve as minimum requirements to promote the public health, safety and the general welfare of the residents and property owners of Robeson Township. The regulations shall supplement and not replace other land use provisions established within this Zoning Ordinance. Where these regulations impose greater restrictions than those of any other statute, ordinance or regulation, the provisions established under this Part of the Zoning Ordinance shall be upheld.

§ 902. General Provisions for Off-Street Loading and Off-Street Parking

A. Off-street loading and parking spaces shall be provided and maintained in accordance with the provisions of this Zoning Ordinance, whereas, the number, type, size, orientation and location of the off-street loading and parking spaces shall be satisfactorily designed to accommodate the use.

B. The provisions for off-street loading shall apply to non-residential uses when a new non-residential use is established, changed or modified and/or when a building is constructed, enlarged or altered to accommodate the non-residential use. Unless otherwise specified by this Zoning Ordinance, the off-street loading spaces shall comply with the design standards specified under Section 903 of this Zoning Ordinance.

C. The provisions for off-street parking shall apply to residential and non-residential uses when a new use is established, changed or modified and/or when a building is constructed, enlarged or altered to accommodate the use. Unless otherwise specified by this Zoning Ordinance, the off-street parking spaces shall comply with the design standards specified under Section 904 of this Zoning Ordinance.

D. Where the lot area cannot accommodate the required number of off-street loading spaces or off-street parking spaces for the intended use, either the minimum lot area shall be enlarged or the intensity of the use shall be reduced.

E. Where an existing building or use pre-exists the effective date of this Zoning Ordinance, the provisions for off-street loading and off-street parking, as specified within this Part shall not specifically apply, unless the building or use is enlarged or altered in a manner that increases the demand for off-street loading or off-street parking.
F. Where an existing building or use is enlarged by floor area, number of employees, number of residential units, seating capacity, bed spaces, service bays, or other provisions specified by this Zoning Ordinance, the required number of off-street loading spaces and/or off-street parking spaces shall be proportionately or incrementally increased based upon the enlargement of the building or use.

G. Where the computations for off-street loading spaces or off-street parking spaces results in a fractional number greater than ¼ or 0.25, the fractional number shall be rounded up to the next whole number. The Robeson Township Zoning Officer shall determine or verify the number of off-street loading and parking spaces that are required for a specific use.

H. No off-street loading space or off-street parking space shall be utilized for any other use that interferes with its purpose, availability or function.

I. All designated off-street loading spaces or off-street parking spaces shall be continued and maintained so long as the use in which the spaces were originally designed for are still in operation or existence. Unless otherwise approved by Robeson Township, the designated off-street loading spaces or off-street parking spaces shall not be reduced in size or modified in any manner.

J. Common or joint off-street parking spaces may be permitted for residential or non-residential uses, subject to the following provisions:

1. The total number of off-street parking spaces required for each permitted use shall be accounted for in the cumulative total for the common or joint off-street parking area.

2. The residential or non-residential uses shall share common characteristics and will not have any adverse conflicts. As part of this requirement, the applicant or developer shall demonstrate that the uses will not generate additional off-street parking demands from employees and patrons during peak hours of operation.

3. The common or joint off-street parking spaces shall be located within 400 feet of the principal use(s).

4. The individual property owners and/or tenants for each use shall secure a written agreement with the owner(s) of the property in which the common or joint off-street parking facilities are located. The agreement shall clearly define the specific areas, conditions for use, maintenance, fees, and other terms that may be required by the Robeson Township Solicitor.

K. Common or joint off-street loading spaces shall not be permitted. Each use requiring an off-street loading space shall designate an area meeting the requirements for off-street loading, as specified under Section 903 of this Zoning Ordinance.

L. No tractor trailer truck, or trailer from a tractor trailer truck, shall be stored for more than forty-eight (48) hours within the AP, R-1, R-2, R-3 and VC Zoning Districts,
unless it is stored within a completely enclosed building or is located at least one hundred (100) feet from the property line.

M. No commercial vehicle or part thereof having a gross weight of more than 20,000 pounds or in excess of twenty (20) feet in length shall be stored on a parcel of land within the R-1, R-2 and R-3 Zoning Districts for more than forty-eight (48) hours within any seven (7) consecutive day period, unless it is stored within a completely enclosed building or is located at least one hundred (100) feet from the property line.

N. Major recreational equipment, including but not limited to boats and boat trailers, travel trailers, pick-up campers or coaches, motorized dwellings, tent trailers or similar equipment, shall only be parked or stored in accordance with the provisions of Robeson Township and/or the Pennsylvania Department of Transportation. All such major recreation equipment may be parked or stored on an approved lot, provided it is located as follows: within a carport; within an enclosed building; within the side or rear of a lot, but no closer than twenty (20) feet to a property line; or on an non-residential lot, which has been previously approved for storing major recreational equipment.

O. Unless otherwise permitted as part of the normal functions of a commercial campground or similar use, no major recreational equipment shall be utilized for living, sleeping, housekeeping or similar activities, when parked or stored on any lot within Robeson Township.

P. The deposit or storage of two (2) or more unlicensed, non-inspected, abandoned, wrecked or disabled vehicles shall not be permitted on any lot within Robeson Township for a period of time exceeding forty-eight (48) hours unless it is part of a permitted automobile repair establishment, junkyard or similar use determined appropriate by the Zoning Officer. The storage of unlicensed, non-inspected, abandoned, wrecked or disabled vehicles on any lot, parcel of land or public streets shall be subject to the appropriate provisions established by Robeson Township.

§ 903. Off-Street Loading Areas

A. Where required to accommodate a residential or non-residential use, paved off-street loading and unloading space(s) shall be provided with proper access from a public street, common driveway or alley. All such areas for the loading and unloading of vehicles, and for the servicing of establishments or shops by refuse collection, fuel and other service vehicles, shall be of such size, design and arrangement that they may be used without blocking or otherwise interfering with the use of automobile accessways, parking facilities or pedestrian ways.

B. All loading areas and access drives shall be paved to accommodate the type of vehicles entering and exiting the site. The paving composition shall comply with the provisions established by Robeson Township.

C. The loading areas shall not be located within required front yards and shall not be located within ten (10) feet of any side or rear lot line. All such spaces shall have...
dimensions not less than twelve (12) feet by thirty-two (32) feet with a clearance of not less than twelve (12) feet in height.

D. The total number of off-street loading spaces shall be determined by the requirements specified on Matrix Chart 10. The required off-street loading spaces shall be located exclusive of any public right-of-way or required parking area.

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Gross Floor Area or Units</th>
<th>Required Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential developments containing townhouse or apartment units</td>
<td>Less than 100 residential units (1)</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>100 to 300 residential units (2)</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>More than 300 residential units (2)</td>
<td>3</td>
</tr>
<tr>
<td>Office Buildings, Banks and Financial Institutions</td>
<td>Less than 10,000 square feet (1)</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>10,000 to 20,000 square feet (2)</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Over 20,000 square feet (2)</td>
<td>3</td>
</tr>
<tr>
<td>Retail Sales, Professional Service Establishments, Restaurants, Shopping Centers, Mini-Malls and other Commercial Uses</td>
<td>Less than 5,000 square feet (1)</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>5,000 to 25,000 square feet (2)</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>25,000 to 50,000 square feet (2)</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Over 50,000 square feet (2)</td>
<td>4</td>
</tr>
<tr>
<td>Institutional and Recreational Uses</td>
<td>Less than 20,000 square feet (1)</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>20,000 to 50,000 square feet (2)</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Over 50,000 square feet (2)</td>
<td>3</td>
</tr>
<tr>
<td>Manufacturing, Mini-Warehousing, Self-Storage Units, Warehousing, Wholesaling Establishments and other Industrial Uses</td>
<td>Less than 10,000 square feet (1)</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>10,000 to 50,000 square feet (2)</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>50,000 to 100,000 square feet (2)</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Over 100,000 square feet (2)</td>
<td>4</td>
</tr>
</tbody>
</table>

(1) Denotes that the off-street loading requirement may be reduced or eliminated if the applicant or developer provides documentation to Robeson Township that the use will not need or utilize the off-street loading space.

(2) Denotes that the off-street loading requirement may be reduced or increased by Robeson Township depending upon the needs and intensity of the use.

E. Where Matrix Chart 10, as specified under Section 903(D) of this Zoning Ordinance, does not specify a requirement for the land use activity, or the site conditions do not warrant the specified requirement contained within the table, the Robeson Township Board of Supervisors may consider and require an alternative provision.
§ 904. Off-Street Parking Areas

A. Off-street parking facilities shall be provided whenever: a building is constructed or new use established; the use of an existing building is changed to a use requiring more parking facilities; an existing building is altered so as to increase the amount of parking spaces required; and/or a residential or non-residential use requires off-street parking as specified by the provisions of this Zoning Ordinance.

B. Each parking space shall have a minimum area of one hundred and eighty (180) square feet with the minimum dimensions of nine (9) feet by eighteen (18) feet. In addition, appropriate driveways, aisles and maneuvering space shall be provided to permit safe and convenient access to and use of the area provided for parking purposes.

C. Off-street parking spaces for residential uses shall be located on the same lot as the use served. Off-street parking spaces for other uses shall be provided for on the same lot as the use being served, or in parking facilities within 400 feet of the principal uses, except in the case of a shopping center or similar grouping of buildings on a lot, in which case all parking areas shall be provided entirely within the lot lines of the property.

D. All parking spaces designated for single-family residential units shall be located behind the street right-of-way line.

E. Joint parking facilities for two (2) or more uses may be established, provided that the number of spaces provided is not less than the sum of the spaces required for each individual use.

F. All parking spaces and means of access, other than those relating to a single-family or two-family dwelling, shall be adequately illuminated during night hours of use. The illumination must be designed and located so that the light sources are shielded from adjoining residences and public and private streets. The illumination shall not be of excessive brightness and shall not produce a glare noxious at or beyond the boundaries of the parking area.

G. All off-street parking areas and access drives, other than those relating to a single-family or two-family dwelling, shall be paved and contain marked parking spaces. The off-street parking areas shall be properly graded to provide convenient vehicular access and proper drainage and shall be maintained in usable condition. The minimum grade of areas used for parking shall be at least one (1) percent and the maximum grade shall not exceed five (5) percent. The maximum grade of access drives shall not exceed ten (10) percent. Surface water shall not be concentrated onto public sidewalks and other premises.

H. The areas designated to comply with the provisions for off-street parking shall not be used for the sale, dead-storage, repair, dismantling or servicing of vehicles.

I. Off-street parking facilities existing at the effective date of this Zoning Ordinance shall not be subsequently reduced to an amount less than that required under this Zoning Ordinance for a similar new building or use.
J. The width of aisles within the off-street parking areas shall comply with the following minimum requirements:

1. Where the angles of the parking spaces are at 90 degrees angles, the width of the aisle shall be 24 feet in width and may accommodate two (2) way travel.

2. Where the angles of the parking spaces are at 60 degrees angles, the width of the aisle shall be 18 feet in width and shall be restricted to one (1) way travel.

3. Where the angles of the parking spaces are at 45 degrees angles, the width of the aisle shall be 16 feet in width and shall be restricted to one (1) way travel.

4. Where the angles of the parking spaces are at 30 degrees angles, the width of the aisle shall be 14 feet in width and shall be restricted to one (1) way travel.

5. Unless otherwise permitted by the Planning Commission, the parking spaces shall not be designed with angles of less than 30 degree.

K. In all cases and regardless of the permitted angle of parking, the minimum dimensions of a parking space shall be measured nine (9) feet in width by eighteen (18) feet in depth, which shall not interfere or encroach upon the required aisles or lanes providing vehicular or pedestrian access within the off-street parking area.

L. Where parking requirements are determined by the number of seats and no permanent seats are provided, the number of parking spaces to be provided shall be based upon the capacity for temporary seats in normal usage.

M. The parking areas shall be arranged and marked to provide safe and orderly movement without disrupting traffic or moving other vehicles. The design of off-street parking areas for all uses shall be such to prevent the back up of vehicles on a public street. Parking areas shall be arranged so that no portion of any vehicle parked within a designated parking space can extend over any property line of the lot on which it is parked.

N. Parking areas for non-residential uses, which are designed to contain more than five (5) vehicles shall be screened from the view of persons on adjacent land areas zoned as AP, R-1, R-2 and R-3 Zoning Districts. The screening shall be comprised of a fence, wall and/or landscaping materials of at least four (4) feet in height, which shall be designed to obstruct headlight glare of the parked cars.

O. Parking areas and access drives for non-residential uses shall be located a minimum of fifteen (15) feet from a lot line and street right-of-way line. The area between the parking area and the lot line or street right-of-way line shall be landscaped in accordance with the standards specified under Section 813 of this Zoning Ordinance.

P. Parking areas and access drives for multi-family residential development shall be located a minimum of twenty (20) feet from an exterior property line and street right-of-way line.
shall be landscaped in accordance with the standards specified under this Zoning Ordinance.

Q. Unless otherwise specified, the off-street parking areas and access drives for all other residential uses shall be located to comply with the following minimum setback requirements from any property line: five (5) feet for single-family detached units; zero (0) feet for the common property line for single family semi-detached units and five (5) feet for all other property lines; zero (0) feet for the internal common off-street parking area of multi-family units within the development and twenty (20) feet from all exterior property lines and existing street right-of-way lines.

R. The number of off-street parking spaces to be provided for each use shall be sufficient to accommodate all occupants, employees, visitors and customer parking. The off-street parking spaces required shall be further specified by Matrix Chart 11 and shall be located exclusive of any public right-of-way or other specified use.

