

ZONING ORDINANCE

OF

ADAMS TOWNSHIP, CAMBRIA COUNTY

ADOPTED: May 07, 2007

ORDINANCE NUMBER: #99

ADAMS TOWNSHIP OFFICIALS

TOWNSHIP BOARD OF SUPERVISORS

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ARTICLE I
PRELIMINARY PROVISIONS

SECTION 101 ENACTING CLAUSE

§ 10101 The Supervisors of Adams Township hereby ordain and enact as follows:

SECTION 102 SHORT TITLE

§ 10201 This ordinance shall be known as the Adams Township Zoning Ordinance and the map referred to herein and made a part of this ordinance shall be known as the Adams Township Zoning District Map.

SECTION 103 EFFECTIVE DATE

§ 10301 The effective date of this ordinance shall be ten (10) days after the advertisement of the adoption of this ordinance by the Adams Township Supervisors under the authority granted by Title 53, Chapter 30, Article VI, of the Pennsylvania Municipalities Planning Code.

SECTION 104 VALIDITY AND CONFLICT

§ 10401 Should any section or provision of this ordinance be declared invalid, the same shall not affect the validity of the ordinance as a whole nor any part thereof other than the part so declared to be invalid.

§ 10402 Where a provision of this ordinance is found to be in conflict with a provision of any building or housing code, or in any applicable health regulations, or in any other ordinance of the Township existing on the effective date of this ordinance, or in any regulation issued under the authority of such code or ordinance, the provisions which established the higher standard for the protection of health, safety, and welfare shall prevail.

SECTION 105 PURPOSE AND COMMUNITY DEVELOPMENT OBJECTIVES

§ 10501 This Zoning Ordinance has been made in accordance with an overall program, and with consideration for the character of the municipality, its various parts and the suitability of the various parts for particular uses and structures.

§ 10502 The purpose of this zoning ordinance shall be to:

- a. promote, protect and facilitate any or all of the following: the public health, safety, morals, general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations disaster evacuations, airports and national defense facilities, the provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewage disposal, public schools, recreational facilities, public grounds, the provision of a safe, reliable

and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements; as well as preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.

- b. prevent 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. preserve prime agriculture and farmland considering topography, soil type and classification, and present use.
- d. provide for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings, and a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home parks, provided, however, that no zoning ordinance shall be deemed invalid for the failure to provide for any other specific dwelling type.
- e. facilitate the development of Adams Township while preserving it's of natural beauty and resources, by careful planning of its residential development and dispersing supplemental non-residential development and operating the Township using sound fiscal policy.
- f. accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.
- g. encourage the development of light industry in appropriate locations capable of sustaining light industrial growth while having a minimal potential for causing or contributing to land use conflicts with adjacent districts.

ARTICLE II
RULES and DEFINITIONS

SECTION 201 RULES

§ 20101. The following rules of construction shall apply to this ordinance.

- a. The particular shall control the general.
- b. In case of any difference of meaning or implication between the text of this ordinance and any caption or illustration, the text shall control.
- c. The word “shall” is mandatory and not discretionary.
- d. The word “may” is permissive and discretionary.
- e. Words used in the present tense shall include the future, words in the singular number shall include the plural, and the plural the singular unless the context clearly indicated the contrary.
- f. The phrase “used for” includes “arranged for,” “intended for,” “maintained for,” and/or “occupied for.”

SECTION 202 Definitions.

§ 20201 The following words and phrases when used in this ordinance shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Accessory building,”

A building customarily incidental and subordinate to the principal building and located on the same lot with the principal building or use.

“Accessory use,”

A use customarily incidental and subordinate to the principal use and located on the same lot with the principal use.

“Alley,”

A service way at least fifteen (15) feet wide, providing a secondary public means of access to abutting properties.

“Alterations,”

Any change in the supporting members of a building such as bearing walls, columns, beams, girders, or foundations, as applied to that building or structure, a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location to another, or any change in use from that of one zoning district classification to another.

“Apartment,”

A room or suite of rooms in a multi-family structure which is used as a single housekeeping unit, and which contains complete kitchen, bath, and toilet facilities, permanently installed.

“Apartment building,”

A building used by three (3) or more families living independently of each other and continuing dwelling units. (See dwelling.)

"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 mayor in cities; the board of commissioners in counties; the council in incorporated towns and boroughs; the board of commissioners in townships of the first class; and the board of supervisors in townships of the second class; or as may be designated in the law providing for the form of government.

"Area, Building,"

The total of areas taken on a horizontal plane at ground level the main grade level of the principal building exclusive of including uncovered porches, terraces, steps, garages, and other accessory buildings.

"Authority,"

A body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."

"Automobile Repair, Major,"

Engine rebuilding or major reconditioning of work or damaged motor vehicles or trailers; collision services; including body, frame or fender straightening or repair, overall painting of vehicles.

"Automotive Repair, Minor,"

Incidental repairs; replacement of parts; motor service to automobiles; state inspection; but not including any operation specified under Automobile Repair, Major, above.

"Basement,"

A story partly underground, but having at least one half of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and the average level of the adjoining ground is five (5) feet or more or if the basement is used for business or dwelling purposes.

"Bed & Breakfast,"

A residential single family building in which temporary lodging is offered to the public or transients for compensation and in which ingress and egress to and from rooms is made from the residence of the owner of the building, and only minimal services of lodging are provided to the public by the owners.

"Billboard,"

Structure, building wall, or other outdoor surface used to display lettered, pictorial, sculptured, or other matter which directs attention to any product, commodity, or service offered only elsewhere than on the premises or as a minor or incidental service on the premises.

"Block,"

A tract of land, a lot, a group of lots, bounded by streets, public parks, railroad rights-of-way, watercourses, and boundary lines of the Township, un-subdivided land, other definite barriers, or by a combination of the above.

