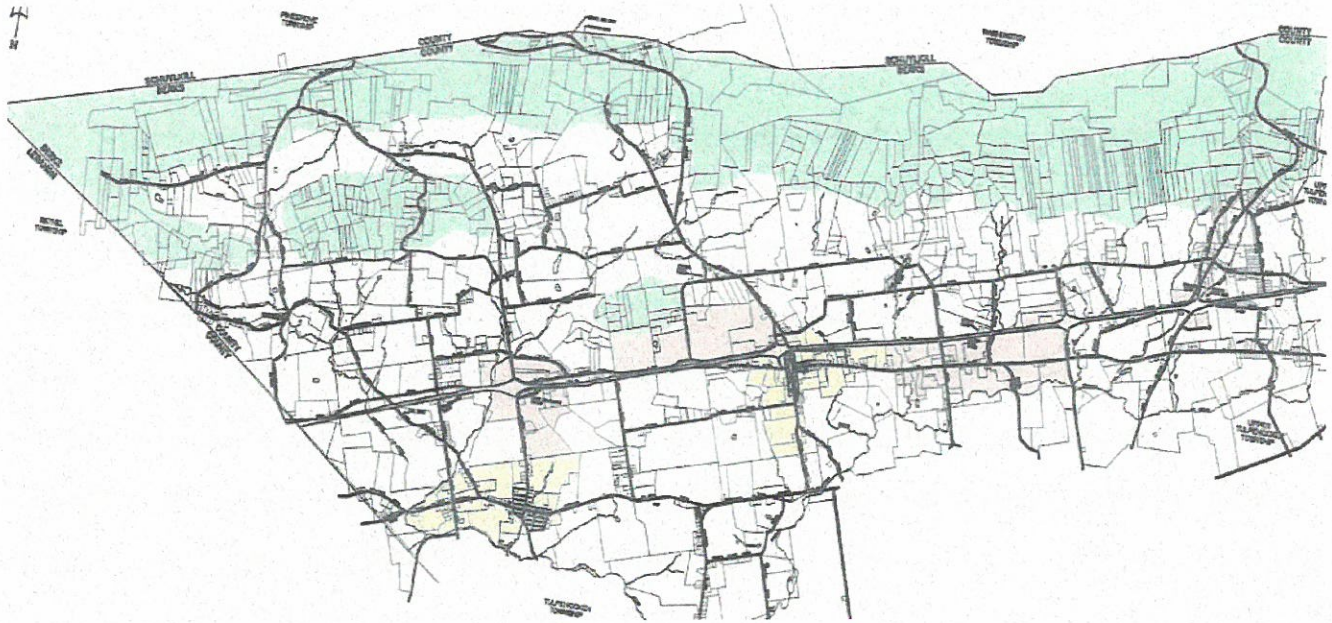
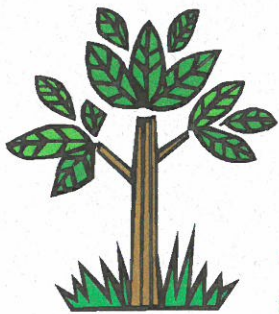


Bethel Township



Berks County



Zoning Ordinance of 2000

Adopted December 18, 2000

ZONING ORDINANCE
TOWNSHIP OF BETHEL
BERKS COUNTY, PENNSYLVANIA

December, 2000

TABLE OF CONTENTS

<u>Page</u>	<u>Section</u>	
5	110	TITLE
5	120	SHORT TITLE
5	130	DECLARATION OF PURPOSE
6	140	STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES
7	200	APPLICATION AND INTERPRETATION OF REGULATIONS
7	210	SCOPE
7	220	CONTINUATION OF EXISTING USES
7	230	INTERPRETATION
7	240	ZONING CHALLENGES AND APPEALS
8	300	DEFINITIONS
27	400	DISTRICTS AND BOUNDARIES
27	410	ZONING DISTRICTS
27	420	DISTRICT BOUNDARIES
28	430	APPLICATION OF DISTRICT REGULATIONS
29	500	V - VILLAGE DISTRICT

TABLE OF CONTENTS, cont.

<u>Page</u>	<u>Section</u>	
36	600	AP - AGRICULTURAL PRESERVATION DISTRICT
44	700	IC - INDUSTRIAL-COMMERCIAL DISTRICT
52	800	EP - ENVIRONMENTAL PROTECTION DISTRICTS
56	900	RESERVED
56	1000	SUPPLEMENTARY REGULATIONS
56	1010	GENERAL REGULATIONS APPLYING TO ALL DISTRICTS AND USES
56	1011	Prohibited Uses
56	1012	Access to Lots
56	1013	Erection of More Than One Principal Structure on a Lot
57	1014	Accessory Building and Principal Building Addition Setback Exceptions
57	1015	Garage and Yard Sales
57	1016	Slope Controls
57	1017	Corner Lot Restrictions
58	1018	Floodway Controls
60	1019	Front Yard Exceptions
60	1020	Placement of residential Accessory Structures
61	1021	Small Lots of Record
61	1022	Height
61	1023	Yards

TABLE OF CONTENTS, cont.

<u>Page</u>	<u>Section</u>	
62	1024	Automobile Filling and Service Stations - Special Provisions
62	1025	Private Swimming Pool (Non-Commercial)
63	1026	Off-Street Parking
67	1027	Loading Areas
68	1028	Access Driveways
68	1029	Signs
75	1030	Non-conforming Uses, Lots and Structures
77	1031	Site Plan Review
78	1032	Residential Conversion Regulations
79	1033	Agriculture Standards Applicable to the AP, I-C and EP Zoning Districts
81	1034	Adult Businesses
81	1035	RESERVED
82	1036	Penal Institutions
82	1037	Restaurant - Drive-Thru Or Fast-Food
83	1038	Telecommunication Facilities
84	1039	Home Occupations
85	1040	Home Premises Business
85	1041	Bulk Water Extraction
86	1042	Mineral Extraction
89	1100	ZONING HEARING BOARD
89	1110	CREATION - APPOINTMENT - ORGANIZATION

TABLE OF CONTENTS, cont.

<u>Page</u>	<u>Section</u>	
89	1120	Jurisdiction of the Zoning Hearing Board
90	1121	Variances
91	1122	Special Exceptions
92	1130	Reserved
92	1140	Hearings
93	1150	Stay of proceedings
94	1200	RESERVED
94	1300	ADMINISTRATION AND ENFORCEMENT
94	1310	APPOINTMENT AND POWERS OF ZONING OFFICER
94	1320	ZONING PERMITS
96	1330	CERTIFICATE OF OCCUPANCY
97	1340	SCHEDULE OF FEES
97	1350	ENFORCEMENT NOTICE
98	1360	CAUSES OF ACTION
98	1370	JURISDICTION
98	1380	ENFORCEMENT REMEDIES
99	1400	PROCEDURES FOR AMENDMENT
99	1410	VALIDITY
100	1450	REPEAL
100	1500	EFFECTIVE DATE

ZONING ORDINANCE

BETHEL TOWNSHIP

BERKS COUNTY, PENNSYLVANIA

BE IT ORDAINED by the Board of Supervisors, Bethel Township, Berks County, Pennsylvania, pursuant to the authority conferred by the Pennsylvania Municipal Planning Code and the amendments thereof and supplements thereto, as follows:

SECTION 100

TITLE AND SHORT TITLE

DECLARATION OF PURPOSE AND STATEMENT OF OBJECTIVES

110 TITLE

"An Ordinance to limit and restrict to specified districts or zones, and to regulate therein, buildings and structures according to their construction and nature of land and extent of their use, and the nature and extent of uses of land, in the Township of Bethel, Berks County, Pennsylvania, hereinafter referred to as the Township, and providing for the administration and enforcement of the provisions therein contained and fixing penalties for the violation thereof."

120 SHORT TITLE

This Ordinance shall be known and may be cited as "The Bethel Township Zoning Ordinance of 2000."

130 DECLARATION OF PURPOSE

The provisions of this Zoning Ordinance are designed for the following purposes:

131 To promote, protect and facilitate the following: the public health, safety, morals, and the general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations, 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, sewerage, schools, Recreation facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural and 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.

- 132 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.
- 133 To preserve prime agriculture and farmland considering topography, soil type and classification, and present use.
- 134 To provide for the use of land within the Township 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.
- 135 To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

140 STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES

This Zoning Ordinance is based upon the objectives, analyses and recommendations that appear in the Township Comprehensive Plan.

END SECTION 100

SECTION 200

APPLICATION AND INTERPRETATION OF REGULATIONS

210 SCOPE

Except as hereinafter provided, no structure or part thereof, and no lot or land or part thereof, shall be erected, structurally altered, enlarged, rebuilt or put to a use except in conformity with this Ordinance. Any lawfully existing use, structure or lot existing on the effective date of this Ordinance that does not conform to the provisions of this Ordinance, shall be deemed nonconforming.