<table>
<thead>
<tr>
<th>Use</th>
<th>Land Use Category</th>
<th>Off-Street Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
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<td></td>
</tr>
<tr>
<td>Single Family Detached Units</td>
<td>4 parking spaces per unit</td>
<td></td>
</tr>
<tr>
<td>Single Family Semi-Detached Units</td>
<td>3 parking spaces per unit</td>
<td></td>
</tr>
<tr>
<td>Two-Family Detached Unit</td>
<td>3 parking spaces per unit</td>
<td></td>
</tr>
<tr>
<td>Multi-Family Townhouse Unit Development</td>
<td>2 parking spaces per unit plus 0.5 spaces per unit for overflow parking within the development</td>
<td></td>
</tr>
<tr>
<td>Multi-Family Apartment Unit Development</td>
<td>2 parking spaces per unit plus 0.5 spaces per unit for overflow parking within the development</td>
<td></td>
</tr>
<tr>
<td>Conservation by Design Developments</td>
<td>4 parking spaces per residential lot or unit</td>
<td></td>
</tr>
<tr>
<td>Traditional Neighborhood Developments</td>
<td>4 parking spaces per residential lot or unit</td>
<td></td>
</tr>
<tr>
<td>Group Homes</td>
<td>1 parking space per employee plus 1 space per 2 beds within the group home</td>
<td></td>
</tr>
<tr>
<td>Convalescent and Nursing Homes</td>
<td>1 parking space for each employee plus 1 space for each 3 beds</td>
<td></td>
</tr>
<tr>
<td>Age Qualified Retirement Communities</td>
<td>1 parking spaces per unit plus 0.5 spaces per unit for overflow parking within the development</td>
<td></td>
</tr>
<tr>
<td>Mobile Home Parks</td>
<td>2 parking spaces per unit plus 0.5 spaces per unit for overflow parking within the development</td>
<td></td>
</tr>
<tr>
<td>Other Residential Uses</td>
<td>As determined appropriate by the Zoning Officer and Planning Commission</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Land Use Category</td>
<td>Off-Street Parking Requirement</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>--------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail Business Establishment</td>
<td>Commercial</td>
<td>1 parking space per 200 square feet of gross floor area plus 1 space per employee</td>
</tr>
<tr>
<td>Business and Professional Office</td>
<td>Commercial</td>
<td>1 parking space per 250 square feet of gross floor area plus 1 space per employee</td>
</tr>
<tr>
<td>Personal Care or Service Establishment</td>
<td>Personal Care or Service Establishment</td>
<td>1 parking space per 250 square feet of gross floor area plus 1 space per employee</td>
</tr>
<tr>
<td>Medical, Dental and Paramedical Office</td>
<td>Medical, Dental and Paramedical Office</td>
<td>6 parking spaces per practitioner engaged with the principal services plus 1 space per employee</td>
</tr>
<tr>
<td>Banks and Financial Institutions</td>
<td>Commercial</td>
<td>1 parking space per 200 square feet of gross floor area plus 1 space per employee</td>
</tr>
<tr>
<td>Funeral Homes</td>
<td>Commercial</td>
<td>1 parking space per 50 square feet of gross floor area plus 1 space per employee</td>
</tr>
<tr>
<td>Convenience Store or Mini-Market</td>
<td>Commercial</td>
<td>1 parking space per 150 square feet of gross floor area plus 1 space per employee</td>
</tr>
<tr>
<td>Home Day Care Facility</td>
<td>Commercial</td>
<td>4 parking spaces for the residential use plus 1 space for loading/unloading</td>
</tr>
<tr>
<td>Commercial Day Care Center</td>
<td>Commercial</td>
<td>1 parking space per 6 occupants plus 2 spaces for loading/unloading plus 1 per employee</td>
</tr>
<tr>
<td>Restaurants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Club, Lodge, Taverns, Taprooms and Night Clubs</td>
<td>Club, Lodge, Taverns, Taprooms and Night Clubs</td>
<td>1 parking space per 100 square feet of gross floor area plus 1 space per employee</td>
</tr>
<tr>
<td>Hotel or Motels</td>
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<td></td>
</tr>
<tr>
<td>Mini-Malls</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shopping Centers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Hospital or Animal Clinic</td>
<td>Veterinary Hospital or Animal Clinic</td>
<td>4 parking spaces per practitioner engaged with the principal services plus 1 space per employee</td>
</tr>
<tr>
<td>Theater or Family Entertainment Complex</td>
<td>Theater or Family Entertainment Complex</td>
<td>1 parking space per 3 seats plus 1 space per 200 gross square feet of accessory or subordinate retail space plus 1 space per employee</td>
</tr>
<tr>
<td>Equipment Rental Business</td>
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<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Use</th>
<th>Land Use Category</th>
<th>Off-Street Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile Service Stations</td>
<td></td>
<td>1 parking space per 250 square feet of office/retail space plus 2 spaces per service bay plus 1 space per employee</td>
</tr>
<tr>
<td>Automobile Sales</td>
<td></td>
<td>1 parking space per 500 square feet of office/retail space plus 1 space per vehicle plus 1 space per employee</td>
</tr>
<tr>
<td>Adult Business and Entertainment Use</td>
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<td>1 parking space per 100 square feet of gross floor area plus 1 space per employee</td>
</tr>
<tr>
<td>Commercial Campground</td>
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<td>1 parking space per 250 square feet of office/retail space plus 1 space per campsite plus 1 space per employee</td>
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<tr>
<td>Wagering or Gambling Establishment</td>
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<td>1 parking space per 100 square feet of gross floor area plus 1 space per employee</td>
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<tr>
<td>Kennels</td>
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<td>1 parking space per 10 animals kept or housed plus 1 space per employee</td>
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<tr>
<td>Other Commercial Uses</td>
<td></td>
<td>As determined appropriate by the Zoning Officer and Planning Commission</td>
</tr>
<tr>
<td>Manufacturing</td>
<td></td>
<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
</tr>
<tr>
<td>Wholesaling and Warehousing</td>
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<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
</tr>
<tr>
<td>Fabrication and Finishing</td>
<td></td>
<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
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<tr>
<td>Quarrying and Mining</td>
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<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
</tr>
<tr>
<td>Solid Waste Disposal and Reduction</td>
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<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
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<tr>
<td>Junk Yards and Salvage Yards</td>
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<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
</tr>
<tr>
<td>Trucking or Motor Freight Terminals</td>
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<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
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<tr>
<td>Other Industrial Uses</td>
<td></td>
<td>As determine appropriate by the Zoning Officer and Planning Commission</td>
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<tr>
<td>Agricultural</td>
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<td>As determine appropriate by the Zoning Officer</td>
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<tr>
<td>General Agricultural Uses</td>
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<tr>
<td>Use</td>
<td>Land Use Category</td>
<td>Off-Street Parking Requirement</td>
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<tr>
<td>-----------------------------------------------</td>
<td>-------------------</td>
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<tr>
<td>Intensive Agricultural Uses</td>
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<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
</tr>
<tr>
<td>Commercial Composting</td>
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<td>1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site</td>
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<tr>
<td>Other Agricultural Uses</td>
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<td>As determine appropriate by the Zoning Officer</td>
</tr>
<tr>
<td>Recreational</td>
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<td></td>
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<tr>
<td>Bowling Alleys</td>
<td></td>
<td>4 parking spaces per bowling alley plus 1 space per employee on the maximum shift plus accessory uses</td>
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<tr>
<td>Golf Courses, Driving Ranges and Miniature Golf Courses</td>
<td></td>
<td>4 parking spaces per tee plus 1 space per employee on the maximum shift plus accessory uses</td>
</tr>
<tr>
<td>Public or Commercial Swimming Pools</td>
<td></td>
<td>1 parking space per 4 persons of total membership capacity plus 1 space per employee</td>
</tr>
<tr>
<td>Community Recreation Center</td>
<td></td>
<td>1 parking space per 3 seats (auditorium) plus 1 space per 500 square feet (non-auditorium) plus 1 space per employee on the maximum shift plus accessory uses</td>
</tr>
<tr>
<td>Health and Fitness Club</td>
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<td>1 parking space per 250 square feet of gross floor area plus 1 space per employee on the maximum shift</td>
</tr>
<tr>
<td>Other Recreational Use</td>
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<tr>
<td>Institutional</td>
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<tr>
<td>Auditorium, Conference Center, and Public Meeting/Assemblage Facilities</td>
<td></td>
<td>1 parking space per 3 seats, which may be available on chairs, seats, pews, benches or bleachers</td>
</tr>
<tr>
<td>Education Use: Nursery School through the 9th Grade.</td>
<td></td>
<td>1 parking space per 10 students plus 1 space per employee plus auditorium requirements</td>
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<tr>
<td>Education Use: 10th through 12th Grade; Vocational; or Higher Learning Facility</td>
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<td>1 parking space per 4 students plus 1 space per employee plus auditorium requirements</td>
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<tr>
<td>Hospital and Medical Centers</td>
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<td>1 parking space per 3 beds plus 1 space per employee and visiting medical staff on the maximum shift</td>
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<tr>
<td>Assisted Living Care Facilities, Nursing Homes and Convalescent Homes</td>
<td></td>
<td>1 parking space per 4 beds plus 1 space per employee and visiting medical staff on the maximum shift</td>
</tr>
<tr>
<td>Churches and Religious Facilities</td>
<td></td>
<td>1 parking space per 3 seats, which may be available on chairs, seats, pews, benches or bleachers</td>
</tr>
</tbody>
</table>
CATEGORICAL OFF-STREET PARKING REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 11)

<table>
<thead>
<tr>
<th>Use</th>
<th>Land Use Category</th>
<th>Off-Street Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility, Governmental or Municipal Uses</td>
<td>As determined appropriate by the Zoning Officer</td>
<td></td>
</tr>
<tr>
<td>Other Institutional Uses</td>
<td>As determined appropriate by the Zoning Officer and Planning Commission</td>
<td></td>
</tr>
</tbody>
</table>

S. Where Matrix Chart 11 as specified under Section 904(R) of this Zoning Ordinance, does not specify a requirement for the land use activity, or the site conditions do not warrant the specified requirement list within the table, the Zoning Officer in conjunction with the Planning Commission may consider and require an alternative requirement.

T. As part of a land development plan, Robeson Township may permit a reduction in the total number of off-street parking spaces subject to the following criteria:

1. A reduction of up to ten (10) percent of the required total spaces may be permitted provided that the applicant provides documentation to support that the use does not warrant the spaces required by the Zoning Ordinance.

2. A reduction of up to thirty (30) percent of the required total spaces may be permitted provided that the applicant designs a reserved off-street parking area meeting the following requirements: the area must be on the same lot as the principal use; the area must have an equivalent capacity to accommodate the number of reduced paved parking spaces; the area must be maintained in mud-free conditions; the area shall be paved if the demand for parking increases; and the stormwater management facilities shall be designed considering paved conditions.

U. In addition the required off-street parking spaces specified under Section 904(R), handicapped parking spaces shall be located, designed and constructed in accordance with the standards and provisions of all local, state and federal laws. Unless otherwise permitted by Robeson Township, the total number of handicapped parking spaces shall be determined by Matrix Chart 12 and shall be located exclusive of any public right-of-way or other specified use:
<table>
<thead>
<tr>
<th>Off-Street Parking Spaces Required</th>
<th>Total Number of Handicapped Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5 off-street parking spaces</td>
<td>As required by local, state or federal laws</td>
</tr>
<tr>
<td>5 to 25 off-street parking spaces</td>
<td>1 additional handicapped space</td>
</tr>
<tr>
<td>26 to 50 off-street parking spaces</td>
<td>2 additional handicapped spaces</td>
</tr>
<tr>
<td>51 to 75 off-street parking spaces</td>
<td>3 additional handicapped spaces</td>
</tr>
<tr>
<td>76 to 100 off-street parking spaces</td>
<td>4 additional handicapped spaces</td>
</tr>
<tr>
<td>101 to 125 off-street parking spaces</td>
<td>5 additional handicapped spaces</td>
</tr>
<tr>
<td>126 to 150 off-street parking spaces</td>
<td>6 additional handicapped spaces</td>
</tr>
<tr>
<td>151 to 200 off-street parking spaces</td>
<td>7 additional handicapped spaces</td>
</tr>
<tr>
<td>201 to 300 off-street parking spaces</td>
<td>8 additional handicapped spaces</td>
</tr>
<tr>
<td>301 to 400 off-street parking spaces</td>
<td>9 additional handicapped spaces</td>
</tr>
<tr>
<td>401 to 500 off-street parking spaces</td>
<td>10 additional handicapped spaces</td>
</tr>
<tr>
<td>501 to 1,000 off-street parking spaces</td>
<td>2 percent of the total number of off-street parking spaces</td>
</tr>
<tr>
<td>1,000 or more off-street parking spaces</td>
<td>20 handicapped parking spaces plus 1 percent of the total number of off-street parking spaces</td>
</tr>
</tbody>
</table>

V. In addition to the requirements of Matrix Chart 12, as specified under Section 904(U), the required handicapped spaces shall be designed in accordance with the following specifications:

1. Handicapped parking spaces shall be located within a safe and convenient area, which would result in the shortest reasonable distance from the handicapped parking space to the building or intended use as well as other provisions, such as, elevators, ramps, walkways and entrances.

2. Above-grade signs and suitable pavement markings shall be provided at each required handicapped parking space. The sign and pavement markings shall be subject to the approval of the Zoning Officer.

3. Where a curb exists between a parking lot surface and a sidewalk surface, an inclined curb approach or a curb cut shall be provided to accommodate handicapped individuals, as specified by all locals, state and federal laws. If a curb ramp is located where pedestrians must walk across the ramp, then the
ramp shall be designed with flared sides, as specified by the Robeson Township Engineer or Zoning Officer.

4. All handicap parking shall comply with the provisions of the Americans with Disabilities Act. When there is a conflict between the parking requirements listed under this Section of the Zoning Ordinance and those of the Americans with Disabilities Act, then the most stringent requirement shall govern.

W. Off street parking areas shall be suitably designed to control stormwater and minimize erosion. The minimum grade of areas used for parking shall be at least one (1) percent and the maximum grade shall not exceed five (5) percent. The maximum grade of access drives shall not exceed ten (10) percent. The surface water shall be directed to stormwater management facilities, which are designed in accordance with the provisions of Robeson Township.

X. Off-street parking areas shall be suitably landscaped in order to enhance or buffer the surrounding area. The following landscaping requirements shall be provided for all off-street parking areas containing ten (10) off-street parking spaces:

1. A landscaping plan shall be prepared and submitted with the subdivision plan or land development plan. The landscaping plan shall meet the criteria specified under Section 813 of this Zoning Ordinance.

2. Raised planter islands shall be placed at each end of a row of parking spaces, which begins or terminates at an internal circulation drive, and within each row of parking spaces. The raised planter islands shall be placed so that there are not more than 15 off-street parking spaces in a continuous row without an intervening landscaped planter island. Raised continuous concrete curbing shall be required around each planting island. Each such island shall be at least 180 square feet in size and planted with suitable landscaping materials.

3. The perimeter of the off-street parking area shall be suitably landscaped to provide a visual buffer or to enhance the aesthetics of the area adjacent to the off-street parking area. The landscaping materials shall be selected from the list contained within the Robeson Township Subdivision and Land Development Ordinance.

4. Parking areas required to accommodate non-residential uses shall be screened from the view of residential uses located with the AP, R-1, R-2 and R-3 Zoning Districts. The screening shall be comprised of a fence, wall and/or landscaping materials of at least four (4) feet in height, which shall be designed to obstruct headlight glare and screen the view of the parked cars.

5. Where possible, the use of existing trees shall be incorporated into the design of the off-street parking area or to establish a buffer yard.
§ 905. Driveways, Access Lanes, Fire Lanes and Fire Apparatus Access Roads

A. Driveways or access lanes shall be required to permit accessibility between a public or private street and the existing or proposed use on the lot to which it provides service. Unless otherwise specified by this Zoning Ordinance, the driveway or access lane shall be designed in accordance with the following provisions:

1. All driveways shall be located, designed and constructed in accordance with the Robeson Township Driveway Ordinance.

2. No driveways or access lanes shall be located, designed and constructed so as to create a drainage or sedimentation problem on an adjacent property or street.

3. All driveways or access lanes shall be so constructed and maintained with materials, which will not wash nor be deposited upon public roads.

4. All driveways serving residential or non-residential uses shall be located, designed, constructed and maintained in accordance with the provisions specified by Robeson Township.

5. All driveways and access lanes shall be designed with a leveling area with a maximum grade of five (5) percent, as measured twenty-five (25) feet from the edge of the cartway.

6. All driveways and access lanes shall be located, designed and constructed as to provide optimum sight distance and visibility at the intersection with the existing or proposed street.

7. A permit issued by Robeson Township shall be required for all proposed driveways entering onto a road, which is currently owned by Robeson Township or proposed to be owned by Robeson Township.

8. A permit issued by the Pennsylvania Department of Transportation, shall be required for all proposed driveways entering onto a road, which is currently owned by the state or proposed to be owned by the Commonwealth of Pennsylvania.

B. Where required by Robeson Township, a fire lane shall be located, designed and constructed in accordance with those provisions specified by Robeson Township.

C. Where required by Robeson Township, a fire apparatus access road shall be located, designed and constructed in accordance with the provisions specified by Robeson Township.
§ 906. Highway Frontage Development and Access Management Requirements

A. Subdivision and land development activity along the frontage of collector streets and arterial streets shall comply with the following provisions:

1. All areas for off-street parking, off-street loading and unloading, and the storage or movement of motor vehicles shall be physically separated from the public street or highway by a raised curb, planting strip or other suitable barrier against unchanneled motor vehicle entrance or exit, except for the necessary accessways or access roads, which supply ingress and egress from such parking, loading or storage area.

2. Each use with less than 150 feet of frontage along a public street shall have not more than one (1) point of ingress and egress to each such street. No use with 150 feet or more frontage along a public street shall have more than two (2) points of ingress and egress to any one (1) street for each 300 feet of frontage. Where feasible, movement into and out of parking areas shall avoid direct access to or from an arterial street or major collector.