"Board,"

Any body granted jurisdiction under a land use ordinance or under Article II and VI of the Pennsylvania Municipalities Planning Code of January 1, 1969, as amended, to render a final adjudication.

"Board,"

The Zoning Hearing Board of Adams Township.

"Boarding House,"

Any dwelling or building in which three or more persons or families reside individually of one another and are housed or lodged for compensation with or without meals. A rooming house or a furnished room house shall be deemed a boarding house.

"Buffer area,"

A strip of land which is planted and maintained in shrubs, bushes, trees, grass, or other landscaping material and within which no structure is permitted except a wall or fence.

"Building,"

A structure having a roof supported by columns or walls, for the shelter of persons, animals, chattels, or property. When separated by walls which are common with the walls of adjoining dwellings, each portion of such a structure shall be considered as a separate building.

"Building area,"

The aggregate of the maximum cross section areas of all buildings on the lot above ground level, measured at the greatest outside dimensions, excluding cornices, eaves, gutters, or chimneys projecting not more than eighteen (18) inches, bay windows not extending through more than one story and not projecting more than five (5) feet, one story open porches projecting nor more than ten (10) feet, steps, and balconies.

"Building line,"

See Set Back Line.

"Building Height,"

The vertical distance as measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eave and ridge for gable, hip, and gambrel roofs.

"Cellar,"

An unfinished story partly underground and having more than one-half of its clear height below the average level of the ground surrounding the structure. A cellar is not to be counted as a story in computing the number of stories of a structure or building unless it is used for business or dwelling purposes.

"Child,"

For the purposes of this Ordinance, a child is a person under the age of sixteen (16) years.

"City" or "cities,"

Cities of the second class A and third class.

"Common open space,"

A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

"Communications tower,"

A structure taller than its diameter that can stand alone or be attached to a larger building on which antenna are fastened for the purpose of sending and receiving electromagnetic waves that carry information such as data, voice, sound, or video images.

"Commercial enterprise,"

Any building or structure whose primary use is intended for the selling of goods or services, or the leasing of such a structure, to the public by the owner.

"Commercial vehicle,"

Any motor vehicle registered with the Pennsylvania Department of Transportation or any other state or federal department of transportation which is used to transport people or material on public highways.

"Conditional use,"

A use permitted in a particular zoning district pursuant to the provisions of Article VI of the Pennsylvania Municipalities Planning Code of January 1, 1969, as amended.

"Convenience Store,"

Any retail business which provides quick goods and services to the public on a daily basis, such as gasoline purchases for cars and trucks, coffee or other beverages, sandwiches, dairy products, common household items, etc.

"County,"

Any county of the second class through eighth class; Cambria County.

"Coverage,"

That percentage of the lot area covered by the building area.

"Daycare center, child,"

Any premises other than the child's own home operated for profit or not for profit, in which child daycare is provided at any one time to seven or more children who are not relatives of the caregiver.

"Daycare, elderly,"

Care given in home or in a public structure to elderly persons who need supervision for personal needs in which meals and nursing care may or may not be directly available.

"Daycare, family home,"

Any premises other than the child's own home operated for profit or not for profit, in which child daycare is provided at any one time to four, five, or six children who are not relatives of the caregiver.

"Daycare, group home,"

A facility in which care is provided for more than six but less than twelve children, at one time, where the child care areas are being used as family residence. Such a facility may be licensed/approved as a day care center only if care is provided in a facility where the child care areas are not being used as a family residence and the provider meets the requirements of a day care center as specified in Section 8A of the Day Care Service for Children, Regulations.

"Decision,"

Final adjudication of any board or other body granted jurisdiction under any land use ordinance or this act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the court of common pleas of the county and judicial district wherein the municipality lies.

"DERP,"

Pennsylvania Department of Environmental Protection.

"Determination,"

Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder except the following:

1. The governing body;
2. The zoning hearing board;
3. The planning agency, only if and to the extent that planning agency is charged with final decision on preliminary or final plans under the subdivision and land development ordinance or planned residential development provisions;
4. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

"Developer,"

Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made, a subdivision of land or a land development.

"Development plan,"

The provisions for development, including a planned residential development, a plat of subdivision, 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 act shall mean the written and graphic materials referred to in this definition.

"District, zoning,"

A section of Adams Township for which uniform regulations governing use, height, area, and intensity of use of buildings and land and open spaces about buildings are herein established.

"Driveway,"

A private or common right-of-way used by vehicles and pedestrians for an individual or multiple land, lot, or facility.

"Dwelling,"

Any structure or part thereof, designed to be occupied as living quarters as a single housekeeping unit.

- 1. Detached dwelling: a dwelling unit occupying the whole of a freestanding residential structure.**
- 2. Twin or Semi-detached house: a residential structure occupied by two (2) dwelling units with a common wall.**
- 3. Duplex: a residential structure divided into two (2) dwelling units.**
- 4. Row house or town house: A structure with two (2) or more party walls of three or more units not having and horizontal division between units.**
- 5. Apartment: a dwelling unit separated horizontally and/or vertically from one or more other units in a structure.**
- 6. Apartment house: a residential structure containing three (3) or more apartments.**
- 7. Garden apartment: an apartment house not exceeding three (3) stories in height.**
- 8. High-rise apartment: an apartment house exceeding three (3) stories in height.**

"Engineer,"

A professional engineer licensed as such by the Commonwealth of Pennsylvania, duly appointed as the engineer of a municipality, planning agency, or joint planning commission.

"Family,"

One or more persons related by blood, marriage, or adoption, or three (3) unrelated persons living as a household in a dwelling. May also include domestic servants and gratuitous guests.

"Farming or farm use,"

The use of land for raising and harvesting crops or feeding, breeding and management of livestock or for dairying or any other agricultural or horticultural use including raising and harvesting timber and timber products or tree farming or any combination thereof and includes the preparation of the products raised therein for human use and disposal by marketing or otherwise. It includes the construction and use of dwellings and other buildings customarily provided in conjunction with farm use.