220 CONTINUATION OF EXISTING USES

Any lawfully existing use of a structure or lot, or part thereof, which use constitutes a conforming use under provisions of this Ordinance, may be continued.

230 INTERPRETATION

In interpreting and applying the provisions of this Ordinance, said provisions shall be deemed to be the minimum requirements adopted for the promotion of the public health and safety and the general welfare of the residents of the Township. Where the provisions of this Ordinance impose greater restrictions than those of any other statute, ordinance or regulation, the provisions of this Ordinance shall be complied with. Where the provisions of any other Township ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such other Township ordinance or regulation shall be complied with. In interpreting the language to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the governing body, in favor of the property owner and against any implied extension of the restriction.

240 ZONING CHALLENGES AND APPEALS

Proceedings for obtaining review of this Ordinance or of any decision, determination or order of the Township Supervisors, their agencies, or Zoning Officer adopted or issued pursuant to this Ordinance shall be in accordance with the provisions of the Pennsylvania Municipalities Planning Code, as amended.

END SECTION 200

SECTION 300

DEFINITIONS

Certain words and terms are used in this Zoning Ordinance for the purposes thereof and are defined as follows:

- 301 Unless the context clearly indicates the contrary, words used in the present tense include the future, the singular numbers include the plural, and the plural the singular.
- 302 The word "PERSON" includes a profit or non-profit corporation, company, institution, partnership, individual, or other similar entity. The male gender includes the female gender.
- 303 The words "SHALL" and "MUST" are always mandatory; the word "MAY" is permissive.
- 304 The word "LOT" includes the word "PLOT".
- 305 The word "STRUCTURE" includes the word "BUILDING" and shall be construed as if followed by the phrase "or part thereof".
- 306 The word "USE" and the word "USED" refer to any purpose for which a lot or land or part thereof is arranged, intended or designed to be used, occupied, maintained, made available or offered for use; and to any purpose for which a building or structure or part thereof is arranged, intended or designed to be used, occupied, maintained, made available or offered for use, or erected, reconstructed, altered, enlarged, moved or rebuilt with the intention or design of using the same.
- 307 The word "TOWNSHIP" means Bethel Township, Berks County, Pennsylvania; the term "BOARD OF SUPERVISORS" means the Board of Supervisors of said Township; the term "PLANNING COMMISSION" means the Planning Commission of said Township, the term ZONING HEARING BOARD means the Zoning Hearing Board of said Township.
- 308 Definition of Terms - The following definitions apply to this Ordinance. Any words or terms not expressly or clearly defined herein shall have the meaning which is generally accepted within the context in which the words or terms are used.

ACCESSORY STRUCTURE. A structure in which an Accessory Use is conducted.

ACCESSORY USE. A subordinate use customarily incidental to, and located on the same lot occupied by, the principal use.

ADULT BOOK STORE. A commercial establishment having any of its stock in books, magazines, photographs, videotapes or other materials which are distinguished or characterized by their

emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas".

ADULT MOTION PICTURE THEATER. An establishment used for presenting motion pictures distinguished or characterized by an emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.

AGRICULTURE. The raising and keeping of field, truck, or tree crops, and/or the raising and keeping of any member of the animal kingdom as a business enterprise. Kennels as defined herein are specifically excluded from the term Agriculture. The Township, for purposes of this Ordinance, recognizes the following three (3) types of agricultural land uses.

1. General Agriculture - The following activities shall be deemed General Agriculture for purposes of this Ordinance:

(a) The growing of crops, trees, nursery stock, flowers and other agricultural plants.

(b) The ownership, management, and/or raising of horses, cattle, pigs, sheep, goats, poultry, rabbits or similar animals, subject to the following limitation:

(1) If the area available for use is less than five (5) contiguous acres, the Animal Units per acre shall not exceed .5.

(2) If the area available for use is five (5) contiguous acres or greater but less than 25 contiguous acres, the Animal Units per acre shall not exceed 1.5.

(3) If the area available for use is 25 contiguous acres or greater, the Animal Units per acres shall not exceed 2.0

(c) Greenhouse operations where the total square footage of all greenhouses on the lot does not exceed 50,000 sq. ft. in growing area.

(d) The production of mushrooms is specifically excluded from the definition of General Agriculture.

(e) Aquaculture is specifically excluded from the definition of General Agriculture.

2. Intensive Agriculture – The following activities shall be deemed Intensive Agriculture for purposes of this Ordinance:

(a) The ownership, management, and/or raising of horses, cattle, pigs, sheep, goats, poultry, rabbits or similar animals when the number of Animal Units per acre is greater than 2.0 but less than 5.0. Such Intensive Agriculture shall be conducted only upon tracts of land containing fifty (50) or more contiguous acres.

(b) Greenhouse operations where the total square footage of all greenhouses on the lot is greater than 50,000 square feet in growing area but less than 150,000 square feet in growing area.

(c) The production of mushrooms is specifically excluded from the definition of Intensive Agriculture.

(d) Aquaculture is specifically excluded from the definition of Intensive Agriculture.

3. Highly Intensive Agriculture – The following activities shall be deemed Highly Intensive Agriculture for purposes of this Ordinance:

(a) The ownership, management, and/or raising of horses, cattle, pigs, sheep, goats, poultry, rabbits or similar animals when the number of Animal Units per acre is equal to or greater than 5.0. Such Highly Intensive Agriculture shall be conducted only upon tracts of land containing fifty (50) or more contiguous acres.

(b) Greenhouse operations where the total square footage of all greenhouses on the lot is equal to or greater than 150,000 square feet of growing area.

(c) The production of mushrooms shall be deemed to be Highly Intensive Agriculture.

(d) Aquaculture is specifically excluded from the definition of Highly Intensive Agriculture.

ALTERATION. Any enlargement or reduction in size of a building or structure; the moving of a building or structure from one location to another; any change in or addition to the structural parts of a building or structure; any change in the means of egress from or access to a building or structure; or any change in use of a building or structure.

AMUSEMENT AND ENTERTAINMENT ESTABLISHMENTS. Places of amusement and recreation where an admission fee is charged for participants and/or spectators. This shall include, but not be limited to, bowling lanes, miniature golf courses, go-kart courses, amusement parks, outdoor theaters and amphitheatres, race courses, laser theaters, laser tag, paint ball and similar facilities and indoor music or movie theaters. This does not include Adult Motion Picture Theater or Cabaret.

ANIMAL UNIT. One animal unit is the equivalent of 1,000 pounds of animal weight. For purposes of determining animal weight under provisions of this Ordinance, the standard weights for each type of animal operation, as set forth in Table A of 25 Pa. Code § 83.262, as amended, shall be utilized.

APARTMENT BUILDING. A building on a single lot arranged, intended, designed for and occupied as a residence for three or more families, and which the dwelling units may be separated horizontally and/or vertically.

APARTMENT UNIT. A dwelling unit within an Apartment Building.

AQUACULTURE. As used in this Ordinance, the term aquaculture shall mean the controlled cultivation of plants and/or animals in man-made or natural bodies of water.

AREA AVAILABLE FOR USE. As used to delineate General Agriculture, Intensive Agriculture and Highly Intensive Agriculture operations in this Ordinance, this term shall include all land under control of the applicant at the time of the application, whether owned in fee, equitably through an installment land contract, or used pursuant to a written leasehold agreement

AUTOMOBILE FILLING STATION. Any area of land, including structures thereon, that is used for the sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any retail sales of motor vehicle accessories, which may not include major repairing, body work, painting, vehicular sales nor rental, or automatic car washes. A "Convenience Store", as herein defined, shall be considered an accessory use to the principal use of "Automobile Filling Station". "Restaurant - Drive-Thru Or Fast-Food" as herein defined, with the condition that at least 75% of the food service must be carry-out service, shall be considered an accessory use to the principal use of "Automobile Filling Station".

AUTOMOBILE SALES. Any building or land devoted to the retail sales of passenger vehicles, including accessory service and repair facilities if conducted within a wholly enclosed building.

BASEMENT. A story partly below the finished grade but having at least one-half of its height (measured from finished floor to finished ceiling) above the average level of the finished grade where such grade abuts the exterior walls of the building.

BED-AND-BREAKFAST. An owner-occupied single-family detached dwelling where not more than six (6) bedrooms are rented to overnight guests on a daily basis for periods not exceeding one (1) week. Meals, and where duly licensed, alcoholic beverages, may be offered to registered overnight guests only.

BOARD, ZONING HEARING. The Zoning Hearing Board of Bethel Township.

BOARDING, LODGING OR ROOMING HOUSE. A private dwelling in which at least one room is offered for rent, payable in money or other consideration, whether or not table board is furnished to lodgers, and in which no transients are accommodated and no public restaurant is maintained.

BUILDING. A structure, either temporary or permanent, constructed on, erected on, or affixed to the ground with a roof supported by columns or walls.

