

UPPER BERN TOWNSHIP ZONING ORDINANCE OF 2008

TABLE OF CONTENTS

Page

Article 1: General Provisions

Section 101:	Preamble	1
Section 102:	Short Title	1
Section 103:	Purpose Statements	1
Section 104:	Community Development Objectives	2
Section 105:	Application and Interpretation	3
Section 106:	Severability	3
Section 107:	Repealer	3
Section 108:	Exemptions	3
Section 109:	Effective Date	3

Article 2: Definitions

Section 201:	General Interpretation	4
Section 202:	Specific Terms	4

Article 3: Zoning Map and Zoning Districts

Section 301:	Establishment of Zoning Districts and Overlay Districts	38
Section 302:	Official Zoning Map	38
Section 303:	Interpretation of District Boundaries	39
Section 304:	Application of District Regulations	40

Article 4: Zoning District Regulations

Section 401:	Statement of Intent	41
Section 402:	Agricultural Preservation District (AP)	41
Section 403:	Blue Mountain Preservation District (BMP)	46
Section 404:	Medium Density Residential District: (MDR)	49
Section 405:	Shartlesville Village District (SV)	52
Section 406:	Resort Commercial District (RC)	58
Section 407:	Highway Commercial District (HC)	62
Section 408:	General Industrial District (GI)	68
Section 409:	Agricultural-Industrial District (AI)	72

Article 5: Conservation Overlay Districts

Section 501:	Statement of Intent	77
Section 502:	Floodplain Overlay District	77
Section 503:	Wetlands and Hydric Soil Overlay District	85
Section 504:	Steep Slope Overlay District	86
Section 505:	Woodland Protection and Management Overlay District	89
Section 506:	Riparian Buffer Overlay District	94
Section 507:	Northkill Creek Overlay District	95
Section 508:	Well Head Protection Overlay District	96

Article 6: Special Overlay Districts

Section 601:	Statement of Intent	99
Section 602:	Adaptive Reuse and Redevelopment Overlay District	99
Section 603:	Old Route 22 Corridor Overlay District	101
Section 604:	Interstate 78 Interchange Overlay District	103
Section 605:	Appalachian Trail Overlay District	105
Section 606:	Historical Preservation Overlay District	106

Article 7: Residential Land Use and Development Requirements

Section 701:	Statement of Intent	108
Section 702:	Single Family Detached Residential Uses	108
Section 703:	Single Family Semi-Detached Residential Uses	109
Section 704:	Two Family Detached Residential Uses	109
Section 705:	Multi-Family Townhouse Uses and Developments	110
Section 706:	Multi-Family/Apartment Uses and Developments	113
Section 707:	Cluster Design for the BMP Zoning District	117
Section 708:	Cluster Design for the MDR Zoning District	122
Section 709:	Group Homes and Group Institutions	127
Section 710:	Age-Qualified Retirement Communities	128
Section 711:	Tourist, Bed and Breakfast, Rooming or Boarding House	135
Section 712:	Mobile Home Parks	137
Section 713:	Mixed Use: Commercial and Residential	141
Section 714:	Secondary Housing Unit	142

Article 8: Non-Residential Land Use and Development Requirements

Section 801:	Statement of Intent	147
Section 802:	Non-Residential Performance Standards and Controls	147
Section 803:	Day Care Facilities and Uses	150
Section 804:	Agricultural Uses	152
Section 805:	Recreational Uses	165
Section 806:	Institutional Uses	167
Section 807:	Business and Office Parks	173
Section 808:	Medical Research Parks	176
Section 809:	Industrial Parks	179
Section 810:	Adult Business and Entertainment Uses	182
Section 811:	Automotive Sales and Service Stations	184
Section 812:	Commercial Campgrounds	189
Section 813:	Commercial Drive Through Establishments	192
Section 814:	Commercial Water Resource Uses	194
Section 815:	Veterinary Hospitals and Animal Clinics	196
Section 816:	Kennels	197
Section 817:	Mini-Warehouse or Self-Storage Facilities	199
Section 818:	Quarrying and Mining Operations	200
Section 819:	Solid Waste Disposal and Reduction Facilities	203