"Fence Residential," A fence intended to identify residential property lines, provide for privacy, and protects unauthorized entry such as a swimming pool and/or to protect members of household. Residential fences are usually four to six feet in height. Residential fences are often picket, rail stockade, board-on-board & batten, basket weave, or louvered type and may include chain link fences. Side and rear residential fences are permitted in the side and rear yards of residential districts. The fence shall not exceed six feet in height, and shall not extend into the front yard or street yard (side yard abutting a street). No fence shall be located closer than two (2) ft to any alley right-of-way. Facing a street, fences are permitted in any district and any yard, but shall not exceed a height of four (4) ft when located in the front yard or street yard (side yard abutting a street). Any farm-type fences or portable fences such as snow fences shall not be used as a permanent fence. No fence shall be erected of barbed wire, topped with metal spikes or constructed of any material or in any manner which may be dangerous to persons except that this provision shall not apply to farms or industrial districts.

"Floor area,"

The sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior faces of exterior walls, or from the centerline of common walls separating buildings.

1. For the purpose of determining parking and loading space requirements for the several zoning districts herein, the 'floor area' of a building or buildings shall include: basement space, penthouses, attic space providing structural headroom of seven and one half (7 1/2) feet or more, interior balconies and mezzanines, enclosed porches accessory uses other than accessory off street parking, lobbies, and hallways.
2. For determination of parking and loading space requirements, the following areas shall not be included: cellar space, elevator shafts and stairwells, floor space for mechanical equipment as necessary to service the needs of the building, uncovered steps, terraces, breezeways, open spaces unroofed unless specifically required in the parking regulations herein, and fitting and dressing rooms.
3. For the purpose of determining minimum floor area as applied to a dwelling unit, floor area shall mean the habitable living area of the dwelling as measured by exterior dimensions and shall not include attached garages, unfinished basements, laundry or furnace rooms or carports. Neither are porches included unless completely enclosed and finished.

"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.

"Foundation,"

Permanent base or substructure of a building that is totally or more than one half of its clear height below the average level of the surrounding ground. It is the basic support of the building or structure.

"Garage, private,"

An accessory building for non-commercial use, housing only motor driven vehicles, or the property of and for the use of the occupants of the lot on which the private garage is located.

"Garage, public,"

Any garage other than a private garage, available to the public, and which is used for storage or parking, repair, metal, greasing, washing, servicing, adjusting, or equipping of motor vehicles. (Does not include marshalling yard or storage or repair of earth-moving or construction vehicles.)

"Garden apartment,"

A multifamily dwelling of two or three stories in height, which by its name implies low land coverage, ample open space between buildings, and convenient on-site parking for tenant's cars. (See dwelling.)

"Governing body,"

The council in cities, boroughs and incorporated towns; the board of commissioners in townships of the first class; the board of supervisors in townships of the second class; the board of commissioners in counties of the second class through eighth class or as may be designated in the law providing for the form of government.

"Health authority,"

The State Department of Health or its authorized representative of Adams Township.

"Hearing,"

An administrative proceeding conducted by a board pursuant to Section 909.1 of the Pennsylvania Municipal Planning Code.

"Home Occupation,"

Any use customarily conducted entirely within a dwelling and carried on by the residents therein, provided that the use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, the exterior appearance of the structure or premises is constructed and maintained as a residential dwelling and no goods are publicly displayed on the premises other than a sign.

"Hospital,"

The term "hospital" shall include sanitarium, sanatorium, preventorium, clinic, rest home, nursing home, convalescent home, and any place for the diagnosis, treatment, or other care of human ailments, and shall be deemed to be limited to such places.

"Hotel,"

A building in which temporary lodging is offered to the public or transients for compensation and in which ingress and egress to and from rooms is made from an inside lobby or office which is supervised by a person in charge at all hours. Access to on site parking, restaurants, newsstands, and other commercial facilities may be provided for the occupants and only incidental to the public.

"Institutional house,"

A public or privately organized establishment in which children, elderly, or adults may receive services in order to maintain daily routines. Services may or may not include medical or educational services. This classification shall not include Daycare facilities or nursery schools.

"Junk yard,"

An area set aside for the accumulation of abandoned vehicles, appliances, or other used or scraps materials for the express purpose of resale.

"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 group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or,
2. A single nonresidential building on a lot or lots regardless of the number of occupants or tenants; or,
3. 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.
4. A subdivision of land.
5. Development in accordance with section 503(1.1) of the Pennsylvania Municipality 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 if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

"Landscaping,"

To improve, arrange, ornament, or modify the effects of natural scenery over a tract of land through development and decorative planting of gardens and grounds.

"Land use ordinance,"

Any ordinance or map adopted pursuant to the authority granted in Articles IV, VI, and VII of the Pennsylvania Municipalities Planning Code.

"Livestock,"

Any animal such as cattle, pigs, horses, chickens, etc. or any animal to be deemed farm-like other than common domesticated animals such as dogs, cats, and domesticated birds.

"Loading space,"

A space within the main building or on the same lot therewith providing for the standing, loading, or unloading of vehicles.

"Lot,"

A designated parcel, tract, or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

"Lot, corner,"

A lot at the juncture of two or more intersecting streets and having frontage on two or more such streets.

"Lot, depth of,"

The mean horizontal distance between the front line and the rear lot line measured midway between the side lot lines.

"Lot, interior,"

A lot other than a corner lot or a through lot.

"Lot, mobile home,"

A parcel of land for the placement of a single mobile home and the exclusive use of its occupants.

"Lot, record of,"

Any lot which individually, or as part of a subdivision, has been recorded in the Office of the Cambria County Recorder of Deeds.