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

BUILDING HEIGHT. The vertical distance measured from the lowest elevation of the finished grade at the building, excluding truck loading areas and other similar points of entry, to the highest

point on of the roof. Chimneys, spires, cupolas, antennas, and other similar projections shall not be included in calculating the height of a building.

CABARET. A club, bar, tavern, theater, hall or similar place which features topless or bottomless dancers, entertainers, or employees, strippers, simulated sex acts, live or actual sex acts, or similar entertainers or entertainment.

CAMPGROUND. Any parcel of land used for the purpose of providing a space or spaces for Travel Trailers or tents for camping purposes, regardless of whether a fee has been charged for the leasing, renting, or occupancy of such space. The term Campground shall include travel trailer park.

CARPORT. A roofed-over structure open on one (1) or more sides and used in conjunction with a dwelling for the storage of private motor vehicles.

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

CEMETERY. Land used or intended to be used for the burial of the deceased, including columbariums, mausoleums, and mortuaries when operated in conjunction with the cemetery and within the boundaries thereof. This definition shall not include crematoria, which shall be considered as funeral homes.

CERTIFICATE OF USE AND OCCUPANCY. A statement, based on an inspection, signed by the Zoning Officer, setting forth that a building, structure and/or sign complies with the Zoning Ordinance, and that a building, structure and/or sign may be lawfully employed for a specific use, as provided in this Ordinance.

CHURCHES, PLACES OF WORSHIP, AND RELATED USES. A building, structure, or group of buildings or structures, including accessory structures, designed or intended for public worship. This definition shall include rectories, convents, and church-related educational and/or Day Care facilities, but shall not include the term "school".

CLEARED AREA. Utilized exclusively in the EP - Environmental Protection District, this term refers to the amount of a property which, prior to development, contained trees of at least a 2 inch caliper at a density of at least 1 tree per 100 square feet which, after development, will not contain trees.

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 designed and intended for use or enjoyment for all residents of a development, not including streets, Parking Facilities, and areas set aside for public facilities.

COMPREHENSIVE PLAN. The Comprehensive for Bethel Township.

CONVENIENCE STORE. A retail sales business which specializes in providing household products and food. Convenience Stores may also provide any or all of the following as an accessory use:

1. The rental of video tapes and the sale of magazines and similar printed materials provided that it is not in conflict with any restrictions related to Adult Book Stores.

2. The preparation and sales of delicatessen sandwiches and similar prepared food items.

CORNER LOT. A lot abutting two or more intersecting public or private streets, or at the point of abrupt change or direction of a single street (an interior angle of less than 135 degrees). The person who intends to establish a use on a corner lot may designate which yard abutting a street will be considered the front yard. The yard opposite that yard shall meet the rear yard requirements of the applicable zoning district. The yard adjoining a street which was not designated the front yard must meet the front yard requirements of the applicable zoning district, and the yard opposite this yard shall meet the side yard requirements of the applicable zoning district.

DAY CARE. The offering of care or supervision over minors or special needs adults in lieu of care or supervision by family members. This definition shall not include the offering or provision of overnight accommodations.

DWELLING. A building or portion thereof arranged, intended, or designed or used as the living quarters for one or more families living independently of each other. Such buildings as Hospitals, Hotels, Boarding, Rooming, Lodging Houses, Hospital, Nursing, Rest or Retirement Home, Motels, and institutional residences are not included in the definition of dwelling.

DWELLING UNIT. A building or portion thereof providing one (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit, and having no cooking or sanitary facilities in common with any other dwelling unit.

FAMILY. One or more individuals related by blood, marriage, or adoption (including persons receiving foster care), or not more than three (3) unrelated persons, living independently as a single housekeeping unit and using cooking facilities and certain rooms in common. A FAMILY shall not be deemed to include the occupants of a college dormitory, residential club, Motel, Hotel, Boarding, Lodging or Rooming House, or other temporary or transient housing facility regardless of the number of occupants.

FARM STAND. An open, partially-enclosed or fully enclosed structure located along the roadway for the display and sale of farm products produced on the premises.

FINANCIAL INSTITUTION. A bank, savings and loan association, credit union, finance or loan company, or similar company or firm.

FLEA MARKET. A retail sales use where more than one vendor displays and sells general merchandise that is new or used, regardless of being located indoor or outdoor.

FLOOR AREA. (Gross Floor Area) The sum of the gross horizontal areas of every floor of a building measured to the exterior faces of exterior walls and to the center line of party walls, including

basement space and roofed porches, roofed breezeways, roofed terraces, roofed garages, carports, and accessory buildings. Cellar area is excluded.

FLOOR AREA. (Gross Leasable) The total floor area designed for occupancy by an owner or tenant, as measured to the center of interior joint walls and the exterior of outside walls.

FLOOR AREA (Habitable) The sum of the floor areas of a dwelling unit as measured to the outside surfaces of exterior walls and including all rooms used for habitation, such as living room, dining room, family room, kitchen, bedroom, den, bathroom, closet, hallway, stairway, but not including unfinished cellars or attics, nor service rooms or areas such as utility rooms, nor unheated areas, nor garages.

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.

FUNERAL HOME. A principal use for the preparation and viewing of the deceased prior to burial or cremation. Funeral Homes shall not include cemeteries.

GARAGE. An accessory building maintained primarily for the convenience of the occupant or occupants of the principal building and in which no business or other non-residential use is carried on and no service is rendered to the general public.

GOLF COURSE. A golf course with a minimum of 2,800 yards of play and a minimum of nine (9) holes.

GROUP HOME. A dwelling operated by a responsible individual, family, or organization with a program to provide a supportive living arrangement for individuals where special care is needed by the individual served due to age, emotional, mental, or physical handicap or disability. This definition shall expressly include facilities for the supervised care of developmentally disabled persons and those under treatment for alcohol and/or drug abuse. Group homes must be licensed where required by any appropriate government agencies, and a copy of any such licenses must be delivered to the Township prior to beginning the use.

HAZARDOUS MATERIAL. Materials which have the potential to damage health, endanger human life or impair safety, and shall include those materials which are classified as such by State, Federal and/or other regulatory agencies.

HAZARDOUS WASTE. Any garbage, refuse, sludge from an industrial or other waste-water treatment plant, sludge from a water supply treatment plant or air pollution facility, and other discarded material including radioactive, solid, liquid, semi-solid, or contained gaseous material resulting from municipal, commercial, industrial, institutional, mining, or agricultural operations, and from community activities, or any combination of the above, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may:

1. Cause or significantly contribute to an increase in mortality or morbidity in an individual; or

2. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, exposed or, or otherwise managed.

HAZARDOUS WASTE FACILITY. Any structure, group of structures, above ground or below ground storage containers, or any other area or buildings used for the purpose of permanently housing or temporarily holding hazardous waste for the storage or treatment for any time span other than normal transportation time through the Township.

HEALTH AND RECREATION CLUB. A commercial business that offers active recreation and/or fitness activities. Such activities are provided only to club members and their guests. Such facilities do not include golf courses or Massage Establishments

GRADE. The level of the ground adjacent to the exterior walls of a building or structure, or to a sign.

HIGHWAY ACCESS POINT. The location or place of egress from or access to a street or highway created by a driveway, minor street, or another highway.

HIGHWAY FRONTAGE. The lot dimension measured along the right-of-way line of any street or highway abutting a lot.

HOME OCCUPATION. Home Occupations are limited to lawful services provided within the residential dwelling of the service provider. All Home Occupations shall comply with the requirements set forth in Section 1039 of this Ordinance.

HOME PREMISES BUSINESS: Any lawful enterprise carried on within the boundary of a property where one of the owners of the enterprise resides. The Home Premises business may be conducted within the dwelling and/or in another structure located upon the property. All Home Premises businesses shall comply with the requirements set forth in Section 1040 of this Ordinance.

HOSPITAL. An institution, licensed in the Commonwealth of Pennsylvania as a hospital, which renders inpatient and outpatient medical care on a 24 hour per day basis, and provides primary health services and medical and surgical care to persons. A Hospital shall be deemed to include a sanitarium, sanitorium, clinic, rest home, or other building with an equivalent appellation.

HOTEL. A building or part thereof which has a common entrance, common heating system, a general dining room, and which contains seven (7) or more living and sleeping rooms designed to be occupied by individuals or groups of individuals for compensation; any building or part thereof in which rooms are to be occupied by individuals or groups of individuals, which is not a Motel, Boarding, Lodging or Rooming House, or Bed-and-Breakfast, according to the definitions of this section.

IMPERVIOUS AREA. Area of the ground on which an improvement or alteration will occur or has occurred which limits or restricts the downward movement of stormwater into the ground. This

shall include, but not be limited to, bituminous or concrete paving, roof areas, and areas covered by stone.