3. Unless otherwise permitted by Robeson Township or the Pennsylvania Department of Transportation, where there is more than one (1) driveway to an off-street parking facility, consideration should be given to limit the driveways to one (1) way travel either as a point of ingress or a point of egress to the off-street parking facility. The width of such entrances and exits, as measured at the right-of-way line, shall conform to the following schedule:
   a. For one (1) way travel providing a point of ingress or egress, the minimum width shall be 12 feet and the maximum width shall be 24 feet.
   b. For two (2) way travel providing a point of ingress and egress, the minimum width shall be 24 feet and the maximum width shall be 36 feet.

4. Unless otherwise required by Robeson Township or the Pennsylvania Department of Transportation, the radius of the edge or the driveway apron shall be designed at a minimum radius of ten (10) feet and a maximum radius of thirty (30) feet.

5. The location and width of the point of ingress and/or egress for all driveways and access lanes shall be planned so as not to interfere with the use of adjacent property and with pedestrian and vehicular traffic on the collector or arterial street.

B. In order to enhance mobility and limit accessibility along collector and arterial streets, the following access management strategies shall be considered as part of the subdivision and land development process:
1. Driveway cuts along collector and arterial routes should be minimized or consolidated. Where appropriate, common driveways for certain land uses or developments may be considered.

2. The lot width, type of land use, and the anticipated traffic volumes should determine how many driveway cuts should be permitted along a collector or arterial road. Where required, the traffic impact study should consider the impacts that could adversely reduce mobility along the collector or arterial route.

3. Where appropriate to enhance safety conditions, traffic improvements shall be considered as part of the subdivision and land development plan application, which may include: the installation of traffic signals; the construction of separate right turn lanes and/or left turn lanes; the installation of median barriers to efficiently separate and direct vehicular traffic to its intended destination; and to require the installation of sidewalks, handicapped ramps and crosswalks.

4. Prohibit inappropriate turning movements along collector or arterial streets.

5. Maintaining lines of sight and enhancing visibility at all driveways and access lane by establishing effective setback requirements, limiting the size of signs, minimizing distractions, and establishing a horizontal profile that will provide sufficient right-of-way to accommodate future transportation improvements.

C. Where in the best interest of the community, the Board of Commissioner may consider alternative methods of highway frontage development and/or access management strategies provided that the alternative provides consideration for public safety, enhancing mobility and limiting accessibility along collector and arterial streets.
PART 10

SIGNS

§ 1001. Statement of Intent

A. The purpose of the provisions established under Part 10 of this Zoning Ordinance is to establish specific regulations pertaining to signs for all land uses, zoning districts and conditions within Robeson Township. The objectives of these provisions are as follows: to promote and maintain overall community beautification; establish reasonable time, place and manner regulations on the exercise of free speech; promote traffic safety; and promote appropriate and efficient use of land.

B. The regulations concerning signs, as established under Part 10 of this Zoning Ordinance shall be subject to the interpretation of the Robeson Township Zoning Officer. Should a dispute arise concerning the interpretation of these regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

§ 1002. General Standards and Requirements for all Signs

A. Permits: Unless otherwise specified by this Zoning Ordinance, a permit shall be required for all signs within Robeson Township in accordance with the following procedures:

1. Three (3) complete permit applications shall be submitted to erect, install, replace, remove and alter signs, as required by the provisions of this Zoning Ordinance. The application shall include the permit fee.

2. The permit application shall contain all information necessary for the Zoning Officer to determine whether the proposed sign conforms with the requirements of this Zoning Ordinance. At a minimum, the following information shall be included:

a. Three (3) copies of the plans and diagrams drawn accurately to scale depicting the dimensions of the lot, cartway, right-of-way and location of the sign.

b. The exact size, dimensions and location of the sign to be placed on the lot or building, together with its type, construction, materials to be used, and the manner of installation.

c. Any other useful information, which may be required of the applicant by the Zoning Officer.

3. The permit application shall be granted or refused within thirty (30) days from the date of the application.
4. No sign permit shall be issued except in conformity with the regulations of this Zoning Ordinance, except upon order of the Zoning Hearing Board, granted pursuant to the procedures established for a variance.

B. Construction: All signs, except temporary signs, shall be constructed of durable material and kept in good condition and repair. Any sign, which is allowed to become dilapidated or in a state of disrepair may, after thirty (30) days of notification, be removed by the Robeson Township at the expense of the owner or lessee of the property.

C. Location and Placement: All signs shall be located and placed in compliance with the provisions of this Zoning Ordinance. The following requirements shall apply:

1. No sign shall be posted, stapled or otherwise permanently attached to public utility poles or trees within a street right-of-way.

2. Unless otherwise specified, no portion of any freestanding sign shall be located within five (5) feet of the street right-of-way line or within twenty (20) feet of a property line.

3. All traffic control signs, directional signs, traffic signals or other signs, which are located within a street right-of-way shall be permitted by Robeson Township or Pennsylvania Department of Transportation.

4. No sign shall be located, placed or arranged in any manner that interferes with vehicular traffic, including the obstruction of sight distance.

D. Area: The area of all signs, which are permitted within Robeson Township are specified under Section 1003 of this Zoning Ordinance. The following specific provisions shall apply to the area of a sign:

1. The area of a sign shall be construed to include all lettering, wording, border trim or framing, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing.

2. Where the sign consists of individual letters or symbols attached to a surface, building, wall or window, the area shall be determined by calculating the smallest rectangle, which encompasses all of the letters and symbols used for the sign, regardless of the actual shape created by the letters and symbols.

3. The area of a sign, painted upon or applied to a building, shall be considered to include all lettering, wording and accompanying designs or symbols together with any backing associated with the sign.

4. In computing the square foot area of a double-faced sign, only one (1) side of the sign shall be considered, provided that both faces are identical inside the frame of the sign. In cases where the signs are not parallel or if an interior angle
is created to provide visibility, both sides of such sign shall be considered in calculating the sign area. Where double faced signs are permitted to be separated by more than sixteen (16) inches, the area of both sides of the sign shall be calculated as part of the total area.

E. Height: The height of all signs, which are permitted within Robeson Township are specified under Section 1003 of this Zoning Ordinance. The following specific provisions shall apply to the height of a sign.

1. The height of a sign shall be measured from the average elevation of the ground or finished grade to the highest point of the sign.

2. Unless otherwise permitted by this Zoning Ordinance, no sign that is a part of or is supported by a building shall be erected upon the roof of such building, nor shall such sign extend above the height of the building. A wall sign that partially extends above the roofline by no more than 20 percent of the sign height, as measured at the point where such sign is attached to the building shall be permitted.

3. Where the provisions for sign height specified under this Zoning Ordinance do not apply, the Zoning Officer in conjunction with the Zoning Hearing Board may consider a reasonable resolution or remedy.

F. Clearance, Visibility and Sight Distance: The following minimum requirements shall apply to the ground clearance, visibility and sight distance for all permitted signs within Robeson Township.

1. All freestanding signs, which are located within twenty (20) feet of a street right-of-way line shall have at least seven (7) feet of clear space between such sign and the average ground elevation. However, the necessary support structures may extend through such open space.

2. Ground signs shall be located at least ten (10) feet from the street right-of-way line.

3. No ground or freestanding sign shall be located within the clear sight triangle of a street intersection. The provisions for establishing the clear sight triangle are specified under Section 809 of this Ordinance.

4. The minimum sight distance requirements for pedestrians and vehicles shall be considered and applied.

G. Projection. An on-premises projecting sign, which is mounted upon a building so that its principal face is a right angle or perpendicular to the wall of the building may be permitted, subject to the following provisions:

1. All such projecting signs shall extend at least one (1) foot from the building but no more than twelve (12) feet from the building.
2. No sign shall project outward or perpendicular from the face of a building, whereas there is an open area between the ground and the sky.

3. The minimum height of a projecting sign shall be at least eight (8) feet from the average ground elevation and no higher than twenty (20) feet above the average ground elevation.

4. The maximum area of all projecting signs shall be twenty (20) square feet, as measured on a single side of the projecting sign. Double-faced projecting signs may be permitted for the same use.

H. Maximum Number of Signs: The maximum number of on-premises signs for a use on a single lot is specified under Section 1003 of this Zoning Ordinance. Where multiple uses are contained on a single property, a freestanding sign may be permitted provided it conforms with the provisions of this Zoning Ordinance.

I. Illumination. The following provisions shall apply to the illumination of signs within Robeson Township:

1. Where permitted, the illumination of signs shall comply with lighting provisions specified within the Robeson Township Subdivision and Land Development Ordinance.

2. Unless otherwise specified within this Zoning Ordinance, signs may be illuminated by direct and non-glaring lighting, provided that such lighting is shielded so no direct light will shine on abutting properties or obstruct the vision of motorists or pedestrians within a street right-of-way.

3. The use of red, green or amber lights on any sign within two hundred (200) feet of a street intersection shall be prohibited.

4. The use of intermittent, flashing or animated lighting within fifty (50) feet of a street right-of-way line and 200 feet from the AP, R-1, R-2, R-3 and VC Zoning Districts shall be prohibited.

5. The use of illuminated signs within the AP, R-1, R-2, R-3 and VC Zoning Districts shall be prohibited unless the illuminated sign is specifically related to emergency management uses, medical facilities, municipal uses, institutional uses, and other similar uses considered appropriate by the Zoning Officer.

J. Double Faced Signs: Any permitted sign may be constructed and installed as a double-faced sign, provided that it has two parallel surfaces that are opposite and matching in size and shape and are not over sixteen (16) inches apart. All such signs shall be considered as one sign and only one face shall be used to calculate the total size of the sign. Should the two surfaces deviate from being parallel or should they differ in size or shape, the sign shall be considered as two signs.
K. Supplementary Sign Regulations for all Zoning Districts: The following supplementary sign regulations shall apply to all zoning districts within Robeson Township:

1. Real estate signs for the selling, renting or leasing of residential properties shall be permitted subject to the following conditions: the area of the sign shall not exceed six (6) square feet; the spacing of such signs shall be at least two hundred (200) feet apart on the same lot or property; the sign shall be located at least five (5) feet from the street right-of-way line and all other property lines; no more than two (2) signs shall be permitted for each property being sold; and the sign shall be removed within seven (7) days after the final transaction is completed.

2. Real estate signs for the selling, renting or leasing of non-residential properties shall be permitted subject to the following conditions: the area of the sign shall not exceed thirty-two (32) square feet; the spacing of such signs shall be at least two hundred (200) feet apart on the same lot or property; the sign shall be located at least five (5) feet from the street right-of-way line and twenty (20) feet from all other property lines; and the sign shall be removed within seven (7) days after the final transaction is completed.

3. Property control or restriction signs shall be permitted subject to the following conditions; the area of the sign shall not exceed two (2) square feet; the spacing of such signs shall be at least one hundred (100) feet apart on the same lot or property; and the sign does not contain any personal message, which is considered irrelevant to controlling or restricting the use of a property or lot.

4. Temporary signs may be permitted provided they are not considered permanent and they comply with the provisions established under this Zoning Ordinance.

5. Special event or promotional signs may be permitted provided they are not considered permanent and they comply with the provisions established under this Zoning Ordinance.

6. Special use signs may be permitted provided they are not considered permanent and they comply with the provisions established under this Zoning Ordinance.

L. Traffic Control and Directional Signs: Unless otherwise permitted by Robeson Township or the Pennsylvania Department of Transportation, all traffic control signs and directional signs shall conform with the following:

1. Traffic control and directional signs located within the street right-of-way shall be subject to the review and approval of Robeson Township and/or the Pennsylvania Department of Transportation. The location, size, type, height, spacing and quantity of the sign (s) shall be stipulated on the permit, as issued by Robeson Township and/or the Pennsylvania Department of Transportation.

2. Traffic control and directional signs located outside the street right-of-way within a lot or on private property shall be subject to the review and approval of
Robeson Township. All such signs shall be located at least two (2) feet from the street right-of-way and ten (10) feet from all other property lines. The maximum number of signs as well as the maximum height and size of each sign are specified under Section 1003 of this Zoning Ordinance.

3. All other proposed signs shall not interrupt or distract the operator of a vehicle at the point of decision along the field of view of any traffic control or directional signs.

M. Political Signs: Political signs, being signs erected in conjunction with a political election, naming a candidate or slate of candidates for a primary or general election or referencing a position in support of or opposition to an issue placed in referendum, shall be installed so as to comply with the following requirements:

1. The area of political signs may not exceed six (6) square feet.

2. Political signs shall not be placed in the right-of-way of any road and shall be placed only on properties with the property owner’s permission.

3. Political signs may be posted thirty (30) calendar days prior to the date of the election.

4. Political signs must be removed within one hundred twenty (120) hours following the election.

N. Removal of Signs: On-premises signs and off-premises signs that are no longer utilized for the original intent or use shall be removed from the site or changed to accommodate a new sign for the new use within thirty (30) days of occupancy by the new use. All replacement signs shall conform with the provisions specified under this Zoning Ordinance. Upon the removal of any sign, whether temporary or permanent, such removal shall include all associated support including the posts, poles, brackets, arms, trailers and other support mechanisms.

§ 1003. Summarization Chart for Categorical Sign Requirements

A. Matrix Chart 13 on the following pages summarizes the categorical sign requirements by type, quantity, height, area, location and permit procedures for each use within Robeson Township. Where a discrepancy should exist between the provisions contained within the text and the provisions contained within Matrix Chart 13, the provisions contained within the text shall prevail.

B. The provisions specified within this matrix chart shall be subject to the interpretation of the Zoning Officer.

C. Should a dispute arise concerning the interpretation of these regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.
### SUMMARY CHART FOR CATEGORICAL SIGN REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 13)