"Lot, through,"

A lot having frontage on two parallel or approximately parallel streets and which is not a corner lot.

"Lot, width,"

The dimension of a lot, measuring between the side lot lines on the building line.

"Lot line, front,"

In the case of an interior lot, the line that is separating the lot from the street. In the case of a corner lot, the line that is separating the narrowest frontage of the lot from the street.

"Manufactured Home,"

A single family dwelling intended for permanent occupancy, contained in two or more units designed and built off site, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, and which are then transported to the site by towing, and assembled on a permanent foundation.

"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.

"Mobile Home,"

A transportable, single family dwelling intended for permanent occupancy, contained in one unit and is under 1000 sq ft and 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. To be considered permanent single family dwelling both metal frame and wheel system, must be permanently removed from structure or site at time of construction and the structure must have minimum roof pitch of 4/12 with 12" over hangs minimum.

"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.

"Mobile Home Park,"

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

"Mobile Home stand,"

That part of an individual lot which is reserved for the placement of one mobile home unit.

"Modular Home,"

A single family dwelling designed for transportation after fabrication in one or more units, and arriving at a site where it is assembled on a permanent foundation and connected to utilities. To be considered permanent single family dwelling both metal frame and wheel system, must be permanently removed from structure or site at time of construction and the structure must have minimum roof pitch of 4/12 with 12" overhangs minimum.

"Motel,"

A building in which lodging is provided and offered to the transient public for compensation and in which egress and ingress to and from rooms may be made either directly from the exterior or through an inside lobby or office supervised by a person in charge at all times.

"Municipal authority,"

A body politic and corporate created pursuant to the act of May 2, 1945 (P.L. 382, No. 164), known as the "Municipality Authorities Act of 1945."

"Municipal engineer,"

A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission.

"Municipality,"

Any city of the second class A or third class, borough, incorporated town, township of the first or second class, county of the second class through eighth class, home rule municipality, or any similar general purpose unit of government which shall hereafter be created by the General Assembly.

"Municipal or Public building,"

Any building or structure erected, altered, and/or occupied by a governmental or public agency or organization providing services and facilities for the general public.

"Nonconforming lot,"

A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

"Nonconforming structure,"

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

"Nonconforming use,"

A use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

"Official map,"

A map adopted by this ordinance pursuant to Article IV of the Pennsylvania Municipalities Planning Code of January 1, 1969.

"Office structure,"

Any building whose primary use is the housing of commercial business offices.

"Park street,"

A private way which affords principal means of access to individual mobile home lots or auxiliary buildings.

"Parking lot,"

Any lot, parcel, or yard used in whole or in part for the storage or parking of two or more vehicles where such usage is not incidental to or in conjunction with a one-family or two-family dwelling.

"Parking space,"

An off street space available for the parking of one motor vehicle and having an area of not less than one hundred eighty (180) square feet exclusive of passage ways and driveways appurtenant thereto and giving access thereto and having direct access to a street or alley.

"Planned residential development,"

An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning ordinance.

"Planning agency,"

A planning commission, planning department, or a planning committee of the governing body.

"Planning commission,"

The planning commission of the Township of Adams.

"Plat,"

The map or plan of a subdivision or land development, whether preliminary or final.

"Public grounds," includes:

Parks, playgrounds, trails, paths and other recreational areas and other public area sites for schools, sewage treatment, refuse disposal and other publicly owned and operated scenic and historic sites.

"Public hearing,"

A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action.

"Public meeting,"

A forum held pursuant to public notice under the Act of July 3, 1986 (P.L. 388, No. 84), known as the "Sunshine Act."

"Public notice,"

Notice published once each week for two consecutively weeks in a newspaper of general circulation in the municipality. 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.

"Recreation vehicle,"

A vehicle of any size which is designed as a temporary dwelling for travel, recreational and vacation uses, and which is self-propelled or is designed to be towed or carried by another vehicle.

"Renewable energy sources,"

Any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, bio-mass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.

"Recycling Center,"

A business that collects, cans, metals, paper, magazines, tires and any other kind of material to bundle and sell for reprocessing products.

"Self service laundry,"

A business that provides home type washing, drying or ironing machines, or dry-cleaning machines for hire to be used by customers on the premises.

"Service building,"

A structure housing toilet, lavatory, and such other facilities as may be required by this ordinance.

"Service station,"

A building(s), premises, or portions thereof which are used, arranged, designed, or intended to be used for the retail sale of gasoline, or other fuel for motor vehicles, boats, or aircraft as well as for minor automobile repair including state inspection.

"Shed,"

A building or structure used as a storage place or workshop and should have a maximum square footage of 160 square feet and a maximum height of 10 feet.

"Set back line,"

The line within a property defining the required minimum distance between any building and the adjacent right-of-way or property line. This face includes sun parlors and covered porches whether enclosed or unenclosed, but does not include walks, steps, paved areas or terraces. (Also referred to as the building line.)

"Set back line, front,"

The line nearest the front of and across a lot establishing the minimum open space to be provided between the front line of buildings and structures and the front lot line.

"Set back line, rear,"

The line nearest the rear of and across a lot establishing the minimum open space to be provided between the rear line of buildings and structures and the rear lot line.

"Set back line, side,"

The line nearest the side of and across a lot establishing the minimum open space to be provided between the side line of buildings and structures and the side lot line.

"Set back line, width,"

The horizontal distance between side lot lines measured at the minimum prescribed front yard setback line as set forth in this ordinance.

"Shopping Center,"

A group of retail and other commercial establishments that are planned, developed, owned and managed as a single property. On-site parking is provided. The center's size and orientation are generally determined by the market characteristics of the trade area served by the center. The two main configurations of shopping centers are malls and open-air strip centers. Malls typically are enclosed, with a climate-controlled walkway between two facing strips of stores. The term represents the most common design mode for regional and super-regional centers and has become an informal term for these types of centers. A strip center is an attached row of stores or service outlets managed as a coherent retail entity, with on-site parking usually located in front of the stores. Open canopies may connect the storefronts, but a strip center does not have enclosed walkways linking the stores. A strip center may be configured in a straight line, or have an "L" or "U" shape.