JUNK. Any discarded material or article including, but not limited to: scrap metal, scrapped, abandoned, or junked machinery, equipment, furniture, electrical appliances, rags, paper, glass containers, tires or other automotive equipment and parts, buildings and structures or parts thereof; and three (3) or more (one or more in the V District) scrapped, abandoned, or junked motorized vehicles which are unlicensed, inoperable, or do not have a current and valid inspection sticker as required by the Pennsylvania Vehicle Code, excluding vehicles bearing current farm exemption identification. The term Junk shall not include garbage or rubbish kept in a proper container for the purpose of prompt disposal, nor functional farm machinery located on a farm, nor metal used in conjunction with a welding shop or similar business utilizing metal.

JUNKYARD. Any place or establishment where junk is disposed of, stored, or accumulated on the outside of any building, edifice, or structure that is enclosed on all sides; or where the business of selling, buying, or dealing in junk is carried on.

a. On a FARM, farm machinery or equipment used for parts, scrap metal, and scrapped building materials for use on that farm may be stored outside a building and said storage area shall not be considered a JUNKYARD provided that; such material shall be confined to one location on the farm, and shall not cover an area greater than five thousand (5,000) square feet; such material shall be located a minimum of two hundred (200) feet from property lines and public street right-of-ways, unless the material is completely screened from view from adjacent properties year-round; and no more than eighteen (18) cubic yards (9' x9' x 6'H maximum dimensions) of scrap metal and scrapped building materials shall be stored on any one farm outside a building.

KENNEL. Any structure or premises in which more than 4 dogs or cats more than 6 months old are housed, groomed, bred, boarded, or trained.

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.

LANDSCAPE SCREEN. A completely planted visual barrier composed of evergreen vegetation arranged to form both a low-level and a high-level screen between grade and to a height of at least eight (8) feet within three (3) years after planting.

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

LOT AREA. The total area included within lot lines, excluding land contained within street right-of-way lines. The Lot Area requirements specified herein shall apply to each Principal Use structure, unless specifically stated otherwise.

LOT COVERAGE. The percentage of the Lot Area that is occupied by Impervious Area.

LOT LINE. Any boundary of a lot.

LOT LINE, FRONT. The Lot Line along a Street Line, and the lot line nearest the Street Line which runs parallel or nearly parallel to the Street Line.

LOT LINE, REAR. The lot line, or lines, opposite to the front lot line.

LOT LINE, SIDE. Any lot line not a rear lot line or front lot line. The right-of-way line for Interstate 78 shall be considered a Side Lot Line.

LOT OF RECORD. Land which constitutes a separate lot or parcel as recorded in the office of the Recorder of Deeds of Berks County, Pennsylvania.

LOT WIDTH. The straight line distance between the Side Lot Lines, for the entire depth of the Lot.

MANUFACTURING. A function involving either the processing or production of materials, goods, or products.

MANURE. The fecal and urinary excrement of livestock and poultry, which may include spilled feed, bedding or litter.

MANURE STORAGE FACILITY. A detached facility used for the purpose of storing liquid and/or solid manure from agricultural operations. This facility shall be considered a structure, and shall include, but not be limited to, concrete manure storage facilities and earthen manure storage facilities.

MASSAGE ESTABLISHMENT. Any place or establishment where a massage is available, a massage being construed to mean the performance of manipulative exercises upon the human body of another by rubbing, kneading, stroking, or tapping with the hand or hands or with any mechanical or bathing device, with or without supplementary aids, including, but not by way of limitation, a massage school, unless operated by a medical practitioner, chiropractor or professional physical therapist licensed by the Commonwealth of Pennsylvania.

MEDICAL OFFICE BUILDING. A building used exclusively by physicians, dentists, and similar personnel, for the treatment and examination of patients solely on an outpatient basis, provided that no overnight patients shall be kept on the premises.

METHADONE TREATMENT FACILITY. A facility licensed by the Department of Health to use the drug methadone in the treatment, maintenance or detoxification of persons

MINI-WAREHOUSE. Also known as self-storage facilities. A building and/or series of buildings divided into separate storage units for personal property and/or property associated with some business or other organization. These units shall be used solely for dead storage and shall not include processing, manufacturing, sales, research, service, repair, or other non-storage activities.

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

MOBILEHOME. A transportable, single family dwelling intended for permanent placement, contained in one unit, or in two or more units designed to be joined into one 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.

MOBILEHOME LOT. A parcel of land in a Mobilehome Park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single Mobilehome.

MOBILEHOME PARK. A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more Mobilehome Lots for the placement thereon of Mobilehomes.

MOTEL. A building or group of buildings, whether detached or in connected units, used as individual sleeping or dwelling units, designed exclusively for transient travelers, and provided with accessory off-street Parking Facilities. The term MOTEL includes buildings designed as tourist courts, motor lodges, auto courts, and other similar appellations, but shall not be construed to include Mobilehome Parks, Campgrounds, or Dwellings .

MUNICIPALITY. Township of Bethel, Berks County, Pennsylvania.

MUNICIPAL USE. Land owned or leased and maintained by the Township or a municipal authority for the purpose of conducting Township or municipal authority related business. Municipal Use shall include such uses as a police station, Public Social and Recreation Facilities (when owned or operated by the Municipality or an agency or organization designated by the Municipality), and administrative or equipment storage building.

NONCONFORMING LOT. A lot the area or dimension of which was lawful prior to the adoption or amendment of this Zoning Ordinance, but which fails to conform to the requirements the zoning district in which it is located by reason 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 this Zoning Ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the amendment of such Ordinance or amendment or prior to 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 this 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.

NURSING, REST OR RETIREMENT HOMES. Facilities designed for the housing, boarding, and dining associated with some level of nursing care.

NUTRIENT MANAGEMENT PLAN. As used in this Ordinance, this term shall mean a plan for the management of animal waste prepared pursuant to the Pennsylvania Nutrient Management Act, 3. P.S. § 1701, et seq. and the regulations implementing that Act promulgated at 25 Pa. Code Chapter 83, Subchapter D, and approved by the Berks County Conservation District.

OFFICE. A place where the primary use is conducting the affairs of a business, profession, or service, including administration, record keeping, clerical work, and similar business functions. An Office shall not include manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair, or storage of materials, goods, or products; nor the sale or delivery of any materials, goods, or products which are physically located on the premises.

PARENT TRACT. A lawfully existing lot of land having its own separate Property Identification Number, as assigned by the Berks County Board of Assessment, located within the Agricultural Preservation District (AP) and so designated on the effective date of this Ordinance.

PARKING FACILITIES. A lot or part thereof containing Parking Spaces and associated aisles and accessways, further categorized as follows:

ACCESSORY - Parking Facilities directly associated with another specific use (such as a parking lot for a school or office building).

PRINCIPAL - Parking Facilities not directly associated with another specific use (such as a public parking lot or garage).

PARKING SPACE. A stall or berth which is arranged and intended for parking of one licensed, inspected, operable motor vehicle, further categorized as follows:

OFFSTREET - A Parking Space located outside of any Street right-of-way; a Parking Space not located along a Private Street.

ONSTREET - A Parking Space located within a Street right-of-way or along a Private Street.

PARTY WALL. A wall used or adopted for joint service between two buildings or parts thereof.

PENAL INSTITUTION. For purposes of this Ordinance, a Penal Institution includes, but is not limited to, any detention or rehabilitation facility to which individuals, whether adults or juveniles, and whether convicted, adjudicated, paroled, or detained pending some other status, are directed, ordered or committed by a judge or other legal authority.

PERSONAL SERVICE ESTABLISHMENT. A business which provides services for individuals and not for other commercial or industrial businesses. Such establishments do not include Retail Stores and Repair Businesses except as may be clearly incidental to the primary service provided. Examples include barber shops, beauty shops and salons (including incidental sales of hair, skin and nail care products if related services are provided), laundromats, dry cleaning shops (including incidental repair or mending of clothing), tanning salons, etc.

PREMISES. A descriptive word to include all improvements, buildings, structures, and land on or within a lot.

PRINCIPAL BUILDING. A building in which is conducted the principal use of the lot on which it is situated.

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.

PUBLIC NOTICE. A notice published once each week for two successive 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 days prior to the date of the hearing.

QUARRY. A lot or land or part thereof used for the purpose of extracting stone, sand, gravel, or top soil.

REPAIR. A function involving the correction of deficiencies of products that affect its performance and/or appearance.

REPAIR BUSINESSES. A business which provides Repair services, further categorized as follows:

AUTOMOBILE AND SMALL ENGINE EQUIPMENT REPAIR. The retail repair, servicing, maintenance and reconstruction of automobiles and small engine equipment typically utilized by individuals such as lawn mowers, chain saws, snow blowers, passenger vehicles, boats, recreational vehicles and similar items, excluding commercial trucks, busses and agricultural and construction vehicles and equipment. This excludes car washes.

HEAVY MACHINERY AND EQUIPMENT REPAIR. The repair, servicing, maintenance and reconstruction of machinery and equipment typically utilized by manufacturing, commercial, agricultural and industrial establishments. This shall include the repair of busses, trucks and agricultural and construction vehicles and equipment.