<table>
<thead>
<tr>
<th>Use</th>
<th>Type of Sign</th>
<th>Maximum Number</th>
<th>Maximum Height</th>
<th>Maximum Size or Sign Area</th>
<th>Setback Requirements</th>
<th>Permitted Zoning Districts</th>
<th>Permit Required</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>ROW Property Line</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Permanent On-Premises Residential Signs</td>
<td>Individual Name and Street Address</td>
<td>1</td>
<td>10 feet</td>
<td>4 square feet</td>
<td>----</td>
<td>5 feet</td>
<td>All Districts</td>
</tr>
<tr>
<td></td>
<td>Property Control or Restrictions Sign</td>
<td>1 per 100 linear feet</td>
<td>10 feet</td>
<td>2 square feet</td>
<td>2 feet</td>
<td>2 feet</td>
<td>All Districts</td>
</tr>
<tr>
<td></td>
<td>Home Occupation Sign</td>
<td>1</td>
<td>10 feet</td>
<td>4 square feet</td>
<td>2 feet</td>
<td>5 feet</td>
<td>All Districts</td>
</tr>
<tr>
<td></td>
<td>Subdivision or Development Sign containing 20 or more units</td>
<td>2 per main entrance</td>
<td>10 feet</td>
<td>30 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>All Districts</td>
</tr>
<tr>
<td>Permanent On-Premises Commercial Signs</td>
<td>Freestanding Sign for Single Use</td>
<td>1</td>
<td>18 feet</td>
<td>50 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>VC, GC, GI</td>
</tr>
<tr>
<td></td>
<td>Wall or Parallel Sign</td>
<td>6</td>
<td>30 feet</td>
<td>20% of building face; max. 100 cum. sq. ft. on one designated side</td>
<td>----</td>
<td>----</td>
<td>VC, GC, GI</td>
</tr>
<tr>
<td></td>
<td>Projecting Sign</td>
<td>1</td>
<td>20 feet</td>
<td>20 square feet</td>
<td>----</td>
<td>----</td>
<td>VC, GC, GI</td>
</tr>
<tr>
<td></td>
<td>Window Sign</td>
<td>----</td>
<td>20 feet</td>
<td>50% of cumulative front window space</td>
<td>----</td>
<td>----</td>
<td>VC, GC, GI</td>
</tr>
<tr>
<td></td>
<td>Directional or Traffic Control Sign</td>
<td>4 per acre</td>
<td>10 feet</td>
<td>6 square feet per sign</td>
<td>2 feet</td>
<td>10 feet</td>
<td>VC, GC, GI</td>
</tr>
<tr>
<td>Permanent On-Premises Industrial Signs</td>
<td>Freestanding Sign for Single Use</td>
<td>1</td>
<td>20 feet</td>
<td>50 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>GI, Q-1, Q-2</td>
</tr>
<tr>
<td></td>
<td>Wall or Parallel Sign</td>
<td>6</td>
<td>30 feet</td>
<td>20% of building face; max. 150 cum. sq. ft. on one designated side</td>
<td>----</td>
<td>----</td>
<td>GI, Q-1, Q-2</td>
</tr>
<tr>
<td></td>
<td>Projecting Sign</td>
<td>1</td>
<td>20 feet</td>
<td>20 square feet</td>
<td>----</td>
<td>----</td>
<td>GI, Q-1, Q-2</td>
</tr>
<tr>
<td></td>
<td>Window Sign</td>
<td>----</td>
<td>20 feet</td>
<td>10% of cumulative front window space</td>
<td>----</td>
<td>----</td>
<td>GI, Q-1, Q-2</td>
</tr>
<tr>
<td></td>
<td>Directional or Traffic Control Sign</td>
<td>4 per acre</td>
<td>20 feet</td>
<td>6 square feet per sign</td>
<td>2 feet</td>
<td>10 feet</td>
<td>GI, Q-1, Q-2</td>
</tr>
<tr>
<td>Permanent Off-Site Advertising Sign / Billboard</td>
<td>Freestanding Advertising Sign or Billboard Sign along Interstate 176, Route 10 and Route 724 in the GC, GI, Q-1 and Q-2 Zoning Districts</td>
<td>1 per 1,500 linear feet</td>
<td>40 feet</td>
<td>250 square feet</td>
<td>10 feet</td>
<td>200 feet</td>
<td>GC, GI, Q-1, Q-2</td>
</tr>
<tr>
<td>Use</td>
<td>Type of Sign</td>
<td>Maximum Number</td>
<td>Maximum Height</td>
<td>Maximum Size or Sign Area</td>
<td>Setback Requirements</td>
<td>Permitted Zoning Districts</td>
<td>Permit Required</td>
</tr>
<tr>
<td>-----</td>
<td>--------------</td>
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<td>-----------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Permanent On-Premises Freestanding Signs for Non-Residential Developments and Uses</td>
<td>Freestanding Sign for Business and Office Parks (refer to Section 707)</td>
<td>1 per street frontage</td>
<td>20 feet</td>
<td>100 cumulative square feet for all uses</td>
<td>5 feet</td>
<td>30 feet</td>
<td>GC and GI</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Medical Research Parks (refer to Section 708)</td>
<td>1 per street frontage</td>
<td>20 feet</td>
<td>100 cumulative square feet for all uses</td>
<td>5 feet</td>
<td>30 feet</td>
<td>GC and GI</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Industrial Parks (refer to Section 709)</td>
<td>1 per street frontage</td>
<td>20 feet</td>
<td>100 cumulative square feet for all uses</td>
<td>5 feet</td>
<td>30 feet</td>
<td>GC and GI</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Commercial Campgrounds (refer to Section 712)</td>
<td>1</td>
<td>20 feet</td>
<td>50 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>R-1, R-2 and GC</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Kennels (refer to Section 716)</td>
<td>1</td>
<td>20 feet</td>
<td>50 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>AP and GI</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Quarrying and Mining (refer to Section 718)</td>
<td>1</td>
<td>20 feet</td>
<td>50 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>Q-1 and Q-2</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Solid Waste Disposal (refer to Section 719)</td>
<td>1</td>
<td>20 feet</td>
<td>50 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>Q-2</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Junkyard (refer to Section 720)</td>
<td>1</td>
<td>20 feet</td>
<td>50 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>GI</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Trucking Terminals (refer to Section 721)</td>
<td>1</td>
<td>20 feet</td>
<td>50 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>GI</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for Mini-Malls (refer to Section 724.1)</td>
<td>1</td>
<td>20 feet</td>
<td>60 cumulative square feet for all uses</td>
<td>5 feet</td>
<td>20 feet</td>
<td>VC and GC</td>
</tr>
<tr>
<td></td>
<td>Freestanding Sign for a Shopping Center (refer to Section 724.2)</td>
<td>1 per street frontage</td>
<td>25 feet</td>
<td>100 cumulative square feet for all uses</td>
<td>5 feet</td>
<td>30 feet</td>
<td>GC</td>
</tr>
<tr>
<td>Permanent On-Premises Municipal, Governmental, Recreational, Agricultural, Institutional and other Uses</td>
<td>Freestanding Sign for Single Use</td>
<td>1 per street frontage</td>
<td>20 feet</td>
<td>60 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>All Districts</td>
</tr>
<tr>
<td>Wall or Parallel Sign</td>
<td>6</td>
<td>30 feet</td>
<td>20% of building face; max. 100 cum. sq. ft. on one designated side</td>
<td>----</td>
<td>----</td>
<td>All Districts</td>
<td>Yes</td>
</tr>
<tr>
<td>Projecting Sign</td>
<td>1</td>
<td>20 feet</td>
<td>20 square feet</td>
<td>----</td>
<td>----</td>
<td>All Districts</td>
<td>Yes</td>
</tr>
<tr>
<td>Directional or Traffic Control Sign</td>
<td>4 per acre</td>
<td>10 feet</td>
<td>6 square feet per sign</td>
<td>2 feet</td>
<td>10 feet</td>
<td>All Districts</td>
<td>Yes</td>
</tr>
<tr>
<td>Temporary On-Premises Signs</td>
<td>Subdivision or Development Sign</td>
<td>1</td>
<td>20 feet</td>
<td>32 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>All Districts</td>
</tr>
<tr>
<td>Contractor and Financing Sign</td>
<td>1</td>
<td>20 feet</td>
<td>32 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>All Districts</td>
<td>Yes</td>
</tr>
<tr>
<td>Real Estate and Marketing Sign</td>
<td>1</td>
<td>10 feet</td>
<td>6 square feet</td>
<td>5 feet</td>
<td>5 feet</td>
<td>All Districts</td>
<td>No</td>
</tr>
<tr>
<td>Special Event Sign</td>
<td>1</td>
<td>20 feet</td>
<td>32 square feet</td>
<td>5 feet</td>
<td>20 feet</td>
<td>All Districts</td>
<td>No</td>
</tr>
</tbody>
</table>
§ 1004. Sign Requirements for Residential Uses

A. An individual nameplate or street address sign may be posted on any residential lot provided it does not exceed four (4) square feet in area. All such signs shall be located at least two (2) feet from the street right-of-way and five (5) feet from all other property lines.

B. Property control and restrictions signs including “no trespassing”, “no hunting”, “no solicitation”, and other similar signs may be permitted subject to the following conditions; the area of the sign shall not exceed two (2) square feet; the spacing of such signs shall be at least 100 feet apart on the same lot or property; and the sign does not contain any personal message, which is considered irrelevant to controlling or restricting the use of a property or lot.

C. Home occupation signs displaying the name and address of the occupant or the profession or activity of the occupant of a dwelling subject to the following conditions: only one (1) such sign shall be erected for each permitted use or dwelling; the area of such sign shall not exceed four (4) square feet; and provided that such sign shall be fixed flat on the main wall of such building or may be erected in the front yard, but not within two (2) feet of the right-of-way or five (5) feet from any other property line.

D. Residential development containing a total of twenty (20) or more residential units may provide a sign for the purposes of identifying the name of the development subject to the following criteria:

1. The signs shall be limited to two (2) freestanding or ground signs per entrance to the development.

2. The maximum size of the sign shall be thirty-two (32) square feet per sign.

3. The maximum height of a freestanding sign shall be ten (10) feet and shall be constructed of weather-resistant wood, vinyl or decorative masonry.

4. Any wall or fence structure, which supports such signs may not exceed eight (8) feet in height or a maximum of 100 square feet in area.

5. The sign shall be located at least five (5) feet from the street right-of-way line, twenty (20) feet from all other property lines and shall not be located in the clear sight triangle, as established under Section 809 of this Zoning Ordinance. The final location of such signs shall be approved by the Zoning Officer prior to the issuance of a sign permit.

6. Prior to the issuance of a sign permit, the applicant shall provide sufficient evidence to the Zoning Officer that adequate measures have been taken to ensure proper maintenance of the sign and any accompanying landscaping, and that the sign will be durably constructed as to require minimal maintenance.
7. The illumination of such signs may be permitted provided that low intensity lighting is utilized, which is less than 100 watts and is located in a manner so that glare or reflection is not greater than 0.1 footcandle at the street right-of-way line.

E. Directional signs may be permitted provided they are utilized within the interior of a residential development, are limited to one (1) directional sign per street, and do not exceed four (4) square feet in size.

§ 1005. Sign Requirements for Non-Residential Uses

A. The maximum number of on-premises signs for a non-residential use shall be limited to the following: one (1) ground or freestanding sign; six (6) wall or parallel signs, which shall not exceed twenty (20) percent or exceed one hundred (100) cumulative square feet along one designated side of the building and fifty (50) cumulative square feet along all other sides of the building; one (1) projecting sign; four (4) directional signs per acre; and two (2) accessory signs. The matrix chart provided under Section 1003 of this Zoning Ordinance summarizes the categorical sign requirements by type, quantity, height, area, location and permit procedures for each use within Robeson Township.

B. A freestanding or ground sign may be permitted for all non-residential uses and developments, subject to the provisions specified under Section 1003 of this Zoning Ordinance. In addition to those requirements, the following provisions shall apply:

1. A business park, office park, medical research park and industrial park may have one (1) freestanding or ground sign for each street the development has more than three hundred (300) feet of frontage. The area of the free standing sign shall not exceed one hundred (100) cumulative square feet and shall meet the following criteria:

a. A freestanding sign shall be located at least five (5) feet from the street right-of-way line and thirty (30) feet from all other property lines. The maximum height of a freestanding sign shall be no less than seven (7) feet and no more than twenty (20), as measured from the average ground elevation.

b. A ground sign shall be located at least ten (10) feet from the street right-of-way line and thirty (30) feet from all other property lines. The maximum height of a ground sign shall be no more than eight (8) feet, as measured from the average ground elevation. Any wall or fence structure, which supports such signs may not exceed eight (8) feet in height or a maximum of 150 square feet and shall be constructed of weather-resistant wood, vinyl or decorative masonry.

c. The freestanding or ground sign may identify the name of the development as well as any individual permitted uses contained within the development provided it is constructed as a single component with the ability to be changed at any time.
d. Where permitted, projecting signs shall be limited to one (1) sign per use.

2. A mini-mall containing multiple non-residential uses with less than 30,000 square feet of cumulative floor area may contain one (1) freestanding sign for the development, which shall not exceed sixty (60) cumulative square feet and shall meet the following criteria:

   a. The freestanding sign shall be located at least five (5) feet from the street right-of-way line and twenty (20) feet from all other property lines. The height of all such freestanding signs shall be no less than seven (7) feet and no more than twenty (20), as measured from the average ground elevation.

   b. The area of the sign shall not exceed sixty (60) cumulative square feet for all uses. The total number of individual advertisements on any such freestanding sign shall be limited to eight (8) per side.

   c. Where permitted, projecting signs shall be limited to one (1) sign per use.

3. A shopping center or shopping mall containing multiple non-residential uses with more than 30,000 square feet of cumulative floor area one (1) freestanding or ground sign for each street the development has more than three hundred (300) feet of frontage. The area of the freestanding sign shall not exceed one hundred (100) cumulative square feet and shall meet the following criteria:

   a. A freestanding sign shall be located at least five (5) feet from the street right-of-way line and thirty (30) feet from all other property lines. The height of a freestanding sign shall be no less than seven (7) feet and no more than twenty-five (25) feet, as measured from the average ground elevation.

   b. A ground sign shall be located at least ten (10) feet from the street right-of-way line and thirty (30) feet from all other property lines. The maximum height of a ground sign shall be no more than eight (8) feet, as measured from the average ground elevation. Any wall or fence structure, which supports such signs may not exceed eight (8) feet in height or a maximum of one hundred and fifty (150) square feet and shall be constructed of weather-resistant wood, vinyl or decorative masonry.

   c. The freestanding or ground sign may identify the name of the development as well as any individual permitted uses contained within the development provided it is constructed as a single component with the abilities to be changed at any time. The total number of individual
advertisements on any such freestanding sign shall be limited to eight (8) per side.

d. Where permitted, projecting signs shall be limited to one (1) sign per use.

4. All other individual non-residential uses may have one (1) freestanding or ground sign, subject to the provisions specified under Section 1003 of this Zoning Ordinance.

C. A municipal, governmental, recreational or institutional use may have one (1) freestanding or ground sign for the purposes of displaying the name of the use and its activities or services, provided that the area of any such sign shall not exceed sixty (60) square feet and not more than one (1) sign for each street that the use has more than 300 feet of frontage. All other pertinent sign requirements for municipal, governmental, recreational or institutional uses, as defined and specified under this Zoning Ordinance shall apply.

D. An agricultural use, as further defined and outlined under Section 704 of this Zoning Ordinance, may have one (1) freestanding or ground sign for the purposes of displaying the name of the use and its activities or services, provided that the area of any such sign shall not exceed fifty (50) square feet. All other pertinent sign requirements for agricultural uses, as specified under Section 1003 of this Zoning Ordinance shall apply.

§ 1006. Off-Premises Advertising Signs or Billboards

A. Off-premises advertising signs or billboards, as defined by this Zoning Ordinance are permitted by conditional use within the GC, GI, Q-1 and Q-2 Zoning Districts.

B. All off-premises advertising signs or billboards shall not exceed two hundred and fifty (250) square feet and may be placed along Interstate 176, Route 10 and Route 724 within the GC, GI, Q-1 and Q-2 Zoning Districts. The spacing of such signs shall be at least one thousand five hundred (1,500) linear feet apart from another off-premises advertising sign or billboard on the same side of the road.

C. All off-premises advertising signs or billboards shall be located to comply with the following requirements for setback, separation distance, height and arrangement:

1. Off-premises advertising signs or billboards shall be located at least ten (10) feet from the street right-of-way line and no further than one hundred (100) feet from the street right-of-way line, as measured on the same side of the street to which the off-premises advertising sign or billboard is located.

2. Off-premises advertising signs or billboards shall be located at least thirty (30) feet from all other property lines.
3. Off-premises advertising signs or billboards shall be located at least three hundred (300) feet from the center of the nearest street intersection or interchange.

4. Off-premises advertising signs or billboards shall be located a minimum of four hundred (400) feet from an existing residential use.

5. Off-premises advertising signs or billboards shall be located a minimum of two hundred (200) feet from an adjacent property that is not owned by the applicant.

6. The maximum height of all such off-premises advertising signs or billboards shall be no less than twenty (20) feet to the bottom edge of the sign and no more than forty (40) feet to the top edge of the sign, as measured from the average ground elevation.

7. When two (2) off-premises advertising signs or billboards are orientated in a back-to-back arrangement, they shall be parallel and directly opposite from each other and shall not be spaced by more than fifteen (15) feet. The size and shape of the signs should not deviate from each other and they shall utilize the same support structure.

8. When two (2) off-premises advertising signs or billboards are orientated in a V-type arrangement, they shall be at least fifteen (15) feet apart at the closest point nor shall the interior angles be greater than forty-five (45) degrees. The size and shape of the signs should not deviate from each other and they shall utilize the same support structure.

9. No off-premises advertising sign or billboard shall be located in any manner that disrupts or distracts the operator of a motor vehicle.