"Sign,"

Any surface, fabric, display of merchandise, or vehicle device, bearing lettered, pictorial, sculptured, or other matter designed to convey information visually and exposed to public view; and structure designed to carry the above visual information, any structure or device designed or installed principally to direct or attract attention, except traffic signs or devices.

"Special exception,"

A use permitted subject to special conditions established by the zoning hearing board in a particular zoning district pursuant to the provisions of Articles VI and IX of Act 53, The Pennsylvania Municipalities Planning Code of 1969.

"Story,"

That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

"Street,"

A public or private way other than an alley which affords the principal means of access to abutting properties. Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

"Structure,"

Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

"Subdivision,"

The division or re-division of a lot, tract or parcel of land by any means into two 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: Provided, however, That the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

"Substantially completed,"

Where, in the judgment of the municipal engineer, at least 90% (based on the cost of the required improvements for which financial security was posted pursuant to section 509) of those improvements required as a condition for final approval have been completed in accordance with the approved plan, so that the project will be able to be used, occupied or operated for its intended use.

"Temporary sign,"

A sign which advertises community or civic projects, construction project, real estate for sale or lease, or other special events on a temporary basis.

"Townhouse,"

Single-family attached dwelling unit with walls; each house is a complete entity with its own utility connections.

"Township,"

Division of a county, Township of Adams, Cambria County, Pennsylvania.

"Transferable development rights,"

The attaching of development rights to specified lands which are desired by a municipality to be kept undeveloped, but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands where more intensive development is deemed to be appropriate.

"Travel trailer,"

Any trailer usually drawn by a passenger automobile, used for occasional transport of personal effects.

"Use,"

The specific purpose for which land or building is designed, arranged, intended, or for which it may be occupied or maintained. The term Permitted Use or its equivalent shall not be deemed to include any non-conforming use.

"Urban,"

Historically, that part of a community that is city-like, consisting mostly of relatively small lots arranged together in blocks between intersecting streets, which have closely crowded buildings with mixed uses from single family dwellings to shops and other businesses, all co-mingled with churches, stores, theaters, hotels etc., and having public utilities available such as water, sewage, electricity, telephone and cable television. In Adams Township most urban areas date back to before the year 1900 AD.

"Variance,"

Permission granted by the Zoning Hearing Board, following a public hearing that has been properly advertised as required by the appropriate municipal code for an adjustment to some regulation which, if strictly adhered to, would result in an unnecessary hardship, and where the permission granted would not be contrary to the public interest, and would maintain the spirit and original intent of the Ordinance.

"Waste disposal,"

The placement, burying, spreading or isolation in, under or on any property of any refuse, garbage, industrial by-product, sewage, sludge, scrap, municipal waste, or mine waste (mine waste whose disposal is allowed by a DEP mining permit as part of the normal mining process on a permitted site when the waste is generated on that site shall not be included in the definition.)

"Waters of the Commonwealth,"

Rivers, streams, creeks, riverlets, impoundment's, ditches, watercourses, storm sewers, lakes, dammed water, wetlands, ponds, springs, and other bodies or channels of conveyance of surface water, or parts thereof, whether natural or artificial, within or on the boundaries of this Commonwealth.

"Water survey,"

An inventory of the source, quantity, yield and use of groundwater and surface-water resources within a municipality.

"Yard,"

A space on the same lot with a principal building, open, unoccupied, and unobstructed by structures, except as otherwise provided in this ordinance.

"Yard, front,"

A yard extending across the full width of the lot, unoccupied other than by steps walks, terraces, driveways, lampposts, and similar structures, the depth of which is the least distance between the lot line and the building line.

"Yard, rear,"

A yard extending across the full width of the lot between the rear of the principal building and the rear lot line, unoccupied by other than accessory buildings which do not occupy more than thirty (30) percent of the space, and steps, walls, terraces, driveways, lampposts, and similar structures the depth of which is the least distance between the rear lot line and the rear of such buildings.

"Zoning administrator,"

The administrative officer appointed by the elected officials to administer the zoning ordinance in accordance to its literal terms and requires the officer to identify and register non-conforming uses and structures. Any disagreement with the zoning officer's literal administration can be settled judicially through the appeals process.

"Zoning appeals,"

The Zoning Board hears and decides requests by landowners or persons aggrieved who believe that any officer or agency of the municipality made a decision or issued an order that is not authorized by or is contrary to the this zoning ordinance.

"Zoning approval,"

Requested by the government body, a local planning agency shall prepare a text of the proposed zoning ordinance. The planning agency shall hold at least one public meeting pursuant to public notice and may hold additional public meetings upon such notice as it shall determine to be advised. Then at least 45 days prior to the submission of the ordinance the local governing body shall submit the proposed ordinance to the county planning agency for review and recommendations.

"Zoning Hearing Board,"

A multiple member board appointed by the Adams Township Board of Supervisors, to hear and decide appeals from the variances and special exceptions, and hear challenges to the validity of the Zoning Ordinance or Zoning Maps.

"Zoning Officer,"

See Zoning Administrator.