ELECTRONICS AND APPLIANCE REPAIR. The retail repair, servicing, maintenance and reconstruction of electronic equipment and appliances typically utilized by individuals and small businesses and offices, such as watches, clocks, radios, cash registers, air conditioners, televisions, computers, and home appliances.

RESTAURANT. An establishment that serves prepared food primarily on non-disposable tableware, but can provide for incidental carry-out service so long as the area used for carry-out service does not exceed 5% of the total patron seating area. Caterers shall be included in this definition.

RESTAURANT - DRIVE-THRU OR FAST-FOOD. An establishment that serves prepared food generally packaged in paper or plastic or similar wrappers. Such food can be consumed either on or off the site.

RETAIL STORE. A building or structure devoted to the sale of commodities to the ultimate consumer. The term Retail Store shall not include the term Adult Book Store.

RIGHT-OF-WAY. The total width of any land reserved or dedicated as a street, road, lane, alley, crosswalk, or for other public or semi-public uses.

SANITARY LANDFILL. A lot or land or part thereof licensed and regulated by the Township and in conformance with the Pennsylvania Department of Environmental Protection requirements, that is used for the disposal and treatment of solid waste.

SCHOOL. A use in which supervised education or instruction is offered, including public and private schools, according to the following categories:

Elementary and Secondary - Schools with grades Kindergarten through and including 12th.

Post-Secondary - Schools offering education or instruction to individuals beyond Secondary, primarily for the purpose of obtaining gainful employment skills and knowledge, including colleges, universities, vocational, trade and business schools.

Commercial - Schools offering a variety of educational and instructional activities not included in the Elementary and Secondary, and Post-Secondary schools. Said school may or may not be operated as a gainful business by a person or organization other than a school district, and include dance, martial arts, hobby-oriented, and related schools.

SERVICE STREET. A minor right-of-way providing a secondary vehicular access to the side or rear or two or more properties, which is not the primary means of access to the properties.

SETBACK LINE. The line within a property defining the minimum required distance between any building or structure or portions thereof to be erected or altered and a Front Lot Line. Such line shall be measured at right angles from the Front Lot Line upon which said building or structure is located or to be located and shall be parallel to said Front Lot Line.

SEWAGE FACILITIES. All terms, expressions and words used in relation to sewage facilities, whether on-lot, community or public, shall be as defined in any and all applicable Pennsylvania Department of Environmental Protection, Rules, Regulations and other publications.

SHOOTING RANGE. A place where the public, for a fee or by invitation, can discharge firearms for recreation, competition, skill development, or training. A Shooting Range does not include

hunting when conducted in accordance with the rules and regulations of the Commonwealth of Pennsylvania.

SHOPPING CENTER. A group of retail stores planned and designed for the site on which it is built, functioning as a unit, with shared off-street parking provided on the property as an integral part of the unit.

SINGLE FAMILY DETACHED DWELLING. A building arranged, intended, or designed to be occupied exclusively as a residence for one family and having no party wall with an adjacent building.

SINGLE FAMILY SEMI-DETACHED DWELLING. A building arranged, intended, or designed such that two (2) Dwelling Units exist side by side separated by a common or party wall.

SITE PLAN REVIEW. The process by which the Planning Commission evaluates a zoning permit application and makes a recommendation to the Zoning Officer. See Section 1031 of this Ordinance for the procedure and standards involved in a Site Plan Review.

SIGHT TRIANGLE. An area within which no vision-obstructing object is permitted above a height of two and one-half feet nor below a height of ten feet.

SIGN. Any device designed to inform or attract attention of persons not on the premises on which the sign is located. For purposes of this Ordinance, Sign does not include mail boxes, names of occupants, or other identifications not having commercial connotations; flags and insignias of governments; legal notices, signs giving direction or information required by governmental bodies, or signs directing or guiding traffic and parking without the use of an advertising matter.

SIGN, ADVERTISING. A sign which directs attention to products, accommodations, services, or activities offered at locations other than the property upon which the sign is erected or displayed.

SIGN, BUSINESS. A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services, or activities on the premises.

SIGN, FREE-STANDING. An independently supported sign, not attached to any building.

SIGN, HEIGHT. The vertical distance measured from the lowest grade adjacent to the sign to its highest point. The highest point in the case of a sign shall include the supporting structure.

SIGNS, NUMBER. For the purpose of determining number of signs, a sign shall be considered as a single display surface or device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship or elements, each element shall be considered a single sign.

SOCIAL AND RECREATION FACILITIES. A building, structure, lot or land area used for social and recreational activities, such as parks, golf courses, swimming pools, playgrounds, picnic

grounds, social clubs and halls, etc., and are further categorized as Private and Public as follows:

PRIVATE. Social and Recreation Facilities which are characterized by membership requirements and which are available for use only by members and their guests. Examples include country clubs, swimming pool associations, fraternal and social clubs, etc.

PUBLIC. Social and Recreation Facilities which have no membership requirements and are available for use by the general public. Examples include public parks and playgrounds, public golf courses, public swimming pools, public libraries, etc.

SOLID WASTE. Garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities. Such wastes shall not include biological excrement nor hazardous waste materials as defined in the *Code of Federal Regulations*, Title 40, Chapter 1, Part 261, dated July 1, 1984, as amended.

SPECIAL EXCEPTION USE. A use for which the Zoning Hearing Board may grant a permit, pursuant to the provisions of this Ordinance.

SPECIFIED ANATOMICAL AREAS. Less than completely and opaquely covered human genitals, pubic region, buttocks, female breasts below a point immediately above the top of the areola, or human male genitals in a discernibly turgid state even if completely or opaquely covered.

SPECIFIED SEXUAL ACTIVITIES. Human genitals in a state of sexual stimulation or arousal. Acts of human masturbation, sexual intercourse or sodomy, bestiality, fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

STOCKYARD. A large yard area with pens or stables where cattle, sheep, swine or other livestock are kept ready for sale or shipping. This definition shall include slaughterhouses.

STORMWATER CONTROL FACILITIES. Facilities used for the control, storage, retention, detention, or infiltration of stormwater runoff including, but not limited to, infiltration pits and basins, retention and detention basins. Stormwater control facilities shall be considered an accessory use to the principal use for which such facilities have been designed, intended, installed or constructed.

STORMWATER CONVEYANCE FACILITIES. Facilities used for the conveyance, collection and discharge of stormwater runoff including, but not limited to, swales, pipes, catch basins and inlets.

STREET. Includes any 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.

APPROVED PRIVATE ROAD OR STREET. A legally established right-of-way which provides the primary vehicular access to a lot and which has not been dedicated or deeded to the Township, but approved by the Board of Supervisors.

PUBLIC ROAD OR STREET. A public thoroughfare, including a street, road, lane, alley, court, or similar terms, which has been dedicated or deeded to the Township or Commonwealth, and accepted by it, or which by custom and use, is maintained by the Township.

STREET LINE. The dividing line between a lot and the outside boundary of a public street or street right-of-way, or between a lot and a private street which serves two or more separately owned homes or buildings.

STRUCTURE. Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. The term "structure" includes the term "building". For the purposes of this Ordinance, the term "STRUCTURE" shall specifically not include:

- »Lampposts »Sidewalks and Walkways »Fences »Wells
- »Mailboxes »Landscaping Timbers »Retaining Walls

SUPERVISORS. The Board of Supervisors of the Township of Bethel, Berks County, Pennsylvania

SWIMMING POOL, PRIVATE. Any receptacle or artificially constructed container for water, having a wall depth of over three (3) feet at any point within its perimeter, intended or adapted for the purposes of immersion or partial immersion of human beings therein used or intended to be used in connection with residences, available only to the family of the householder and his private guests, not open to the public or publicly owned, not owned and/or operated by any organization, partnership, or corporation, and not otherwise regulated by any statutes or by rules other than those of the Township. This shall include outdoor whirlpools.

SWIMMING POOL, PUBLIC OR SEMI-PUBLIC. Any swimming pool other than a private swimming pool, including publicly and privately owned pools open to the general public and pools owned and operated in conjunction with membership organizations, Motels, Hotels, and other similar uses.

TELECOMMUNICATION FACILITIES. Facilities, not under the jurisdiction of the PUC, which are used for the purpose of communications, which includes cellular, paging, wireless modems, personal communications service (PCS), and other wireless technologies.

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

TOWNSHIP. The Township of Bethel, Berks County, Pennsylvania

TRAVEL TRAILER. A vehicular portable structure, which is licensed and registered as a motor vehicle, without skirting or permanent foundation, built or designed to be mounted on a chassis or wheels or constructed as an integral part of a self-propelled vehicle for use as a temporary dwelling for travel, recreation, and/or vacation purposes.