D. All off-premises advertising signs or billboards shall be located to comply with the following design requirements:

1. All off-premises advertising sign or billboard shall be designed, located and constructed in accordance with all local and state codes. As part of this requirement, all permit applications shall include signed and sealed plans from a licensed engineer within the Commonwealth of Pennsylvania.

2. All off-premises advertising signs or billboards shall be constructed and erected on a steel unipole or steel I-beams meeting the minimum standards established by the Outdoor Advertising Association of America and the Institute of Outdoor Advertising.

3. The support structures for all off-premises advertising signs or billboards shall be constructed and erected on permanent footings, as determined by the licensed engineer responsible for the permit application.
4. No off-premises advertising sign or billboard shall be constructed and erected which resembles any official marker, logo and/or insignia of any governmental entity or other organization without written consent.

5. The off-premises advertising sign or billboard shall not contain vulgar messages or depict any lewd, pornographic, lascivious or other offensive acts.

6. The off-premises advertising sign or billboard shall be maintained and inspected by the applicant of the permit on a regular basis, but shall not exceed a period of time of more than thirty (30) days. As part of this requirement, the applicant shall inspect the following: the support structure to determine if is sound and in good repair; the lighting to determine if it operating sufficiently; the display area to determine if is in good condition and free of graffiti; the area within the lease area to determine if it is clear of overgrown vegetation, debris, trash and other unsightly materials; and all other items that should be inspected periodically, as determined appropriate by the Zoning Officer.

E. All off-premises advertising signs or billboards shall be located to comply with the following lighting, display and illumination requirements:

1. The illumination of signs shall comply with lighting provisions specified within the Robeson Township Subdivision and Land Development Ordinance.

2. All off-premises advertising signs or billboards may be illuminated provided that such illumination is directed downwards towards the sign and shielded so as to prevent the illumination from being directed towards the street or adjacent properties.

3. Off-premises advertising signs or billboards containing flashing, intermittent, scintillating, reflective and/or moving lighting features shall be prohibited.

4. Off-premises advertising signs or billboards may incorporate features to provide electronic message displays such as the time, date, temperature, weather and similar information provided it does not disrupt or distract the operator of a motor vehicle.

5. Off-premises advertising signs or billboards may incorporate a timed or electronic display change, whereas the display of the sign may change to another sign within a specified period of time. All such signs may be considered provided the message does not change more than six (6) times per minute and it does not disrupt or distract the operator of a motor vehicle.

F. If a conditional use is granted by the Board of Supervisors, all off-premises advertising signs or billboards shall be located to comply with the following permit requirements:

1. The applicant shall submit a written agreement with the permit application indicating that the owner of the property has agreed to lease the property to the
commercial sign or advertising company and has approved the proposed display
or message contained on the off-premises advertising sign or billboard.

2. Three (3) complete permit applications shall be submitted to Robeson
Township, as required by the provisions of this Zoning Ordinance. The permit
application shall include the required permit fee.

3. The permit application shall contain the following information: three (3) copies
of the plans and diagrams drawn accurately to scale depicting the dimensions of
the lot, cartway, right-of-way, location of the sign; the exact size, dimensions
and location of the off-premises sign or billboard to be placed on the lot or
building, together with its type, construction, materials to be used, support
structures, and the manner of installation; and any other useful information,
which may be required of the applicant by the Robeson Township Engineer or
Zoning Officer.

4. The completed permit application, plans and support diagrams shall be signed
and sealed by a licensed engineer within the Commonwealth of Pennsylvania.

5. The permit application shall be granted or refused within 30 days from the date
of completed application.

6. If required, the applicant shall apply for a permit through the Pennsylvania
Department of Transportation.

G. In addition to the provisions established herewith, the applicant and property owner for
all off-premises advertising signs or billboards shall comply with all other pertinent
provisions, as established by Robeson Township.

§ 1007. Special Use Signs, Temporary Signs and Promotional Signs

A. The following provisions shall apply to special use and temporary signs within Robeson
Township:

1. Temporary signs announcing a campaign, drive or event of a civic, municipal,
philanthropic, educational, institutional, religious, or similar organization,
provided the following criteria apply: the sign shall not exceed twenty (20)
square feet in area; no more than four (4) signs shall be permitted; the signs may
be erected for a period not to exceed 30 days in any calendar year; the sign shall
be removed within seven (7) days after the commencement of the campaign,
drive or event.

2. Temporary signs for a yard sale or garage sale provided the following conditions
shall apply: the sign shall not exceed four (4) square feet in area; no more than
four (4) signs shall be permitted; the signs may be erected for a period not to
exceed thirty (30) days in any calendar year; the sign shall be removed within
two (2) days after the commencement of the campaign, drive or event.
3. Temporary signs for contractors, developers, architects, engineers, builders, financiers and artisans may be permitted on the premises where the work is being performed, provided that the following criteria apply: the sign shall not exceed twenty (20) square feet; the sign shall not be illuminated; no more than one (1) sign shall be permitted for each street the project area or development has more than three hundred (300) feet of frontage; the sign shall not exceed twenty (20) feet in height; and provided that all such signs shall be removed within seven (7) days upon completion of the work.

4. Real estate signs for the selling, renting or leasing of residential properties shall be permitted subject to the following conditions: the area of the sign shall not exceed six (6) square feet; the spacing of such signs shall be at least 200 feet apart on the same lot or property; the sign shall be located at least five (5) feet from the street right-of-way line; and the sign shall be removed within seven (7) days after the final transaction.

5. Political signs, being signs erected in conjunction with a political election, naming a candidate or slate of candidates for a primary or general election or referencing a position in support of or opposition to an issue placed in referendum, shall be installed so as to comply with all other requirements of Robeson Township.

6. Business and advertising signs located within a sports facility or venue subject to the following criteria: the signs shall be located within the permitted sports facility or venue such as a football stadium, little league baseball field or similar playing field owned or operated by a not-for-profit organization or entity organized to promote youth sports teams; the non-profit organization or entity is recognized and authorized in writing as such by the appropriate state and federal agencies; no more than one (1) sign measuring a maximum of twelve (12) square feet in area shall be permitted for each five hundred (500) square feet of playing field or ground floor stadium area; all such signs shall be made of wood, plastic or metal; and all such signs may be located only on walls, fences, and scoreboards, but shall not be mounted on light poles, roofs or other freestanding surfaces.

B. The following provisions shall apply to special event or seasonal signs for an existing non-residential use located within a non-residential district, including signs, banners, flags, balloons, floodlights and other similar promotional features:

1. The maximum size of a special event sign shall be twenty-four (24) square feet. In the case of more than one (1) sign, the combined area of all signs shall be no more than twenty-four (24) square feet.

2. No portion of a ground-mounted sign used to advertise a special event shall exceed the height of thirty-two (32) inches. Any banner or wall sign used to advertise a special event shall not extend above the rooftop of the building upon which the sign is displayed.
3. A special event sign shall be fastened securely. Ground signs shall be anchored with a metal pipe or other secure support. Hanging signs shall be secured and not allowed to flap or sag.

4. All seasonal signs must be maintained in accordance with the provisions of this Zoning Ordinance.

5. The sign shall not obstruct the vision or sight distance of the operator of any vehicle or interfere with normal pedestrian movements. In no case shall the sign be located closer than two feet from the street right-of-way line. A plot plan showing the location of any special event sign must accompany each permit application.

6. The special event sign may be two-sided with different advertisement displays on either side.

7. The special event sign shall not contain flashing messages as part of the display.

8. No such sign shall remain in place or otherwise be displayed for more than thirty (30) days per event or season, and no person shall exhibit any such sign for more than a total of seventy-five (75) days during any calendar year.

9. The use of banners, flags, floodlights and other similar promotional features may be utilized provided they comply with the following provisions: they shall not be utilized on the property for more than thirty (30) consecutive days or more than seventy-five (75) cumulative days in any calendar year; they shall be located at least twenty (20) from the street right-of-way line and thirty (30) feet from the property line; they shall be well maintained; and they shall not disrupt vehicular or pedestrian traffic along any public street right-of-way.

10. The use of balloons and similar promotional features may be utilized provided they comply with the following provisions: they shall not be utilized on the property for more than 30 consecutive days or more than seventy-five (75) cumulative days in any calendar year; they shall not be located more than sixty (60) feet in the air, as measured for the average ground elevation where the balloons are permitted; the minimum setback or fall zone to any street right-of-way line or property line shall be one (1) horizontal foot to one (1) vertical foot considering the height of the balloon; they shall be well maintained; and they shall not disrupt vehicular or pedestrian traffic along any public street right-of-way.

11. A special event sign permit shall be required for each sign used to advertise any special event during any calendar year. The property owner, or lessee with the owner's permission, may make one permit application establishing all dates, times and the duration of each separate special event sign proposed to be displayed during a calendar year, or may make separate applications for each such event, providing the total does not exceed the maximum seventy-five (75) day limit. The permit applicant shall pay the fee established by resolution of the
Board of Supervisors. The special event sign permit shall be subject to the review and approval of the Robeson Township Zoning Officer.

C. The following provisions shall apply to grand opening and promotional signs for a new non-residential use located within a non-residential zoning district, including signs, banners, flags, balloons, floodlights and other similar promotional features:

1. The use of promotional signs and features shall be limited to the first sixty (60) days after the initial occupancy permit is issued for the non-residential use.

2. The maximum area of a promotional sign shall be limited to two (2) signs, which shall not exceed twenty-four (24) square feet per sign. The promotional signs shall be located at least ten (10) feet from the street right-of-way line and twenty (20) feet from all other property lines.

3. All promotional banners, flags, balloons, floodlights and other permitted promotional features shall be located at least five (5) feet from the street right-of-way line and twenty (20) feet from the property line.

4. No other promotional features other than the balloons shall exceed the height of the roofline.

5. The promotional signs banners, flags, balloons, floodlights and other similar promotional features shall not disrupt vehicular or pedestrian traffic along any public street right-of-way.

D. The following provisions shall apply to banners, which are hung and displayed across public street rights-of-way to promote community events including civic, municipal, charitable, philanthropic, educational, institutional, religious, or similar organizations:

1. The applicant must complete and submit a permit to the Robeson Township at least forty-five (45) days prior to the desired date of hanging a banner over a public street or way. Upon approval by the Board of Supervisors, the banner(s) may be hung and displayed as set forth by the provisions established within this section of this Zoning Ordinance.

2. The hanging of banners must be in complete conformance with the application, as submitted to Robeson Township and as finally approved by the Board of Supervisors.

3. The hanging of banners is the sole responsibility of the applicant.

4. No banner may hang lower than eighteen (18) feet over the street or public way.

5. Unless otherwise approved by the Board of Supervisors, no more than eight (8) banners may be displayed over any particular street or public way.
6. Banners may not be hung more than twenty-five (25) days prior to the date of the event being advertised and must be removed no later than five (5) days after the conclusion of the event being advertised.

7. Banners, which are not removed within five (5) days after the advertised event has concluded shall be removed by Robeson Township and the applicant shall be liable for the actual cost of removal.

8. Banners hung across streets and other rights-of-way without proper approval or authorization shall be removed by Robeson Township and the responsible person(s) shall be liable for the cost of removal.

9. The applicant shall secure liability and/or property insurance for the display of the banners.

§ 1008. Nonconforming Signs and Abandoned Signs

A. Signs existing at the date of enactment of this Zoning Ordinance, which do not conform to the requirements of this Zoning Ordinance shall be considered nonconforming signs and subject to the following provisions:

1. Any sign, which is considered nonconforming based upon its location, height, clearance, visibility, projection, quantity and illumination shall only be replaced with a conforming sign.

2. Any sign, which is considered nonconforming based upon its surface area shall only be replaced by a conforming sign or a sign that is twenty-five (25) percent less than the surface area of the original nonconforming sign.

3. Nonconforming signs may be repaired and/or repainted provided that the modifications do not exceed the dimensions of the existing sign or create any further nonconformities.

B. A sign shall be considered to be abandoned if the following conditions apply: a sign erected on a property for a specific use, which becomes vacant and unoccupied for a period of one (1) year or more; any sign which was previously erected for a prior occupant or business; or any sign which relates to a time, event or purpose which is considered a past event. The following provisions shall apply to signs, which are considered “abandoned signs” within Robeson Township:

1. No person shall maintain or permit to be maintained on any premises owned or controlled by that person a sign, which has been abandoned.

2. An abandoned sign shall be removed by the landowner or person controlling the property within ten (10) days of the abandonment as described by this section of this Zoning Ordinance.
C. Upon the removal of any nonconforming sign or abandoned sign, whether temporary or permanent, such removal shall include all associated structures associated with the sign including, but not limited to, posts, poles, brackets, arms, trailers and supports.

§ 1009. Prohibited Signs

A. The following signs shall be considered as prohibited signs, which shall not be permitted within Robeson Township:

1. Spinning, animated, twirling or any other moving objects used for commercial advertising purposes with or without a message, whereas the spinning, animation and/or twirling occurs in intervals of less than 30 seconds or one (1) complete rotation within a thirty (30) second interval during any given time of the day.

2. Flashing, blinking, twinkling, animated or other message changing devices used for commercial advertising purposes, whereas the flashing, blinking, twinkling, animation and/or message changing occurs in interval of less than ten (10) seconds during any given time of the day. Signs indicating the time and temperature may be permitted, provided that the message or display does not change in intervals of less than 30 seconds during any given time of the day.

3. Signs placed, inscribed or supported upon the highest roofline or upon any structure, which extends above the highest roofline of any building.

4. Wall signs that partially extend above the roofline by more than twenty (20) percent of the sign height, as measured at the point where such sign are attached to the building.

5. Roof signs, which are erected on top of a principal or accessory building. A sign attached to the side of any part of a building facing an active commercial railroad line or spur may be permitted, provided that such sign does not exceed the highest elevation of the roof and/or is not visible from an existing residential use or an existing street right-of-way.

6. Artistic murals, depicting scenic, historical, cultural, educational, or other similar visual scenes, may be painted on the side of a building, provided they are aesthetic, socially acceptable, and that the content has been reviewed and approved by the Robeson Township Board of Supervisors.

7. Balloons, streamers, banner and promotion signs, exceeding the provisions of this Zoning Ordinance.

8. Portable signs.

9. Signs located on parked vehicles within fifty (50) feet of the street right-of-way.
10. Signs containing vulgar messages or depicting any lewd, pornographic, lascivious or other offensive acts.

11. Any sign exceeding the provisions for location, placement, type, area, height, clearance, visibility, sight distance, projection, quantity and illumination, as specified within the Robeson Township.

12. Caution tape or crime scene tape that is not utilized for emergency management purposes.
PART 11
NONCONFORMITIES

§ 1101. Statement of Intent

A. The purpose and objective of the provisions established under Part 11 of this Zoning Ordinance is to establish specific regulations pertaining to nonconforming uses, lots, land areas, building and/or structures.

B. As part of the establishment of Zoning Districts through the enactment of this Zoning Ordinance, there exists or will exist certain nonconformities which, if lawful before this Zoning Ordinance was passed or amended, may be continued, subject to certain limitations, although such nonconformities would be prohibited, regulated or restricted under the terms of this Zoning Ordinance or future amendments thereto.

C. To avoid undue hardship, nothing in this Zoning Ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption and on which actual building construction has been diligently conducted upon.

§ 1102. Nonconforming Lots of Record

A. Any lot shown on a recorded subdivision or land development plan on the effective date of this Zoning Ordinance, which does not meet the minimum size or width requirements of the zoning district to which it is located, may be used for a use permitted by regulations of that zoning district, provided that all yard, height, coverage and open space requirements of the zoning district shall be met. However, when a developer or applicant has had an application for approval of a preliminary or final subdivision plan, which has been approved prior to the effective date of this Zoning Ordinance, no provision and/or regulation in this Zoning Ordinance shall be applied to affect adversely the right of the developer or applicant to commence and complete any aspect of the approved preliminary or final plan within such time periods as are established within the Pennsylvania Municipalities Planning Code.