ARTICLE III
ESTABLISHMENT OF DISTRICTS

SECTION 301 ESTABLISHMENT OF DISTRICTS AND THE ZONING DISTRICT
MAP

§ 30101 The Township of Adams, Cambria County, Pennsylvania is hereby classified and divided into twelve (12) districts designated as follows:

- | | |
|-------------------|---|
| 1. A District | Agricultural |
| 2. A/R-1 District | Single Family Residential (Low Density) |
| 3. R-2 District | One/Two Family Residential (Medium |
| Density) | |
| 4. R-3 District | Multi-Family Residential (High Density) |
| 5. U District | Urban |
| 6. H District | Historic |
| 7. C District | Commercial |
| 8. L-1 District | Light Industrial |
| 9. O District | Open Space and Recreation |
| 10. S District | Conservancy |
| 11. FP District | Flood Plain |
| 12. W District | Watershed |

§ 30102 The Zoning and District Map which is attached hereto and made a part hereof shows the boundaries of the areas covered by the districts listed in this section.

SECTION 302 INTERPRETATION OF DISTRICT BOUNDARIES

§ 30201 Where the boundaries are indicated as approximately following the center lines of streets, highways, alleys, street lines, highway right-of-way lines, or streams, such centerlines shall be construed to be such boundaries.

§ 30202 Where district boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be such boundaries.

§ 30203 Where district boundaries are so indicated that they approximately follow ~~the~~ and are parallel to the centerlines of streets, highways, or the right-of-way of same, such district boundaries shall be construed to be parallel thereto and at such distances therefrom as indicated on the Adams Township Zoning Map.

§ 30204 Where the boundary of a district follows a stream or other body of water, another municipality or municipal boundary, the boundary shall be deemed to be the limits of jurisdiction of Adams Township, unless otherwise indicated.

§ 30205 Where the boundary of a district follows a railroad right-of-way of same, such district boundaries shall be construed as the centerline of such right-of-way.

ARTICLE IV
GENERAL PROVISIONS

SECTION 401: CONFORMANCE AND PERMITS

- § 40101 No building or land shall, after the effective date of this ordinance, except for existing lawful non-conforming uses, be used or occupied and no building or part thereof shall be erected, moved, or altered unless in conformity with the regulations herein specified for the district in which it is located.
- § 40102 All permits (sewage enforcement, building, occupancy, etc.) and licenses required by all laws and ordinances must be applied for and secured prior to any such use, occupancy, movement, or the commencement of alterations or construction.
- § 40103 Completed copies of all such permits and licenses shall be provided to the Adams Township Board of Supervisors.

SECTION 402: CONSTRUCTION AND ALTERATION

- § 40201 No building or structure shall hereafter be erected or altered to exceed the height or to occupy a greater percentage of lot area specified for the district in which it is located.
- § 40202 No building or structure shall hereafter be erected or altered to accommodate (or house) a greater number of families than is herein specified for the district in which it is located.
- § 40203 No building or structure shall hereafter be erected or altered to have a narrower or smaller front yard, side yard, or rear yard than is herein specified for the district in which it is located.
- § 40204 If the building or structure exists as a lawful non-conforming use on a lot of record, all construction and/or alterations must comply with Section 407 of this ordinance.

SECTION 403: INCLUDING YARDS WITH BUILDINGS

- § 40301 For the purpose of complying with the minimum yard and open space provisions of this ordinance, no part of a yard or open space shall be allocated to more than one building. (I.e. two buildings can not share the same yard or open space on a lot to meet the minimum requirements)

SECTION 404: SUBSTANDARD DWELLINGS

- § 40401 No building or structure shall be used or occupied as a dwelling if it is unsafe, unsanitary, or if the structure does not have a connection with an available municipal sewer system or alternative sanitary sewage facility approved by the Local Sewage Enforcement Officer (SEO).

SECTION 405: USE OF PROPERTY REQUIRES PLANNING, PERMIT, and APPROVAL.

§ 40501 All uses of property for one or two family dwellings shall require a building permit and shall conform to any and all regulations set forth in this ordinance specifically regulating the zoning district or districts in which the property is located.

- a. The application for a building permit shall be accompanied by a site plot plan of an appropriate scale.
- b. The plot plan shall indicate the following:
 - (1) The size and shape of the property including property line dimensions, corners, easements, rights-of-ways, and names of adjacent properties.
 - (2) The size, shape, height, area, and location of all principal and accessory buildings.
 - (3) Dimensions from all buildings to adjacent property lines.

§ 40502 All uses of property other than one or two family dwellings shall require a building permit and a site plan, and shall conform to any and all regulations set forth in this ordinance specifically regulating the zoning district or districts in which the property is located.

- a. Before any site preparation, alteration, or construction on the property, a site plan shall be submitted and approved by the Adams Township Planning Commission.
- b. In addition to any specific requirements set forth in the zoning district regulations herein, the site plan shall indicate the following:
 - (1) The location of principal and accessory buildings.
 - (2) Traffic circulation features within the site.
 - (3) The location of vehicular access onto the site.
 - (4) Utility connections: water, electricity (show voltage), sewage, gas, telephone, cable TV.
 - (5) The height and bulk of structures.
 - (6) The provisions for off-street parking and loading facilities.
 - (7) The provisions for open spaces.
 - (8) Drainage Structures: culverts, catch basins, inlets and ditches, outlets, drain tile.
 - (9) Drainage flow, catch basin size, and location of any storm sewers and discharge points from the site.
 - (10) Any and all landscaping, paving, fencing, walls and signs on the site.
 - (11) Location, size, and content of all underground and above ground storage tanks.
 - (12) Floor plans for all structures to be developed as part of this project.
 - (13) Such additional information as may be required by other Adams Township Ordinances currently amended at the time of site plan submittal.
- c. All public buildings, sub-division plans, and special exceptions shall be accomplished in accordance with a site plan approved by the Adams

Township Planning Commission and/or Adams Township Zoning Hearing Board, as is necessary where exceptions are granted.

- d. In considering any plan hereunder, the Adams Township Planning Commission will endeavor to assure the safety and convenience of traffic movement, a harmonious and beneficial relationship between buildings and uses on the site, as well as contiguous properties, and oversee the development of the township in a manner not detrimental to the public at large, and as such make appropriate recommendations to the Zoning Hearing Board where special exceptions are necessary.