TWO FAMILY DETACHED DWELLING. A building designed for and occupied exclusively as a residence for two families, with one family living wholly or partly over the other and with no common or party wall with an adjacent building.

USE. The specific purpose for which land, sign, structure, or building is designed, arranged, 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.

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

WATER FACILITIES. All terms, expressions and words used in relation to water facilities shall be as defined in any and all applicable Pennsylvania Department of Environmental Protection, Rules, Regulations and other publications.

YARD. The required open unoccupied space on the same lot with a building. The space shall be open and unobstructed from the ground upward, except as otherwise provided in this Ordinance, and not less in depth or width than the minimum required in each zoning district.

YARD, FRONT. An open, unoccupied space between the Front Lot Line and a line drawn parallel thereto, at such distance therefrom as may be specified herein for any zoning district, and extending for the full width of the lot.

YARD, REAR. An open, unoccupied space between the rear lot line and a line drawn parallel thereto as such distance therefrom as may be specified herein for any zoning district, and extending for the full width of the lot, except that in the case where the rear lot line is included within a service street, the rear yard shall be between the right-of-way line of the service street nearest the front yard of the lot and a line drawn parallel to such right-of-way line of the service street.

YARD, SIDE. An open, unoccupied space between the side lot line and a line drawn parallel thereto at such distance therefrom as may be specified herein for any zoning district, and extending from the front yard to the rear yard.

ZONING OFFICER. The duly constituted municipal official appointed by the Board of Supervisors and designated to administer and enforce the Zoning Ordinance of the Township.

ZONING ORDINANCE. The Bethel Township Zoning Ordinance of 2000, as amended.

END SECTION 300

SECTION 400

DISTRICTS AND BOUNDARIES

410 ZONING DISTRICTS

For the purposes of this Ordinance, the Township is hereby divided into the following Zoning Districts:

V - Village

AP - Agricultural Preservation District

IC - Industrial - Commercial

EP - Environmental Protection

420 DISTRICT BOUNDARIES

421 Zoning Map

The boundaries of each District or zone are established as shown on the Official Zoning Map of the Township. The Official Zoning Map and all notations, references, and data shown thereon are hereby incorporated by reference into this Ordinance, and shall be as much a part of this Ordinance as if all were fully described herein.

422 Delineation of District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules apply:

Where district boundaries are indicated as approximately coinciding with the center lines of streets, highways, or alleys, such center lines shall be construed to be such boundaries.

Where district boundaries are indicated as approximately coinciding with plotted lot lines, such lot lines shall be construed to be such boundaries.

Where district boundaries are indicated as approximately coinciding with the center lines of streams, such center lines shall be construed to be such boundaries.

Boundaries indicated as approximately following Township limits shall be construed as following such limits.

Boundaries indicated as parallel to or extensions of features indicated above shall be so construed.

Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or in other circumstances not covered above, the Zoning Officer shall interpret the district boundaries.

423 District Boundaries Dividing Properties

Where a district boundary line divides a lot, the provisions and regulations of the zoning district which contains a majority area of the lot shall apply.

430 **APPLICATION OF DISTRICT REGULATIONS**

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

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

Where district regulations specify a minimum lot width at the street line, the minimum lot width shall be contiguous along one street line. It is prohibited, when calculating the width of the lot, to add widths along two street lines.

Where district regulations specify a minimum lot width at the building setback line, the minimum lot width shall be contiguous along one building setback line. It is prohibited, when calculating the width of the lot, to add widths along two building setback lines.

Where a lot is formed from part of a lot already improved at the passage of this Ordinance, the separation shall not be made in a manner which results in the violation of any of the provisions of this Ordinance.

END SECTION 400

SECTION 500

V - VILLAGE DISTRICT

510 STATEMENT OF INTENT

Village Districts have been established around the Villages of Bethel and Frystown. A mixture of land use types now exists, and such a mixture will be permitted to continue in the future. Presently the most densely developed areas of the Township are located in the Village Districts; in the future the greatest densities of development will be permitted in the Village Districts.

520 USES PERMITTED BY RIGHT

Land and buildings in a V District may be used for the following purposes and no others unless a Special Exception, as provided for in Section 530, is granted:

520.01 Single Family Detached Dwelling

520.02 Single Family Semi-Detached Dwelling

520.03 Two Family Detached Dwelling

520.04 Apartment Buildings and Townhouses, subject to:

- a. Public or community sewer and water facilities shall be provided.
- b. Minimum lot area shall be one acre.
- c. The overall density of the development shall not exceed eight dwelling units per acre.
- d. The maximum building height shall be thirty-five (35) feet.
- e. Open space requirements shall follow the requirements set forth in the Bethel Township Subdivision and Land Development Ordinance, as amended.
- f. A system for pedestrian circulation throughout the development shall be provided.
- g. The maximum length of an Apartment Building shall be 165 feet.
- h. The number of Townhouses within a continuous grouping shall not exceed eight.
- i. No Apartment Building shall be located within forty (40) feet of a property line of the development.
- j. No Apartment Building shall be located within forty (40) feet of another dwelling.

- k. A Townhouse shall be located at least forty (40) feet from any dwelling which is not in the same row of Townhouses.
- l. No Townhouse shall be located within twenty-five (25) feet of any street right-of-way line.
- m. No Apartment Building shall be located within forty (40) feet of any street right-of-way.
- n. No more than forty percent (40%) of the total area of the development shall be covered by buildings.
- o. No more than thirty percent (30%) of the total area of the development shall consist of paved or other non-vegetated surface.
- p. Exterior storage areas for trash and rubbish shall be completely screened from view on three sides and all trash shall be contained in air-tight, vermin-proof containers.
- q. Common Parking Facilities shall not be designed or located to require cars to back into streets in order to leave the Parking Facilities. All dead-end Parking Facilities shall provide adequate areas into which cars parked in the end stalls of the lots may back.
- r. Common Parking Facilities and access drives shall be located a minimum of ten (10) feet from all structures. Common parking areas shall be a minimum of fifteen (15) feet from all street rights-of-way and from the exterior lot lines of the development.
- s. Entrance and exit ways to Parking Facilities shall have a minimum width of twelve (12) feet for each lane of traffic entering or leaving the areas.
- t. In the case of Townhouses for sale where the sale of land with the Townhouse will not be limited to the land actually covered by the Townhouse, the following regulations shall apply to the Townhouse lot:
 - Minimum lot width 18 feet
 - Minimum lot area 2000 sq. ft.
 - Minimum rear yard 25 feet
 - Minimum side yard (end of row) 20 feet
- u. Parking Facilities shall be designed to prevent through-traffic to other Parking Facilities. No more than sixty (60) Parking Spaces shall be accommodated in any one Parking Facility and all Parking Facilities shall be landscaped in accordance with the provisions of the Bethel Township Subdivision and Land Development Ordinance.
- v. Entrances to and exits from common Parking Facilities shall be located a minimum of eighty (80) feet from the point of intersection of the nearest street curb lines.

w. All common Parking Facilities and all access drives serving the Parking Facilities shall be paved with a bituminous or concrete surface.

- 520.05 Churches, Places of Worship, and Related Uses
- 520.06 Home Occupation, subject to the requirements of Section 1039.
- 520.07 Public Social and Recreation Facilities
- 520.08 Retail Store, including Convenience Stores, up to 10,000 square feet of gross floor area. This shall not include Automobile Filling Stations, gasoline, diesel or other petroleum product sales.
- 520.09 Office
- 520.10 Medical Office Building
- 520.11 Financial Institutions
- 520.12 Personal Service Establishments
- 520.13 Electronics and Appliance Repair businesses, provided all Repairs are performed within a completely enclosed building.
- 520.14 Restaurant, Restaurant - Drive-Thru or Fast Food.
- 520.15 Municipal Use
- 520.16 Cultural and historical facilities, such as museums or historical monuments
- 520.17 Forestry
- 520.18 Accessory Uses to the above permitted uses.

530 USES PERMITTED BY SPECIAL EXCEPTION

The following principal uses and any accessory uses associated therewith, and no other uses, are permitted within the Village District only by special exception, which may be granted only by the Zoning Hearing Board, subject to and in accord with all other relevant provisions of this Ordinance and any conditions which may be imposed by the Zoning Hearing Board.