B. Any lot held in single and separate ownership on the effective date of this Zoning Ordinance, which does not meet the minimum size or width requirements of the zoning district to which it is located may be used for any use permitted in that zoning district, provided that all yard, height, coverage and open space requirements of the district are met. However, if two (2) or more lots, combination of lots, or portions of lots, which are adjacent and held under single ownership are of record at the time of passage or amendment of this Zoning Ordinance, and if all or part of the lots do not meet the requirements established for lot width and/or area, the land involved shall be considered to be an undivided parcel for the purpose of this Zoning Ordinance.

C. No portion of a nonconforming lot or parcel of land shall be used or sold in a manner which diminishes compliance with lot width and/or lot area requirements established by
this Zoning Ordinance, nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this Zoning Ordinance.

§ 1103. Nonconforming Uses of Land

A. Lawful uses of land, which at the effective date of this Zoning Ordinance or subsequent amendment thereto, that become nonconforming, such nonconforming use or uses may be continued by the present or any subsequent owner so long as it remains otherwise lawful, subject to the provision listed within this Part of this Zoning Ordinance.

B. A nonconforming land use shall not be enlarged, increased and/or extended in order to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Zoning Ordinance.

C. Whenever a nonconforming use has been discontinued for a period of twelve (12) consecutive months, such use shall not thereafter be reestablished, except if the owner of such property files within thirty (30) days of the date of discontinuance a certificate of intention to maintain such use. If such certificate is filed the time period, which a nonconforming use may be discontinued and still be reestablished, such nonconforming use shall be extended by a twelve (12) month period.

D. A nonconforming use, if changed to a conforming use, shall not thereafter be changed back to any nonconforming use. A nonconforming use may be changed to a conforming use or to a nonconforming use of a less offensive nature. A nonconforming use shall not be moved in whole or in part to any portion of the lot or parcel other than that occupied by such at the effective date of adoption or amendment of this Ordinance.

E. No additional structures, which do not conform to the requirements of this Zoning Ordinance shall be erected in connection with such nonconforming use of land.

§ 1104. Nonconforming Buildings or Structures

A. Lawful nonconforming structures or buildings, which at the effective date of this Zoning Ordinance becomes nonconforming by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the building or structures, may be continued as long as they remain otherwise lawful, subject to the provisions listed in the following subsections.

B. A nonconforming use, building or structure shall not be enlarged or increased upon land not owned, leased or under option to purchase at the time of the enactment of this Zoning Ordinance.

C. A nonconforming building or structure shall not be enlarged, increased, repaired, maintained or modified in any manner, which will further violate any applicable dimensional requirements imposed by this Zoning Ordinance.

D. Total future expansion of a nonconforming building or structure shall not exceed the following provisions:
1. The expansion may be permitted by right, provided that such expansion does not exceed fifty (50) percent of the gross floor area or ground area occupied by the building or structure at the time of the effective date of this Zoning Ordinance.

2. The expansion may be permitted to exceed fifty (50) percent of the gross floor area or ground area occupied by the building or structure at the time of the effective date of this Zoning Ordinance, provided that a special exception is permitted by the Zoning Hearing Board.

3. Unless otherwise permitted by Robeson Township, the expansion shall be limited to a single occurrence.

E. Any lawful nonconforming building or other structure which has been involuntarily damaged or destroyed by fire, explosion, windstorm or other similar active cause may be reconstructed in the same location, provided that:

1. The reconstructed building or structure shall not exceed the height, area or volume of the damaged or destroyed building or structure.

2. Reconstruction shall begin within one year from the date of damage or destruction and shall be carried on without interruption.

F. A nonconforming building or structure which has been damaged by fire, explosion, accident and/or calamity may be reconstructed and used for the same nonconforming use, provided that the reconstructed building or structure does not exceed the area, volume and height of the destroyed buildings or structure. The reconstruction shall be started within one (1) year from the date the building or structure was destroyed and shall be carried through without interruption.

G. No nonconforming structure or building shall be, for any reason, moved for any distance unless it shall thereafter conform to the regulations for the district in which it is located after it is moved.

§ 1105. Nonconforming Use of Structures or Buildings

A. Lawful nonconforming structures or buildings, or structures or buildings and land in combination, which exist at the effective date of this Ordinance that would not be allowed in the district under the terms of this Zoning Ordinance, may be continued so long as it remains otherwise lawful, subject to the provisions contained within this Part of this Zoning Ordinance.

B. An existing structure devoted to a use not permitted by this Zoning Ordinance within the zoning district where it is located may be enlarged, extended, constructed, reconstructed or structurally altered up to but not more than twenty five (25) percent of its gross floor and/or use area as it existed at the time of the passage of this Zoning Ordinance or subsequent amendment, provided that the lot or lots upon which the nonconforming structure is situated, were held under single ownership or long-term
lease (10 years or more) and purchased or leased prior to the enactment of this Zoning Ordinance. Unless otherwise permitted by Robeson Township, the expansion shall be limited to a single occurrence.

C. Any enlargement, extension, construction, reconstruction or structural alteration must conform to all other regulations of the zoning district to which it is located. This provision may be used only once for each nonconforming structure.

D. Any nonconforming use may be extended throughout the building, which was in use for the nonconforming use at the time of adoption of this Zoning Ordinance, but no such use shall be extended to occupy any land outside such building unless provided for under this Part of this Zoning Ordinance.

E. A nonconforming use of a structure, or premises and structure, may be changed to another nonconforming use provided that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. Such determination shall be made by a special exception granted by the Zoning Hearing Board, which shall take into consideration the following issues: the intent of the provisions for the zoning district; the ability to change the use to a conforming use; traffic generation and congestion; noise, smoke, dust, fumes, vapors, gases, heat, odor, glare, vibration, or other nuisances; external storage; solid waste disposal; sewer and water facilities; and the general impact of the use compared to the uses within five hundred (500) feet of the property lines.

F. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for twelve (12) consecutive months, the structure or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.

G. Where a building or structure occupying a nonconforming use is damaged or destroyed, the status of the nonconforming use shall be eliminated at that point in time. For the purpose of this subsection, damage or destruction shall be defined as a loss of more than seventy-five (75) percent of the market value at the time of the damage or destruction.

§ 1106. Registration of Nonconformities

The burden of proof that the use, lot, structure or building is nonconforming, as defined by this Zoning Ordinance, shall be the responsibility of the landowner of the property in question. All known nonconformities shall be a matter of public record and shall constitute sufficient notice and the limitations therein express and implied to any transferee acquiring any right to use or own such property.
§ 1107. Pre-Existing Planned Residential Communities

A. Prior to the enactment of the Robeson Township Zoning Ordinance of 2010, a few planned residential communities had been previously considered and/or approved under older alternative zoning regulations such as planned residential development, cluster and lot averaging, which were viable land use and development alternatives under the provisions of the Robeson Township Zoning Ordinance of 1995. A list of these planned residential communities shall be maintained by the Robeson Township Zoning Officer.

B. The planned residential communities that fall under the guidelines of Section 1107(A) of this Zoning Ordinance may continue as legal conforming developments provided that all principal and accessory uses are planned, developed and constructed in accordance with the pending application and/or approved plan. No further subdivision or land development activity shall be permitted unless it is strict compliance with the pending application and/or approved plan. Any minor deviations to the principal or accessory uses or structures may be permitted, provided that a special exception application has been considered and approved by the Zoning Hearing Board.
PART 12

ADMINISTRATION AND ENFORCEMENT

§ 1201. Statement of Intent

A. The purpose and objective of the provisions established under Part 12 of this Zoning Ordinance is to establish specific regulations and guidelines for the administration and enforcement of this Zoning Ordinance.

B. Where a conflict or discrepancy should arise concerning the procedural requirements specified by this Zoning Ordinance and the Pennsylvania Municipalities Planning Code, the Robeson Township Solicitor shall review the conflict or discrepancy and advise the Board of Supervisors, Planning Commission, Zoning Officer, Engineer and/or Zoning Hearing Board of the procedural requirements that should be followed.

C. The provisions established for administration and enforcement, as established under Part 12 of this Zoning Ordinance shall be subject to the interpretation of the Robeson Township Zoning Officer. Should a dispute arise concerning the interpretation of these regulations, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

§ 1202. Building Permits, Zoning Permits, Certificates of Use and Occupancy, and Other Permits

A. The following general requirements shall apply to zoning permits, building permits and certificates of occupancy, as reviewed and issued by the Zoning Officer:

1. Persons desiring to undertake any new construction, structural or site alteration, or changes in the use of a building or lot shall apply to the Robeson Township Zoning Officer for a permit by filling out the appropriate application form and by submitting the required fee.

2. The Zoning Officer shall either issue the appropriate permit or shall refuse the permit, indicating in writing the reason for refusal. Certain construction activities, alterations or land use activities may require approval of the Board of Supervisors, Planning Commission and/or Zoning Hearing Board.

3. If the permit is refused by the Zoning Officer, the applicant may appeal to the Zoning Hearing Board for further consideration.

4. After the permit has been received by the applicant, he may undertake the action that is specifically referenced on the approved permit application.

5. Upon completion of such action, the applicant may apply to the Zoning Officer for an occupancy permit (where such a permit is required).
6. If the Zoning Officer finds that the action of the applicant is in accordance with the zoning permit, building permit and any other required permit approvals, the Zoning Officer shall issue an occupancy permit allowing the premises to be occupied.

B. The following specific provision shall apply to an application for a zoning permit and/or building permit within Robeson Township:

1. No person shall erect, alter, convert, move or add to any building, structure or sign, or alter the use of any land or structure, until the Zoning Officer issues a zoning permit and/or building permit to the person or applicant for said change or construction.

2. Unless otherwise specified by this Zoning Ordinance, a zoning permit and/or building permit is not required for normal maintenance and repairs.

3. The following provisions shall apply to the types of procedural requirements for a use permitted by right, special exception or conditional use:

   a. A zoning permit and/or building permit may be issued by the Zoning Officer for all uses permitted by right, subject to the provisions and requirements of the Zoning Ordinance.
   
   b. A zoning permit and/or building permit may be issued by the Zoning Officer for all uses permitted as part of a zoning variance application, which has been approved by the Zoning Hearing Board and subject to the provisions and requirements of the Zoning Ordinance.
   
   c. A zoning permit and/or building permit may be issued by the Zoning Officer for all uses permitted as part of a special exception application, which has been approved by the Zoning Hearing Board and subject to the provisions and requirements of the Zoning Ordinance.
   
   d. A zoning permit and/or building permit may be issued by the Zoning Officer for all uses permitted as part of a conditional use application, which has been approved by the Board of Supervisors and subject to the provisions and requirements of the Zoning Ordinance.

4. All applications for a zoning permit and/or building permit shall be made in writing to the Zoning Officer and shall be accompanied by three (3) complete sets of plans accurately drawn to scale indicating or illustrating the following information if applicable:
   
   a. The actual dimensions and shape of the lot to be built upon, as prepared by a professional architect, engineer, planner or surveyor.
b. The exact size and location on the lot of buildings, structures or signs existing and/or proposed extensions thereto prepared by a licensed surveyor or engineer.

c. The number of lots or dwelling units.

d. Off-street parking spaces provided and/or loading facilities.

e. Statement indicating the existing or proposed use.

f. The detailed scale drawing of the structure, building, sign or other improvement, including the precise dimensions.

g. A written agreement that the applicant is the owner of the premises on which the improvement will be conducted or that the applicant has obtained the consent of the owner or lessee of such premises to improve the property in accordance with the permit application.

h. All other information necessary for such Zoning Officer to determine conformance with and provide for enforcement of this Zoning Ordinance;

5. Upon approval or disapproval of the zoning permit and/or building permit, the Zoning Officer shall return one (1) copy of the permit application and plans to the applicant. The Zoning Officer shall indicate that the permit has been approved or disapproved by signing the application. Where appropriate condition of approval should be specified on the zoning permit and/or building permit application. One (1) copy of such plans shall be retained by the Zoning Officer for his permanent records and one (1) copy shall be retained by Robeson Township.

6. Approval or denial of the requested zoning permit application or building permit application shall be made within thirty (30) days from the date of application was considered complete by the Zoning Officer. In denying a zoning permit application or building permit application, the Zoning Officer shall inform the applicant of the reasons for denial and specify the provision(s) of the Zoning Ordinance, which has not been satisfied. Applicants shall be informed of their rights of appeal and provided with all necessary information to pursue such appeals.

7. Zoning permits and/or building permits shall expire within one (1) year from date of issuance, if the work described in any permit has not begun. If the work described in any zoning permit and/or building permit has begun, said permit shall expire after one (1) year, exclusive of any time required for administration and permitting, from date of issuance thereof, within which time said work shall be completed.
C. The following specific provision shall apply to an application for a certificate of use and occupancy within Robeson Township:

1. A certificate of use and occupancy shall be required upon the completion of the work and improvements authorized as part of the zoning permit and/or building permit. It shall be unlawful to use and/or occupy any structure, building and/or portions thereof in any manner until a certificate of use and occupancy has been issued by the Zoning Officer.

2. The application for certificate of use and occupancy shall be submitted on such form as the Zoning Officer may prescribe.

3. The Zoning Officer shall inspect any structure, building, sign, improvements and/or land or portions thereof to determine compliance with the Zoning Ordinance and permit requirements. If satisfied that the completed work is in conformity with the Zoning Ordinance and permit requirements, a certificate of use and occupancy shall be issued.

4. Upon inspection, the Zoning Officer shall either grant or deny the certificate of use and occupancy in writing, within fifteen (15) from the date of application or last inspection.

5. In situations in which performance standards are imposed, no certificate of occupancy shall become permanent until thirty (30) days after the use or facility is fully operating and only after, upon inspection by the Zoning Officer, it is determined that the facility is in compliance with the performance standards. After said inspection, the Zoning Officer shall notify the applicant that the facility is in full compliance with all performance standards and that the certificate of use and occupancy is permanent or that the facility does not comply and that the certificate of use and occupancy is still temporary. In no case shall a temporary certificate of use and occupancy extend ninety (90) days past the date of first inspection.

6. The certificate of use and occupancy shall be kept on the premises and shall be publicly displayed in a manner required by Robeson Township.

D. The following specific provision shall apply to an application for a special use permit, seasonal permits and/or temporary permit within Robeson Township:

1. Where a special use, seasonal use or a temporary use are permitted by this Zoning Ordinance, the Zoning Officer may issue a special use permit or a temporary use permit to the applicant.

2. A special use permit may be issued by the Zoning Officer for a use having a periodic, intermittent or short duration of time not exceeding thirty (30) consecutive or cumulative days within a calendar year. Such special uses shall include the following: carnivals; circuses; bazaars; fairs; municipal and civic events; the sale of food, product and similar merchandise; the sale of Christmas
trees, seasonal flowers or other seasonal items excluding fireworks; and other similar activities conducted by a nonprofit or charitable organization, provided that activities are conducted on the same premises as the use and location of the principal activity of the sponsor.

3. A seasonal or temporary use permit may be issued for a use having a short time period, which shall not exceed ninety (90) consecutive or cumulative days within a calendar year. The seasonal or temporary use shall be a permitted use specified by this Zoning Ordinance or within the zoning district to which the use is located.

E. The owner of the premises occupied by a lawful nonconforming use or structure may secure a Certificate of Nonconforming Use or Structure from the Zoning Officer. Such Certificate shall be authorized by the Zoning Officer and shall certify to the owner his right to continue such nonconforming use or structure.

F. Pursuant to the provisions established by Robeson Township, additional permits may be required by local, regional, county, state and federal agencies, which shall be issued prior to the commencement of any improvement or site activities.

§ 1203. Zoning Officer

A. The provisions of this Zoning Ordinance shall be enforced by an agent, to be appointed by the Board of Supervisors, who shall be known as the "Zoning Officer." The Zoning Officer shall not hold any elective office and shall continue to serve Robeson Township until such time as the Board of Supervisors declares otherwise.