Section 820:	Junk Yards and Salvage Yards	205
Section 821:	Trucking Establishments, Terminals and Convenience Centers	207
Section 822:	Convenience Stores and Mini-Markets	209
Section 823:	Commercial Outdoor Sales and Uses	211
Section 824:	Mini-Malls, Shopping Centers and Shopping Malls	212
Section 825:	Utilities	216
Section 826:	Telecommunication and Wireless Communication Facilities	218
Section 827:	Municipal and Governmental Uses	223
Section 828:	Undefined or Other Land Uses	224

Article 9: Supplemental Regulations

Section 901:	Statement of Intent	225
Section 902:	Access to Lots, Buildings, Structures and/or Uses	225
Section 903:	Accessory Uses and Structures	225
Section 904:	Residential Conversion Standards	230
Section 905:	Home Occupation Regulations	231
Section 906:	Height Exceptions	233
Section 907:	Front Yard and Lot Width Exceptions	233
Section 908:	Flag Lots or Key Hole Lots	234
Section 909:	Visibility at Intersections	235
Section 910:	Corner Lot Restrictions and Requirements	235
Section 911:	Fences, Walls and Hedges	236
Section 912:	Projections into Yards	237
Section 913:	Development Along Existing Public Roads	237
Section 914:	Common Open Space	238
Section 915:	Landscaping	240
Section 916:	Temporary Structures and Uses	245
Section 917:	Outdoor Storage and Sales	245
Section 918:	Prohibited Uses	246
Section 919:	Hazardous Conditions and Areas	246
Section 920:	Exterior Lighting	246
Section 921:	Swimming Pools and Therapeutic Spas	249
Section 922:	Renewable Energy Systems	250
Section 923:	Filling, Excavating and Grading	251
Section 924:	Blasting and Detonation Requirements	251

Article 10: Off-Street Loading and Parking

Section 1001:	Statement of Intent	252
Section 1002:	General Provisions for Off-street Loading and Parking	252
Section 1003:	Off-Street Loading Areas	253
Section 1004:	Off-Street Parking Areas	255
Section 1005:	Driveways, Access Lanes and Fire Lanes	260
Section 1006:	Highway Frontage Development and Access Management Requirements	261

Article 11:	Signs	
Section 1101:	Statement of Intent	263
Section 1102:	General Standards and Requirements for all Signs	263
Section 1103:	Summarization Chart for Categorical Sign Requirements	266
Section 1104:	Signs Requirements for Residential Uses	269
Section 1105:	Sign Requirements for Non-Residential Uses	269
Section 1106:	Off-Premises Advertising Signs or Billboards	271
Section 1107:	Special Use Signs, Temporary Signs and Promotional Signs	273
Section 1108:	Nonconforming Signs and Abandoned Signs	276
Section 1109:	Prohibited Signs	276

Article 12:	Nonconformities	
Section 1201:	Statement of Intent	278
Section 1202:	Nonconforming Lots of Record	278
Section 1203:	Nonconforming Uses of Land	278
Section 1204:	Nonconforming Buildings or Structures	279
Section 1205:	Nonconforming Use of Buildings or Structures	280
Section 1206:	Registration of Nonconformities	280

Article 13:	Administration and Enforcement	
Section 1301:	Statement of Intent	281
Section 1302:	Zoning Permits, Certificates of Use and Occupancy, and Other Permits	281
Section 1303:	Zoning Officer	284
Section 1304:	Zoning Hearing Board	284
Section 1305:	Public Hearings and Procedures	286
Section 1306:	Zoning Variances	288
Section 1307:	Special Exceptions	289
Section 1308:	Conditional Uses	290
Section 1309:	Amendments	293
Section 1310:	Curative Amendments	294
Section 1311:	Northern Berks Implementation Agreement	294
Section 1312:	Appeals	295
Section 1313:	Filing Fees and Costs	295
Section 1314:	Violations, Penalties and Remedies	295

Article 14:	Municipal Enactment	
Section 1401:	Municipal Adoption by the Upper Bern Township Board of Supervisors	296
Section 1402:	Effective Date	296