- 530.01 Day Care, School
- 530.02 Fire station
- 530.03 Hospital; Nursing, Rest or Retirement Home

- 530.04 Public utility, or Telecommunications Facility
- 530.05 Private Social and Recreation Facilities
- 530.06 Principal Parking Facilities.
- 530.07 Bus passenger station, provided that the station shall not be used for the storage or repair of buses
- 530.08 Automobile Filling Station, Automobile and Small Engine Equipment Repair business
- 530.09 Bed-and-Breakfast
- 530.10 Residential conversion, subject to Section 1032 of this Ordinance
- 530.11 Mobilehome Park, subject to:
- a. The minimum area of a Mobilehome Park shall be ten (10) acres.
 - b. When the Mobilehome Park is served by either a public or community sewage disposal system and by either a public or community water supply system, there shall be a maximum gross density of five (5) dwelling units per acre, the minimum area of a Mobilehome Lot shall be five thousand (5,000) square feet, the minimum lot width at the street line shall be thirty (30) feet, and the minimum lot width at the building setback line shall be forty (40) feet. In all other cases, each Mobilehome shall be placed on a lot which shall meet the requirements listed in Section 540 for Single Family Detached Dwellings.
 - c. Open Space and recreation requirements shall meet the requirements set forth in the Bethel Township Subdivision and Land Development Ordinance, but in no case shall the amount of area set aside for open space be less than 15% of the total area of the Mobilehome Park, said total area shall include all Mobilehome Lots, Streets and any associated feature, facility or improvement related to the Mobilehome Park.
 - d. The minimum allowable distance between any Mobilehome, service or accessory building, or Parking Facility and a boundary line of the Mobilehome Park shall be thirty (30) feet, provided that no Mobilehome shall be located closer than fifty (50) feet to any street located outside the boundary lines of the park. No Mobilehome shall be located closer than twenty-five (25) feet to any street located within the boundary lines of the Mobilehome Park. The minimum allowable distance between any Mobilehome and another Mobilehome, service or accessory building, or common Parking Facility shall be thirty (30) feet.
 - e. Two off-street Parking Spaces shall be provided for each Mobilehome.
 - f. The limits of each Mobilehome Lot shall be clearly marked on the grounds by permanent flush stakes, markers, or other suitable means.

- g. All requirements of the Pennsylvania Department of Environmental Protection shall be complied with.
- h. All other required improvements shall be in accordance with the Bethel Township Subdivision and Land Development Ordinance and any and all other applicable Township, State and other regulatory agency requirements.

- 530.12 Home Premises Business, subject to the requirements of Section 1040.
- 530.13 Electronics and Appliance Repair businesses, where Repairs are not performed within a completely enclosed building.
- 530.14 Boarding, Lodging or Rooming House
- 530.15 Funeral Home, excluding crematorium
- 530.16 Group Home
- 530.17 Health and Recreation Club
- 530.18 Accessory buildings and uses to the above permitted Special Exception uses.

Remainder of Page Intentionally Blank

SECTION 540 - PUBLIC OR COMMUNITY SEWER, AND PUBLIC OR COMMUNITY WATER

MAXIMUM PERMITTED	Non-Residential	Single Family Detached Dwelling	Single Family Semi-Detached Dwelling	Two Family Detached Dwelling
BUILDING HEIGHT	35 FEET	35 FEET	35 FEET	35 FEET
LOT COVERAGE	70%	30%	40%	40%

MINIMUM REQUIREMENTS	Non-Residential	Single Family Detached Dwelling	Single Family Semi-Detached Dwelling	Two Family Detached Dwelling
LOT AREA	10,000 SQ. FT.	8,700 SQ. FT.	12,000 SQ. FT.	12,000 SQ. FT.
SETBACK LINE	25 FEET	25 FEET	25 FEET	25 FEET
LOT WIDTH AT STREET LINE	80 FEET	50 FEET	50 FEET	50 FEET
LOT WIDTH AT SETBACK LINE	80 FEET	70 FEET	60 FEET	70 FEET
REAR YARD	30 FEET	25 FEET	25 FEET	25 FEET
SIDE YARD	10 FEET EACH	10 FEET EACH	20 FEET TOTAL	20 FEET TOTAL

SECTION 540 - ON-LOT SEWER, AND ON-LOT WATER

MAXIMUM PERMITTED	Non-Residential	Single Family Detached Dwelling	Semi-Detached Dwelling	Two Family Detached Dwelling
BUILDING HEIGHT	35 FEET	35 FEET	35 FEET	35 FEET
LOT COVERAGE	70%	25%	20%	20%

MINIMUM REQUIREMENTS	Non-Residential	Single Family Detached Dwelling	Single Family Semi-Detached Dwelling	Two Family Detached Dwelling
LOT AREA	1 ACRE	1 ACRE	1 ACRE	1 ACRE
SETBACK LINE	25 FEET	25 FEET	25 FEET	25 FEET
LOT WIDTH AT STREET LINE	100 FEET	70 FEET	90 FEET	90 FEET
LOT WIDTH AT SETBACK LINE	100 FEET	100 FEET	100 FEET	120 FEET
REAR YARD	35 FEET	30 FEET	30 FEET	30 FEET
SIDE YARD	15 FEET EACH	15 FEET EACH	20 FEET TOTAL	20 FEET TOTAL

540 AREA, YARD, COVERAGE AND HEIGHT RESTRICTIONS, continued
SECTION 540 - PUBLIC OR COMMUNITY SEWER, AND ON-LOT WATER

MAXIMUM PERMITTED	Non-Residential	Single Family Detached Dwelling	Single Family Semi-Detached Dwelling	Two Family Detached Dwelling
BUILDING HEIGHT	35 FEET	35 FEET	35 FEET	35 FEET
LOT COVERAGE	70%	25%	30%	30%

MINIMUM REQUIREMENTS	Non-Residential	Single Family Detached Dwelling	Single Family Semi-Detached Dwelling	Two Family Detached Dwelling
LOT AREA	15,000 SQ. FT.	15,000 SQ. FT.	15,000 SQ. FT.	15,000 SQ. FT.
SETBACK LINE	25 FEET	25 FEET	25 FEET	25 FEET
LOT WIDTH AT STREET LINE	100 FEET	70 FEET	60 FEET	70 FEET
LOT WIDTH AT SETBACK LINE	100 FEET	100 FEET	70 FEET	100 FEET
REAR YARD	35 FEET	30 FEET	30 FEET	30 FEET
SIDE YARD	15 FEET EACH	20 FEET EACH	20 FEET TOTAL	20 FEET TOTAL

SECTION 540 - ON-LOT SEWER, AND PUBLIC OR COMMUNITY WATER

MAXIMUM PERMITTED	Non-Residential	Single Family Detached Dwelling	Single Family Semi-Detached Dwelling	Two Family Detached Dwelling
BUILDING HEIGHT	35 FEET	35 FEET	35 FEET	35 FEET
LOT COVERAGE	70%	25%	30%	30%

MINIMUM REQUIREMENTS	Non-Residential	Single Family Detached Dwelling	Single Family Semi-Detached Dwelling	Two Family Detached Dwelling
LOT AREA	1 ACRE	1 ACRE	1 ACRE	1 ACRE
SETBACK LINE	25 FEET	25 FEET	25 FEET	25 FEET
LOT WIDTH AT STREET LINE	100 FEET	70 FEET	60 FEET	70 FEET
LOT WIDTH AT SETBACK LINE	100 FEET	100 FEET	70 FEET	120 FEET
REAR YARD	35 FEET	30 FEET	30 FEET	30 FEET
SIDE YARD, EACH	15 FEET EACH	20 FEET EACH	20 FEET TOTAL	20 FEET TOTAL

550 SITE PLAN REVIEW

For all non-residential uses, whether permitted by right or by Special Exception, Site Plan Review by the Township Planning Commission, pursuant to the provisions of Section 1031 of this Ordinance, shall be required.

SECTION 600

AP - AGRICULTURAL PRESERVATION DISTRICT

Section 610. STATEMENT OF INTENT

The intent of the Agricultural Preservation District is as follows:

- 610.01 To protect and promote the continuation of agriculture in areas with primary agricultural lands, per the Governor's Executive Order of October 14, 1997. Those areas being Preserved Farmland, Farmland in Agricultural Security Areas, Farmland enrolled in Act 319 of 1974, As Amended (Clean and Green) or Act 515 of 1996, As Amended, and Land Capability Classes I, II, III and IV and other soils of statewide importance as defined by the Natural Resources Conservation Service.
- 610.02 To support the Governor's Executive Order regarding the irreversible conversion of primary agricultural land to uses that result in its loss as an environmental and essential food and fiber resource across the Commonwealth of Pennsylvania.
- 610.03 To strengthen and preserve strong agricultural activity where farming is a viable component of the local economy.
- 610.04 To promote agricultural land uses and activities and other uses and activities which act in direct support of agriculture.
- 610.05 To protect and stabilize the essential characteristics of these areas, to minimize conflicting land uses detrimental to agriculture enterprises, and to limit development which requires highways and other public facilities in excess of those required by agricultural uses.
- 610.06 To maintain, protect and stabilize agriculture as an on-going economic activity by permitting only those land uses and activities which are either agricultural in nature or act in direct support thereof.
- 610.07 To maintain the land resource base, that is, agricultural parcels or farms in sizes which will permit efficient, profitable agricultural operations.
- 610.08 To keep separate agricultural land use and activities from incompatible residential, commercial and industrial development, and public facilities.
- 610.09 The regulations set forth in this section seek to achieve the protection of land for agricultural purposes which is a legitimate zoning objective under the Municipalities Planning Code.
- 610.10 To further Sections 603(b)(5) and 604(3) of the Municipalities Planning Code, which direct that zoning ordinances contain provisions designed to "preserve prime

agriculture and farmland considering topography, soil type and classification, and present use.”