SECTION 406 PUBLIC UTILITY STRUCTURES AND FACILITIES.

- § 40601 An easement for the transportation, distribution, and control of water, gas, electricity, oil, steam, sewage, geothermal heating, telegraph, cable TV, communications towers, and telephone required to be located on a lot shall not be held to reduce yard dimensions for other buildings on a lot.

SECTION 407 LOTS OF RECORD NOT MEETING LOT AREA REQUIREMENTS

- § 40701 A one family dwelling, permitted uses and accessory uses, may be erected upon a lot on an approved plan of record, which lot has insufficient area and dimensions to meet the lot area and set back requirements, provided said lot, on the effective date of the previous ordinance, July 19, 1990, was held lawfully under separate ownership from the adjoining lots, under the following regulations:
- § 40702 The side yard set back line shall be reduced from 25 feet at the rate of ½ foot for each foot of width said lot is less than 80 feet in width, to a minimum internal set back line of 5 feet on any lot and a minimum side yard set back line of 10 feet abutting a street.

SECTION 408 FENCES AND ENCLOSURE WALLS

- § 40801 A Residential fence or wall may be built to a height of six (6) feet along or within two (2) feet of the property line, provided said fence or wall does not obstruct the field of vision for vehicular street traffic. (Definition of Residential fences must comply with page 9).
- § 40802 Construction of fences except those constructed for the containment of livestock shall require the issuance of a building permit.
- 40803 Fences shall be constructed so that the fence post shall be on the inside of part of the fence and that the finished side shall be turned out toward the abutting street or property.
- 40804 Only Electric Fences utilizing D.C. voltage with an intermittent pulse from an underwriters approved charger may be constructed.

SECTION 409 DRIVEWAYS

§ 40901 Definitions:

- a. For the purpose of this section the word driveway shall mean any entrance or exit used by vehicular traffic to or from properties abutting a public street.
- b. The term driveway shall include private streets, lanes, alleys, curb cuts, residential drives and other such access ways deemed by the Township Supervisors to be of a similar nature.

§ 40902 Number of Driveways per Lot:

- a. Single family dwellings shall not have more than one (1) driveway entering or exiting on the same street. (However, if in the opinion of the Township Supervisors lot size and configuration would permit, loop driveways having two access points to a public street may be permitted.)
- b. Service stations and all drive-through type establishments shall have at least two (2) driveways.
- c. For all other uses one (1) driveway shall be permitted for each sixty (60) feet of frontage.

§ 40903 Location:

- a. Any driveway access used for exiting a commercial or industrial lot shall be designed and located so as to permit the following minimum sight distances measured from a point at least ten (10) feet behind the curb line or edge of cart way of the public street. No sight obstructions shall be permitted which are greater than three (3) feet or less than ten (10) feet above street surface.
- b. On corner lots, no driveway access may be located within fifty (50) feet of the point of tangency of the existing or proposed curb radius of the site.
- c. Access shall be to the street of lesser classification when two street classifications are involved.
- d. Driveways serving residential lots should be located at least five (5) feet from a side property line.
- e. Where a proposed driveway is to serve two (2) or more adjacent lots, the Township may permit a driveway to be located on or within five (5) feet of the side property line between the lots, measured from the outside edge of the driveway.
- f. Driveway access ways serving commercial lots shall be located at least five (5) feet from a side property line as measured from the outside edge of the driveway, except that driveways serving community and neighborhood shopping centers shall be subject to the provisions pertaining specifically to shopping centers.
- g. Driveway access ways servicing industrial lots shall be located at least ten (10) feet from a side property line, measured from the outside edge of the driveway.
- h. When two (2) or more driveways are located on a site, a separation of fifty (50) feet measured along the public street right-of-way from driveway centerline to driveway centerline is required.
- i. Service station and drive through establishment driveways may be located

closer than fifty (50) feet apart.

§ 40904 Designs:

- a. Driveway dimensions and construction shall be designed to adequately accommodate the type and volume of vehicles expected to use the site on a daily basis.
- b. In general, driveways used for two-way operation shall intersect public streets at ninety (90) degrees as site conditions permit; however, in no case shall driveways intersect public streets at less than seventy (70) degrees.
- c. Driveways used for one-way operation, right turn only, shall not intersect public streets at any angle less than forty-five (45) degrees. Said angle shall be measured from the centerline of the street to the centerline of the driveway.

§ 40905 Hardships:

- a. However, if this provision is shown by the applicant to be a hardship, the Township may allow a reduction of this requirement.

§ 40906 Permit Required

- a. Notwithstanding any other provisions set forth in this Ordinance, no person, individual, firm or corporation shall construct, reconstruct, alter or enlarge an existing or proposed driveway onto any public street without first having obtained a driveway building permit as required by Article XXI, Section 2104 of this Zoning Ordinance.
- b. Nothing in this section shall prohibit a person, firm or corporation from combining his or its application for a driveway building permit with an application for a building permit providing all of the information required by this section is contained on the application.
- c. For all proposed driveways, the developer shall submit to the Zoning Officer a permit application which is obtainable at the Township Office.
- d. The Zoning Officer may also require that a plan of the proposed driveway be submitted. When a plan is required, the Zoning Officer shall review the plan for conformance with the requirements of this Ordinance and shall:
 - (1) Approve the application and plan as submitted, or
 - (2) Return the application and plan for additional information and clarification, or
 - (3) Disapprove the application, indicating in writing the reason for disapproval.

SECTION 410 MINIMUM STANDARDS RESPECTING ANY USE

§ 41001. Activities listed below shall constitute nuisances which shall be prohibited in conjunction with any land use in the Township unless a variance is granted by the Zoning Hearing Board with conditions which will minimize impact of the activity which is an unavoidable result of an otherwise legitimate activity.