B. The Zoning Officer is responsible to enforce the provisions of this Zoning Ordinance and shall have such duties and powers as are referenced by this Zoning Ordinance. The Zoning Officer's duties shall include, but are not limited to the following:

1. Receive, examine and process permit applications for zoning, land use, buildings and signs.

2. To issue permits for the construction, alteration, repair, extension, replacement, occupancy, and uses of land, which are in accordance with the regulations of this Zoning Ordinance.

3. To record and file all applications for permits and accompanying plans and documents and keep them for public record.

4. To inspect nonconforming uses, buildings and lots of records by examining them periodically, with the view of eliminating the nonconforming uses under the existing laws and regulations and to issue certificates of occupancy for them.

5. Upon the request of the Board of Supervisors, Planning Commission or the Zoning Hearing Board, present to such bodies facts, records and any similar information on specific requests to assist such bodies in reaching their decisions.
6. To be responsible for periodic updates to this Zoning Ordinance and the Zoning Map, which is filed with the Robeson Township Manager or Secretary, and to include any amendments thereto.

7. To keep an official record of all business and activities, including complaints of a violation of any of the provisions of this Zoning Ordinance and of the action taken consequent to each such complaint.

8. Issue permits for uses permitted by right, variance, special exception or conditional use, as specified by this Zoning Ordinance.

9. Perform all other duties, as may be required for the administration of this Zoning Ordinance.

C. Any person, partnership or corporation who or which shall violate the provisions of this Zoning Ordinance shall be held accountable for their actions in accordance with the provisions specified by Robeson Township.

D. Should a dispute arise concerning the interpretation of this Zoning Ordinance by the Zoning Officer, the person aggrieved by the interpretation may file an appeal with the Zoning Hearing Board.

§ 1204. Zoning Hearing Board

A. The Robeson Township Board of Supervisors shall appoint three (3) residents to serve as members of the Zoning Hearing Board in accordance with the provisions of Robeson Township and Pennsylvania Municipalities Planning Code.

B. The following provisions shall apply to the establishment of the Robeson Township Zoning Hearing Board:

1. The members of the Zoning Hearing Board shall serve three (3) year terms and shall be so fixed that the term of office of one member shall expire each year.

2. The Zoning Hearing Board shall promptly notify the Board of Supervisors of any vacancies, which may occur. Appointments to fill vacancies shall be only for the unexpired portion of the term.

3. The members of the Zoning Hearing Board shall not be an employee of Robeson Township and shall not hold any other office within Robeson Township.

4. Any member of the Zoning Hearing Board may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors taken after the member has received fifteen (15) days of advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.
5. The Board of Supervisors may appoint one (1) resident to serve as an alternate member of the Zoning Hearing Board.

C. The following provisions shall apply to the organization of the Robeson Township Zoning Hearing Board:

1. The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves.

2. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all members of the Board, but where two members are disqualified to act in a particular matter, the remaining member may act for the Zoning Hearing Board.

3. The Zoning Hearing Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Zoning Hearing Board, as provided by Robeson Township.

4. The Zoning Hearing Board may appoint a solicitor or attorney to oversee the procedures of the hearing in accordance with the provisions established by of Robeson Township.

5. The Zoning Hearing Board may make, alter and rescind rules and forms for its procedure, consistent with the provisions of Robeson Township and laws of the Commonwealth of Pennsylvania.

6. If requested by the Board of Supervisors, the Zoning Hearing Board shall submit an annual report of its activities to the Board of Supervisors.

D. The following provisions shall apply to expenditures and fees for the Robeson Township Zoning Hearing Board:

1. The members of the Zoning Hearing Board may receive compensation for the performance of their duties and services, which shall be established by the Board of Supervisors.

2. Within the limits of funds appropriated by the Board of Supervisors, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services.

3. The applicant before the Zoning Hearing Board shall deposit with the designated secretary or treasurer of Robeson Township such a sum of money as shall be deemed sufficient by the Zoning Hearing Board and established in a resolution to pay the cost of the expenses for the hearing. These costs may include compensation in accordance with the provisions of the Pennsylvania Municipalities Planning Code.
4. Funds deposited in excess of the actual cost of the requested hearing shall be returned to the applicant upon completion of the proceedings, and, in the event that the cost of the hearing exceeded the funds deposited, the applicant shall pay to the designated secretary or treasurer of Robeson Township the appropriate funds equal to such excess cost.

E. The following provision shall apply to the general functions of the Robeson Township Zoning Hearing Board:

1. The Zoning Hearing Board shall act in strict accordance with the procedures specified within Robeson Township and the Pennsylvania Municipalities Planning Code.

2. The Zoning Hearing Board shall consider applications for variances, special exceptions, appeals concerning the interpretation of this Zoning Ordinance by the Zoning Officer, and other duties that are specified by Robeson Township.

3. All appeals and applications made to the Zoning Hearing Board shall be in writing, on forms prescribed by the Board of Supervisors or Zoning Hearing Board.

4. Every appeal or application shall refer to the specific provision of this Zoning Ordinance involved and shall exactly set forth the interpretation that is claimed, the grounds for any challenges to validity of this Zoning Ordinance, the use for which a special exception is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

F. In all cases before the Zoning Hearing Board, the Board of Supervisors, Planning Commission and Zoning Officer may review and comment on the application prior to rendering a decision.

§ 1205. Public Hearings and Procedures

A. The first hearing shall be commenced within sixty (60) days from the date of the applicant's request, unless the applicant has agreed, in writing, to an extension of time. Each subsequent hearing before the Zoning Hearing Board shall be held within forty-five (45) days of the prior hearing unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his case in chief (the part of the hearing in which the applicant presents evidence to support his or her claim or defense) within one hundred (100) days of the first hearing. Upon the request of the applicant, the Zoning Hearing Board shall assure that the applicant receives at least seven hours of hearings within the one hundred (100) days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within one hundred (100) days of the first hearing, held after the completion of the applicant's case in chief. An applicant may, upon request, be granted additional hearings to complete his case in chief, provided the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the
application may, upon the written consent, on the record by the applicant and Robeson Township, be granted additional hearings to complete their opposition to the application, provided the applicant is granted an equal number of hearings for rebuttal.

B. The Robeson Township Zoning Hearing Board shall give notice of the public hearing in accordance with as follows:

1. By publishing a notice once each week for two successive weeks in a newspaper of general circulation within Robeson Township. Such notice shall state the time and place of the public hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than 30 days and the second publication shall be not less than seven (7) days from the date of the hearing.

2. By mailing a notice thereof to the parties of interest at least fourteen (14) days prior to the public hearing.

3. By mailing or issuing a notice to the Robeson Township Manager, Zoning Officer, Secretary, Board of Supervisors, Planning Commission, Berks County Planning Commission (if requested) and to every person or organization who shall have registered with the Zoning Hearing Board for the purpose of receiving such notices.

4. The Zoning Hearing Board or Zoning Officer may mail notice of the hearing to the owner of every lot within five hundred (500) feet of the lot or building in question, provided that failure to give notice, either in part or in full, as stated by this subsection shall not invalidate any action by the Zoning Hearing Board.

5. The required notices by this section shall state the location of the lot or building that is the subject of the application, as well as the general nature of the request(s) being made by the applicant(s).

6. The Board of Supervisors may establish reasonable fees to be paid by the applicant in accordance with the provisions of Robeson Township.

C. The Zoning Hearing Board shall conduct the hearings, or the Zoning Hearing Board may appoint any member or an independent attorney as a hearing officer. The decision or, where no decision is called for, the findings shall be made by the Board, but the parties may waive decision of findings by the Board and accept the decision or findings of the hearing officer as final.

D. The parties to the hearing shall be Robeson Township, any person affected by the application who has made timely appearance or record before the Zoning Hearing Board and any other person, including civic or community organizations permitted to appear by the Zoning Hearing Board. The Zoning Hearing Board shall have power to require that all persons who wish to be considered parties enter appearances, in writing, on forms provided by the Board for that purpose.
E. The Chairman or acting Chairman of the Zoning Hearing Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and documents requested by the parties.

F. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.

G. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

H. The Zoning Hearing Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.

I. The Zoning Hearing Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda or other material so noticed and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

J. The Zoning Hearing Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Zoning Hearing Board or hearing officer. Each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefore. Conclusions based on any provisions of this Zoning Ordinance or of any act, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer and there has been no stipulation that his decision or findings are final, the Zoning Hearing Board shall make his report and recommendations available to the parties, and the parties shall be entitled to make written representations thereon to the Zoning Hearing Board prior to final decision or entry of findings, and the Zoning Hearing Board's decision shall be entered no later than forty-five (45) days after the decision of the hearing officer. Where the Zoning Hearing Board has power to render a decision and the Zoning Hearing Board or the hearing officer, as the case may be, fails to commence, conduct or complete the required hearing as required by this Zoning Ordinance, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. Nothing in this subsection shall prejudice the right of any party opposing the application to urge that such decision is erroneous.

K. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him by certified mail not later than the day following its date. To all other persons who have filed their names and addresses with the Board no later than the last day of the hearing, the Zoning Hearing Board shall
provide by mail or otherwise brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

§ 1206. Zoning Variances

A. The Zoning Hearing Board shall hear requests for zoning variance applications, whereas it is alleged that the provisions of this Zoning Ordinance inflict unnecessary hardship upon the applicant. The zoning variance application shall be considered by the Zoning Hearing Board in accordance with the provisions specified by this Zoning Ordinance.

B. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code. The Zoning Hearing Board may, by rule, prescribe the form of application and may require a preliminary application to be issued and reviewed by the Zoning Officer.

C. In all cases before the Zoning Hearing Board, the Board of Supervisors, Planning Commission and Zoning Officer may review and comment on the zoning variance application prior to rendering a decision.

D. The Zoning Hearing Board may grant a variance provided that all the following findings are made where relevant in a given case:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such condition, and not circumstances or conditions generally created by the provisions of this Zoning Ordinance in the neighborhood or district in which the property is located.

2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

3. That such unnecessary hardship has not been created by the appellant.

4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

5. That the variance as granted by the Zoning Hearing Board is the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

E. Where the Zoning Hearing Board has jurisdiction over other zoning matters described under this Zoning Ordinance, the Zoning Hearing Board shall also hear all appeals,
which an applicant may elect to bring before it with respect to any municipal ordinance or requirement pertaining to the same lot, parcel, property or development. In any such case, the Zoning Hearing Board shall have no power to pass upon the non-zoning related issues but shall take evidence and make a record in accordance with the procedures established by this Zoning Ordinance. At the conclusion of the hearing, the Zoning Hearing Board shall make findings on all relevant issues of fact, which shall become part of the record on appeal to the court.

F. The approval of a variance if authorized by the Zoning Hearing Board, which anticipates construction or modification of a structure, creation of new or revised lot lines or dimensional standards for a property or structure situated thereon, shall be valid and remain in effect for a term of one (1) year from the date of said approval and shall thereafter expire and be void, unless said construction, modification, new or revised lot lines or dimensional standards or change of use or occupancy be initiated within said one (1) year term or said term is expressly extended as part of the initial approval. In the event that the activity anticipated by the variance should not be initiated within one (1) year of the approval or such additional term as may be expressed in the approval, or should the activity which is the subject of the variance be discontinued, the premises or structure or structure situated thereon shall not thereafter be used except in conformity with the regulations of the district in which it is located.

G. For zoning variance applications, where compliance with the minimum dimensional requirements and/or maximum coverage requirements of this Zoning Ordinance are considered to be “de minimis” in terms of their impact, the Zoning Hearing Board may consider such application in accordance with state law.

§ 1207. Special Exceptions

A. The Zoning Hearing Board shall hear requests for special exception applications, as permitted under the provisions of this Zoning Ordinance. By so providing, the Zoning Hearing Board recognizes that certain uses may or may not be appropriate at every location within any specific district and, where it appears that a use permitted by special exception fails to comply with all of the definitional aspects thereof or would be contrary to the public health, safety, morals and/or welfare of the community at specific locations within a district, that the use would not be permitted there.

B. In granting any special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code, as amended. The Zoning Hearing Board may, by rule, prescribe the form of application and may require a preliminary application to be issued and reviewed by the Zoning Officer.

C. As part of the submission requirements for a special exception application, a preliminary subdivision plan or preliminary land development plan shall be prepared and submitted to Robeson Township for review and consideration in accordance with the procedures and requirements specified by Robeson Township.
D. The Zoning Hearing Board shall consider the comments issued by the Robeson Township Board of Supervisors, Planning Commission, Engineer, Zoning Officer and/or other agencies that could assist the Zoning Hearing Board with the special exception application. All such comments shall be made either in writing and presented as evidence during the hearing or as part of sworn testimony at the public hearing.

E. The Zoning Hearing Board shall consider the following issues prior to rendering its decision on a special exception application:

1. That such use is consistent with the Southern Berks Regional Comprehensive Plan.

2. That such use shall be one, which is specifically authorized as a special exception use within the zoning district wherein the applicant seeks a special exception.

3. That the property is suitable for the use desired and that the proposed request is consistent with the goals, objectives and policies established by this Zoning Ordinance.

4. That such special exception shall only be granted subject to any applicable condition and safeguards as required by this Zoning Ordinance.

5. That such use shall not adversely affect the health, safety and/or welfare of the residents or property owners within the general neighborhood.

6. That there will be no adverse effect of the proposed special exception upon the logical, efficient and economical extension of public facilities and services, including, public water, sanitary sewers, streets, police and fire protection, public schools, and all other similar facilities and services that are considered appropriate by the Zoning Hearing Board.

7. The applicant shall provide evidence with supporting documentation that the local emergency management providers have the abilities to provide adequate police, fire protection and emergency management services.

8. That any unique circumstances for which the special exception is sought were neither created by the owner of the property nor were due to, or the result of, general conditions within the zoning district in which the property is located.

9. That the proposed location of any residential use or non-residential use is suitable with respect to probable effects upon highway traffic and assures adequate access arrangements in order to protect major streets and highways from undue congestion and hazard.

10. The applicant shall provide evidence with supporting documentation that the capacity of the road system providing access to the property or lot in question
has sufficient capacity to accommodate the use and that the level of service of the roads will not be further degraded by the proposed use.

11. The adequacy of sanitation and public health provisions shall be provided, whereas, written proof or verification regarding the adequacy and availability of sewage disposal facilities and water supply facilities shall be supplied from the appropriate agencies or authorities.

12. The applicant shall provide evidence with supporting documentation that the existing or proposed sanitary sewage disposal facilities have sufficient capacity for the proposed use. Where on-lot sewage disposal methods are permitted, the applicant shall consult with the Robeson Township Sewage Enforcement Officer to determine if on-lot sewage disposal is a viable option considering the proposed use, wastewater flow and site characteristics.

13. The applicant shall provide evidence with supporting documentation that the existing or proposed municipal water supply facilities have sufficient capacity for the proposed use. Where water supply methods are permitted, the applicant shall consult with a qualified hydrogeologist to determine if on-lot water supply is a viable option considering the proposed use, groundwater supply and site characteristics.

14. The applicant shall provide evidence with supporting documentation that there will be no increase in surface water runoff and erosion within the property or at the boundaries of the facility as a result of the site improvements, as specified by Robeson Township.

F. The Zoning Hearing Board may impose reasonable conditions in order to assure that the intent of the Zoning Ordinance is complied with by the applicant in accordance with the testimony and evidence presented as part of the special exception application.

G. The approval of a special exception, if authorized by the Zoning Hearing Board, which anticipates construction or modification of a structure, creation of new or revised lot lines or dimensional standards for a property or structure situated thereon, shall be valid and remain in effect for a term of one (1) year from the date of said approval and shall thereafter expire and be void, unless said construction, modification, new or revised lot lines or dimensional standards or change of use or occupancy be initiated within said one (1) year term or said term is expressly extended as part of the initial approval. In the event that the activity anticipated by the special exception should not be initiated within one (1) year of the approval or such additional term as may be expressed in the approval or should the activity, which is the subject of the special exception be discontinued, the premises or structure or structure situated thereon shall not thereafter be used except in conformity with the regulations of the district in which it is located.