- a. Discharge of pollutants to waters of the Township beyond limitations prescribed for by 25 Pa. Code, Chapter 93. For purposes of this provision waters of the Township shall include wetlands, ground water tables, streams,

rivers and drainage ways.

- b. Creation of sound in excess of 110 decibels between dawn and dusk and 90 decibels between dusk and dawn as measured by Type 1 sound level meter using a slow response C-weighted network and meeting ANS1-S1.4-1971 requirements which are incorporated by reference herein.
- c. Discharge of smoke, fumes or particulates into the air in a manner in which the substances come into contact, from any cause, with any neighboring or other property within the Township in a manner which would seriously inconvenience or annoy any Township resident.
- d. Allow to exist on their property conditions which cause or permit accelerated erosion or sedimentation.
- e. Allow dilapidated buildings, rubbish, junk, (except in the case of a state licensed inspection garage, or automobile dealer), or solid waste (as defined in its broadest terms under state law) to accumulate upon the property except as permitted in §904 and §905.
- f. To allow herbaceous plants to remain un-mowed at a height above 16 inches within twenty-five (25) feet of a residential dwelling except with respect to an active agricultural hay or crop production operation or in an area of woods or 75 feet from a stream bank.
- g. Blasting or excavation activities whether permitted or not which cause damage off of the affected property.

§ 41002 The above activities, where found to exist, shall constitute a violation of the ordinance enforceable through procedures set forth in Article XXI, Sections 2103, 2106, and 2107 of this ordinance.

ARTICLE V
PROVISIONS GOVERNING AGRICULTURAL DISTRICT

SECTION 501: Introduction to A Zone:

- § 50101. The Agricultural District is composed of those certain areas of Adams Township where agricultural or farming activities are ongoing. The purpose of the Agricultural District is to encourage and preserve the continuing existence of farming and its rural character in Adams Township.
- § 50102. This zoning category is readily adaptable to and governed by current Pennsylvania legislation concerning Agricultural Districts. Farmers must be allowed to continue normal farming practices.

SECTION 502: Permitted Uses in A Zone:

- § 50201. The following is a list of permitted uses in the Agricultural District.
- a. Agriculture,
 - b. Horticulture,
 - c. Animal husbandry,
 - d. Forestry and Selective timbering,
 - e. Stables,
 - f. Kennels, Animal Hospitals
 - g. Hatcheries,
 - h. Greenhouses, Nurseries
 - i. Recycling Center
 - j. Home occupations,
 - k. Sales of “home grown” Products,
 - l. Single Family Detached Dwelling
 - m. Family Dwellings,
 - n. Mobile Homes.

SECTION 503: Permitted Accessory Uses in A Zone:

- § 50301. Customary accessory uses and structures that are clearly incidental to the principal use are permitted.

SECTION 504: Permitted Uses by Special Exception in A Zone:

- § 50401. Special exception uses listed for the Agricultural District may be permitted by a ruling of the Adams Township Zoning Hearing Board and are subject to the procedures and requirements set forth in Article XVII and Article XVIII of this ordinance.
- a. Communication towers,
 - b. Public Utility Structures,

- C. junk yards
 - c. Recycling Center

SECTION 505: Non-permitted Uses in A Zone:

50501. The following uses are not permitted in the A Agricultural Zone.

- a. Surface Mining,
- b. Deep Mining,
- c. Institutions for the Mentally Handicapped, Psychiatric Patients, or Substance abuse Patients,
- d. Mobile Home Parks,
- e. Waste Disposal,
- f. Land Fill Operations,

50502. All other uses not defined in SECTIONS 502,503 or 504 of this article unless the Zoning Hearing Board of Adams Township grants the property owner or developer a special exception.

SECTION 506: General Provisions and Requirements for Uses in A Zone:

§ 50601. The following general restrictions and provisions shall be applied to all uses in the Agricultural District.

- a. Setback Requirements:
 - (1) All setbacks shall be 50 feet from the property lines.
- b. Height Restrictions:
 - (1) Single family detached dwellings shall be limited to three stories not exceeding 30 feet above ground.
 - (2) Agricultural structures shall be limited to not more than six stories not exceeding 60 feet above ground
- c. Lot Area Size Limitations:
 - (1) No farmland shall be subdivided into lots of less than five continuous acres.
 - (2) The subdivision shall not adversely affect the ability of the rest of the farmland to be used for agriculture.
 - (3) Only two such subdivisions shall be permitted every 25 years.
- d. Percentage of Lot Coverage:
 - (1) Property area covered by buildings or structures shall not exceed thirty percent 30% of total land area.
- e. Dwelling Standards:
 - (1) Every one story detached dwelling hereafter erected or altered shall have a minimum floor area of not less than one thousand (1,000) square feet of living space.

(2) Every two story detached dwelling hereinafter erected or altered shall have a minimum floor area of one thousand two hundred (1,200) square feet of living space.

f. Off-street Parking and Loading Facilities:

(1) Off street parking and loading facilities shall be provided in accordance to the provisions of Article XVIII, Section 1802 in this Ordinance.

g. Signs:

(1) Signs shall be constructed and erected in accordance with the provisions of Article XIX, Section 1901, 1902 in this Ordinance.

§ 50602. Special Conditions and Exceptions:

- a. No building or structure or use shall be permitted within fifty feet (50) of any intermittent and/or permanent watercourse flowing or traversing the property.
- b. No building or structure or use shall be permitted within fifty feet (50) of any naturally occurring lake or pond on the property.
- c. No building or structure shall be erected upon any slope that exceeds a grade of 25% unless the architectural design conforms to the landscape in a manner minimizing site preparation and excavation work and is constructed.
- d. Structures such as a dock or boathouse may be permitted by special exception on the shorelines of lakes, ponds, or rivers provided any requirements of PA DEP and PA Fish and Boat Commission are met.