§ 1208. Conditional Uses

A. The Board of Supervisors shall hear requests for conditional use applications, as permitted under the provisions of this Zoning Ordinance. By so providing, the Board of
Supervisors recognize that certain uses may or may not be appropriate at every location within any specific district and, where it appears that a conditional use fails to comply with all of the definitional aspects thereof or would be contrary to the public health, safety, morals and/or welfare of the community at specific locations within a district, that the use would not be permitted there.

B. In granting any conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Zoning Ordinance and the Pennsylvania Municipalities Planning Code.

C. As part of the submission requirements for a conditional use application, a preliminary subdivision plan or preliminary land development plan shall be prepared and submitted to Robeson Township for review and consideration in accordance with the procedures and requirements specified by Robeson Township.

D. Prior to the commencement of the conditional use hearing or during the proceedings of the conditional use hearing, the Board of Supervisors shall consider the comments of the Robeson Township Planning Commission, Zoning Officer, Engineer, the appointed professional consultants and/or other agencies that could assist the Board of Supervisors with the merits of the conditional use application. All such comments shall be made either in writing and presented as evidence during the hearing or as part of sworn testimony at the conditional use hearing.

E. All of the standards for conditional uses hereinafter set forth shall, where relevant, apply to all conditional uses within Robeson Township and are deemed definitional in character so that the failure to comply with any standards shall be deemed a failure to bring the applicant within that definitional aspect for which a conditional use may be granted; or, in the discretion of the Board of Supervisors, such failure to comply with the standards may be deemed a basis for the impositions of appropriate conditions to such grant. It is further the intention of the Board of Supervisors that the standards hereinafter described shall be deemed additional standards and shall in no way impair any other applicable standard described elsewhere in this Zoning Ordinance. Where there is a conflict between the standards set forth in this Part and other standards elsewhere established by this Zoning Ordinance or other applicable ordinances, it is intended that the more stringent thereof shall apply, and it is not the intent of this Part to abrogate or impair any other such standards or requirements.

F. The Board of Supervisors shall consider the following general issues and site requirements prior to rendering its decision on a conditional use application:

1. That such use is consistent with the Southern Berks Regional Comprehensive Plan.

2. That such use shall be one, which is specifically authorized as a conditional use within the zoning district wherein the applicant seeks a conditional use.
3. That the property is suitable for the use desired and that the proposed request is consistent with the goals, objectives and policies established by this Zoning Ordinance.

4. The minimum and maximum dimensional requirements for the proposed use within the appropriate zoning district shall be held in compliance by the applicant.

5. That such use shall not adversely affect the health, safety and/or welfare of the residents or property owners within the general neighborhood.

6. The applicant shall provide evidence with supporting documentation that the capacity of the road system providing access to the property or lot in question has sufficient capacity to accommodate the use and that the level of service of the roads will not be further degraded by the proposed use.

7. The applicant shall provide evidence with supporting documentation that the interior traffic circulation for the proposed use at the proposed location, including but not limited to acceleration and deceleration lanes where required at the proposed entrances to the location, shall be adequate to provide safe and convenient circulation for users of the facility, visitors to the facility, employees of the facility and all emergency vehicles that may require entrance thereon.

8. The applicant shall provide evidence with supporting documentation the facility or use provides safe and convenient pedestrian access and internal circulation within the grounds of the facility and particularly for points of access from the facility to the parking areas.

9. The applicant shall provide evidence with supporting documentation that the local emergency management providers have the abilities to provide adequate police, fire protection and emergency management services.

10. The applicant shall provide evidence with supporting documentation that adequate water storage and pressure is available within the region for firefighting purposes, which may include analytical testing to determine if the proposed use can provide a safe and dependable supply of water without impairing the uses of water by other sources.

11. Where in the opinion of the Board of Supervisors, the use or facility may require supervision and protection, the applicant shall provide evidence with supporting documentation that additional security measures will be accounted for by the owner or site manager so the facility or use does not create a continuous burden on the emergency management services and providers.

12. The applicant shall provide evidence with supporting documentation that the existing or proposed sanitary sewage disposal facilities have sufficient capacity for the proposed use. Where on-lot sewage disposal methods are permitted, the applicant shall consult with the Robeson Township Sewage Enforcement Officer.
to determine if on-lot sewage disposal is a viable option considering the proposed use, wastewater flow and site characteristics.

13. The applicant shall provide evidence with supporting documentation that the existing or proposed municipal water supply facilities have sufficient capacity for the proposed use. Where water supply methods are permitted, the applicant shall consult with a qualified hydrogeologist to determine if on-lot water supply is a viable option considering the proposed use, groundwater supply and site characteristics.

14. The applicant shall provide evidence with supporting documentation that there will be no increase in surface water runoff and erosion within the property or at the boundaries of the facility as a result of the site improvements, as specified by Robeson Township.

G. The Board of Supervisors may impose reasonable conditions in order to assure that the intent of the Zoning Ordinance is complied with by the applicant in accordance with the testimony and evidence presented as part of the conditional use application.

H. The following provisions shall apply for the public hearing procedures and administrative requirements for all conditional use applications within Robeson Township:

1. The Board of Supervisors shall schedule and hold a public hearing on the application pursuant to public notice within sixty (60) days from the date of receipt of the applicant's application. The request for a hearing shall be accompanied by a completed application on required form. The date for the scheduling of the first hearing may be extended by the applicant on the record or in writing addressed to the Board of Supervisors, in which event the date agreed upon by the applicant shall be considered timely for purposes of this subsection.

2. As part of the conditional use hearing, the Board of Supervisors shall consider those comments issued by the Robeson Township Planning Commission, Zoning Officer, Engineer, the appointed professional consultants and all other agencies providing comments, as may be authorized by Robeson Township and the Pennsylvania Municipalities Planning Code.

3. The Board of Supervisors shall conduct the hearing or the Board of Supervisors may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board of Supervisors. However, the appellant or the applicant, as the case may be, in addition to Robeson Township, may, prior to the decision of the hearing, waive decision or findings by the Board of Supervisors and accept the decision or findings of the hearing officer as final. All hearings must be completed no later than one hundred (100) days after the completion of the applicant's case-in-chief, unless extended for good cause upon application to the Court of Common Pleas.
4. Any substantial revisions to the application or plan made by the applicant subsequent to filing of the application or plan or its review by the Planning Commission shall be subject to review and recommendation by the Planning Commission as specified by this Zoning Ordinance. In such event, the Zoning Officer shall secure from the applicant a written extension of the date within which the Board of Supervisors must hold a public hearing pursuant to the provisions of this Zoning Ordinance. If the applicant fails to execute the extension, the Board of Supervisors shall decide the conditional use application on the basis of the plan and application as originally filed.

5. A stenographic record of the hearing shall be made by a certified court reporter, whose appearance fee shall be reimbursed through the application fee paid to Robeson Township as part of the initial application. The cost of the original transcript shall be paid by Robeson Township or by any party requesting an original transcript. In either case, the cost of additional copies shall be paid by the party or person requesting such copies.

6. The Board of Supervisors shall render a written decision or, when no decision is called for, make written findings on the conditional use application within forty-five (45) days after the last hearing before the Board of Supervisors. Where the application is contested or denied, each decision shall be accompanied by findings of fact, reasons or conclusions based thereon. Any conclusions based upon this Zoning Ordinance, the Pennsylvania Municipalities Planning Code, or any rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. A copy of the decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him no later than the day following its date.

7. If, after the conclusion of the public hearing(s), the application is amended or revised, the Board of Supervisors shall hold one or more public hearings thereon as may be necessary and shall issue a new decision thereon in conformance with the procedure established in this section. In the event that the Board of Supervisors fail to commence the public hearing within sixty (60) days from the date of the applicant's request for a hearing or fail to complete the hearing no later than one hundred (100) days after the completion of the applicant's case-in-chief, unless extended for good cause upon application to the Court of Common Pleas, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because the Board of Supervisors failed to commence the hearings, complete the hearings, or render a decision as required by this section, the Board of Supervisors shall give public notice of the decision within ten (10) days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this section. If the Board of Supervisors shall fail to provide such notice, the applicant may do so. Nothing in this section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.
I. Nothing in this section shall be construed to relieve the applicant for a conditional use approval from obtaining all other required approvals mandated by Robeson Township as well as other pertinent laws, ordinances and regulations that have been adopted by local, state and federal agencies. This may include the submission of a subdivision plan and/or land development plan to be prepared by the applicant and submitted to Robeson Township for review and consideration.

J. Unless otherwise specified by the Board of Supervisors in its decision and order, a conditional use approval shall expire if the applicant does not secure a building permit or, if no building permit is required, then a use and occupancy permit, within twelve (12) months from the date of the Board’s written approval of the conditional use application, unless, the applicant makes written application to the Board of Supervisors for an extension of time, which shall be based upon reasonable cause shown. No formal hearing shall be required by the Board of Supervisors in the consideration of such application. An extension of time may be granted by the Board of Supervisors for a period of time considered appropriate by the Board of Supervisors.

§ 1209. Amendments

A. The Board of Supervisors may from time to time amend, supplement, change, modify or repeal the contents of this Zoning Ordinance including the Zoning Map. Any amendment, supplement, reclassification or change may be initiated by the Board of Supervisors, Planning Commission, or by a petition to the Board of Supervisors from a property owner within Robeson Township. The Board of Supervisors shall fix the time and place of a public hearing on the proposed change, amendment or repeal and cause notice thereof to be given as follows:

1. By publishing a notice once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days or less than seven (7) days from the date of the hearing.

2. The notice shall also set forth the principal provisions of the proposed change, amendment or repeal in reasonable detail and a reference to a place in Robeson Township where copies of the proposed change, amendment or repeal may be examined or purchased at a charge not exceeding the cost thereof. Full opportunity to be heard will be given to any citizen and all parties in interest attending such hearing.

3. If the proposed amendment involves a Zoning Map change, notice of said public hearing shall be conspicuously posted by the authorized representatives of Robeson Township at points deemed sufficient along the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one (1) week prior to the date of the hearing. In addition to the requirement that notice be posted along the property, if the proposed amendment involves a Zoning Map change, notice of the public hearing shall be mailed by Robeson Township to all property owners within the affected area.
Township at least 30 days prior to the date of the hearing by first class mail to the addresses to which real estate tax bills are sent for all real property located within the area being rezoned as evidenced by tax records within the possession of Robeson Township. The notice shall include the location, date and time of the public hearing.

B. The Board of Supervisors shall refer each petition or proposal for change or amendment, whether under this part or under another part, to the Planning Commission, who shall consider whether or not such proposed change or amendment would be, in the view of the Planning Commission, consistent with and desirable in furtherance of the Southern Berks Regional Comprehensive Plan upon which this Zoning Ordinance is based, as the same may be modified from time to time. The Planning Commission shall transmit its recommendations and conclusions to the Board of Supervisors within thirty (30) days. The Board of Supervisors shall take such recommendations and conclusions into consideration in reaching its decision, but shall not be bound thereby.

C. The Board of Supervisors shall submit the proposed zoning amendment to the Berks County Planning Commission at least thirty (30) days prior to the hearing for its review and comments. The Board of Supervisors shall take such comments into consideration in reaching its decision, but shall not be bound thereby.

D. The public hearing shall be conducted in accordance with the appropriate provisions that are established by Robeson Township and the Pennsylvania Municipalities Planning Code.

E. If the zoning amendment is changed substantially or revised to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the zoning amendment.

F. If the zoning amendment is enacted by the Board of Supervisors, an endorsed copy of the zoning amendment shall be forwarded to the Berks County Planning Commission within thirty (30) day of enactment.

§ 1210. Curative Amendments

A. A landowner who desires to challenge on substantive grounds the validity of this Zoning Ordinance, which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Board of Supervisors with a written request that his challenge and proposed amendment be heard. All such landowner curative amendments shall be decided as provided in accordance with the appropriate provisions that are established by Robeson Township and the Pennsylvania Municipalities Planning Code.

B. Robeson Township by formal action, may declare this Zoning Ordinance or portions thereof substantively invalid and propose the preparation of a municipal curative amendment to overcome such invalidity. All such municipal curative amendments shall be decided as provided in accordance with the appropriate provisions that are established by Robeson Township and the Pennsylvania Municipalities Planning Code.
C. All landowner curative amendments and/or municipal curative amendments shall be referred to the Robeson Township Planning Commission and the Berks County Planning Commission at least thirty (30) days prior to the initial hearing date to provide both agencies with an opportunity to submit recommendations.

D. The advertisement, posting and scheduling of the public hearing shall be conducted in accordance with the appropriate provisions that are established by Robeson Township and the Pennsylvania Municipalities Planning Code.

E. If the landowner curative amendment and/or the municipal curative amendment is enacted by the Board of Supervisors, an endorsed copy of the amendment shall be forwarded to the Berks County Planning Commission within thirty (30) day of enactment.

§ 1211. Appeals

A. All appeals concerning the review, application, interpretation and decisions authorized by this Zoning Ordinance shall be in accordance with the appropriate provisions that are established by Robeson Township and the Pennsylvania Municipalities Planning Code.

B. All appeals concerning an alleged error in the processing or enactment of any component of this Zoning Ordinance shall be raised by appeal taken directly from the action of the Board of Supervisors to the appropriate court, which shall not be filed later than thirty (30) days from the effective date of this Zoning Ordinance.

§ 1212. Filing Fees and Costs

A. The Board of Supervisors shall establish by resolution a schedule of fees, charges and expenses as well as the collection procedures for zoning permits, certificates of occupancy, special exceptions, variances and appeals and other matters pertaining to this Zoning Ordinance. The resolution or schedule of the fees shall be available for inspection in the office of the Robeson Township Zoning Officer.

B. The Board of Supervisors may alter or change the schedule of the fees by resolution in accordance the appropriate provisions established by Robeson Township and the Pennsylvania Municipalities Planning Code.

§ 1213. Violations, Penalties and Remedies

A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable in a civil enforcement proceeding commenced by Robeson Township, pay a judgment of not more than $500 plus all court costs, including reasonable attorney fees incurred by Robeson Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, Robeson Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that
a violation continues shall constitute a separate violation, unless the district justice determines otherwise as prescribed by the Pennsylvania Municipalities Planning Code.

B. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

C. Nothing contained in this Zoning Ordinance shall be construed or interpreted to grant to any person or entity other than Robeson Township the right to commence any action for enforcement pursuant to this Zoning Ordinance.

D. In the event any building, structure or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Zoning Ordinance, or in case any land, building or structure for which a use and occupancy permit is required is conveyed or possession otherwise transferred to a bona fide purchaser or lessee without obtaining such certificate of occupancy and delivering the same to such bona fide purchaser or lessee at or prior to conveyance or transfer of possession, whichever first occurs, the Board of Commissioner, in addition to other remedies, may institute in the name of Robeson Township any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land or the conveyance thereof, or to prevent in or about such premises any act, conduct, business or use constituting a violation.
PART 13

MUNICIPAL ENACTMENT

§ 1301. Municipal Adoption by the Robeson Township Board of Supervisors

The Robeson Township Zoning Ordinance of 2010 has been hereby comprehensively amended in order to implement the Southern Berks Regional Comprehensive Plan. The Robeson Township Board of Supervisors, Berks County, Pennsylvania, hereby enacts the Robeson Township Zoning Ordinance of 2010 on December 21, 2010.

§ 1302. Effective Date of the Robeson Township Zoning Ordinance

The Robeson Township Zoning Ordinance of 2010 shall become effective within five (5) days of municipal enactment by the Robeson Township Board of Supervisors. The effective date shall be designated as December 28, 2010.