610.11 To recognize that farming and agriculture activities are the highest, best and a fully developed land use.

610.12 To put into action the goals of the Bethel Township Comprehensive Plan which contains the goal of preserving agriculture and farmlands and promoting them as a part of the local economy.

610.13 To support the goals and land use plan of the Berks County Comprehensive Plan which determined that Bethel Township is an area, which needs to be preserved for agricultural uses.

620 USES PERMITTED BY RIGHT

The following principal uses and any accessory uses associated therewith, and no other uses, are permitted by right in the Agricultural Preservation District, provided that all other applicable requirements of this Ordinance are satisfied.

620.01 General Agriculture, as defined by this Ordinance, subject to the provisions of section 1033.01 of this Ordinance.

620.02 Intensive Agriculture, as defined by this Ordinance, subject to the provisions of Section 1033.02 of this Ordinance.

620.03 One Single Family Detached Dwelling on the Parent Tract.

620.04 Farm Stand, subject to the following restrictions:

(a) At least fifty percent (50%) of the quantity of the products are produced on the property from which they are offered for sale.

(b) The structure from which the products are displayed does not exceed six-hundred (600) square feet and is located at least seventy-five (75) feet from the center line of the road and seventy-five (75) feet from the center of nearest intersection.

(c) Parking shall be provided for at least six (6) vehicles; all parking shall be located outside the road right-of-way.

(d) The stand shall be portable and removed during seasons when products are not being offered for sale, except a stand may remain in place throughout the year provided it is located a minimum of one-hundred (100) feet from the center line of the road and one hundred twenty five (125) feet from the center of the nearest intersection.

620.05 Woodland or game preserve, wildlife sanctuary or similar conservation use.

620.06 Home Occupation, subject to the provisions of section 1039 of this Ordinance.

- 620.07 Municipal Use. Notwithstanding the provisions of section 650 of this Ordinance, there shall be no minimum Lot Size, and the maximum Lot Coverage shall be 70%.
- 620.08 Forestry
- 620.09 Accessory uses and structures to the above permitted uses when on the same lot as the permitted use.

630 USES PERMITTED BY SPECIAL EXCEPTION

The following principal uses and any accessory uses associated therewith, and no other uses, are permitted within the Agricultural Preservation District only by special exception, which may be granted only by the Zoning Hearing Board, subject to and in accord with all other relevant provisions of this Ordinance and any conditions which may be imposed by the Zoning Hearing Board.

- 630.01 Highly Intensive Agriculture, as defined by this Ordinance, subject to the provisions of Section 1033.02 of this Ordinance
- 630.02 Additional Single Family Detached Dwellings.
 - (a) The number of single-family detached dwellings permitted after the initial single-family detached dwelling on a Parent Tract is subject to the provisions of Section 640.05 of this Ordinance.
- 630.03. Home Premises business, subject to the provisions of section 1040 of this Ordinance.
 - (a) Multiple Home Premises businesses shall be permitted by special exception provided each business can independently satisfy all the provisions of section 1040 of this Ordinance.
- 630.04 Public utility uses.
 - (a) Notwithstanding the provisions of section 650 of this Ordinance, the minimum lot size for a public utility land use shall be one (1) acre.
- 630.05 Telecommunication Facilities.
 - (a) Notwithstanding the provisions of section 650 of this Ordinance, the minimum lot size for a Telecommunication Facility land use shall be one (1) acre.
 - (b) Telecommunication Facilities are subject to the provisions of section 1038 of this Ordinance.
- 630.06 Aquaculture, subject to the following, if applicable:

- (a) Applicant shall provide proof that consumptive water usage shall not adversely affect adjoining property owners; a water consumption permit issued by the Susquehanna River Basin Commission shall be deemed sufficient evidence that this requirement is met.
- (b) Applicant shall provide a Hydrogeologic Impact Analysis, prepared and certified by duly licensed professionals acceptable to the Board. This analysis shall contain information showing the source or sources of water to be used, whether the water is to be recycled, and the treatment and disposition of the water after use.
- (c) Applicant shall provide a Environmental Impact Analysis, prepared and certified by duly licensed professionals acceptable to the Board.
- (d) Applicant shall provide a Traffic Impact Analysis, prepared and certified by duly licensed professionals acceptable to the Board.
- (e) Applicant shall provide proof that all state and federal regulatory requirements have been or will be met and that relevant permits have been or will be obtained.
- (f) All feed, medicines and chemicals used at the premises shall be stored indoors or in sealed containers.
- (g) Processing of product raised at the premises shall be limited to preliminary preparation for transportation and/or shipping. No drying, canning, freezing or similar processing shall be permitted.
- (h) Applicant shall prepare and prove ability to comply with an odor abatement plan.
- (i) Applicant shall prepare and prove ability to comply with a fly abatement plan.
- (j) Applicant shall submit a land development plan to the Bethel Township Planning Commission, pursuant to the Bethel Township Planning Commission, pursuant to the Bethel Township Subdivision and Land Development Ordinance of 1999, as amended. Said land development plan shall include a Storm Water Management Plan prepared pursuant to the requirements set forth in the Subdivision and Land Development Ordinance.
- (k) The Board may impose other such conditions and limitations as it deems appropriate.
- (l) Animal and/or plant waste and any by-products therefrom shall be handled in such a manner as prescribed by law and so as not to degrade the environment.

630.07 Animal hospitals, veterinary facilities, and kennels.

- (a) All structures used by animal hospitals, veterinary facilities, or kennels that house animals shall be located at least 200 feet from all lot lines.

- (b) Outdoor pens, feed yards, and runs used by animal hospitals, veterinary facilities or kennels shall be 200 feet from any residential lot line.
- (c) All kennels shall comply with all applicable state laws and regulations.
- (d) Operations open after hours of darkness shall be adequately lighted but in such a manner that no glare or light is directed toward adjacent properties or onto public streets. No unshielded lights shall be permitted. No lighting shall be utilized in such a manner to produce illumination greater than 0.5 foot-candles beyond the lot boundaries.
- (e) No dogs shall be permitted outdoors between the hours of 10:00 p.m. and 6:00 a.m.
- (f) Notwithstanding the provisions of section 650 of this Ordinance, the minimum lot size for animal hospital, veterinary facility, or kennel land uses shall be four (4) acres.

630.08 Mushroom production

- (a) The production, processing or cultivation of mushrooms shall be construed as Highly Intensive Agriculture and shall be subject to the requirements of section 1033.02 of this Ordinance.
- (b) Mushroom houses shall be operated only under the guidelines set forth in "Best Practices for Environmental Protection in the Mushroom Farm Community" (Department of Environmental Protection, document # 254-401-001, December 1997), as amended.
- (c) Housing for mushroom industry workers shall not be permitted except in single-family detached dwellings as provided in this Ordinance.

630.09 Sawmills

- (a) Notwithstanding the provisions of section 650 of this Ordinance, the minimum lot size for a sawmill land use shall be fifteen (15) acres.

630.10 Other agriculture or plant and animal production land uses not set specifically set forth within this Ordinance

630.11 Schools, Elementary and Secondary, through and including the 8th grade only. Notwithstanding the provisions of section 650 of this Ordinance, the minimum Lot Size shall be one (1) acre, the maximum Lot Size shall be three (3) acres, and the maximum Lot Coverage shall be 50%.

630.12 Churches, Places of Worship, and Related Uses. Notwithstanding the provisions of section 650 of this Ordinance, the minimum Lot Size shall be one (1) acre, the maximum Lot Size shall be three (3) acres, and the maximum Lot Coverage shall be 50%.

630.13 Bed-and-Breakfast

640. SUBDIVISION AND RESIDENTIAL DEVELOPMENT

- 640.01 At the effective date of this Ordinance, each lawfully existing lot of land having its own separate Property Identification Number and located wholly or partially within the Agricultural Preservation District shall be designated a Parent Tract. Thereafter, subdivision and residential development of a Parent Tract shall be subject to the provisions of this section.
- 640.02 Agricultural subdivision on which no residences are to be erected shall be permitted subject to the requirements of section 650 of this Ordinance and all other relevant state laws and local ordinances.
- 640.03 The first single-family detached dwelling erected upon the Parent Tract, whether prior to or after the effective date of this Ordinance, shall be by right.
- 640.04 A second and all subsequent single-family detached dwellings to be erected upon the Parent Tract, whether said Parent Tract is subdivided or not, shall be permitted only by special exception and shall be subject to the limitations specified within section 640.05 of this Ordinance.
- 640.05 The total number of single-family detached dwellings permitted shall be in accordance with the size of the Parent Tract on the effective date of this Ordinance:

Size of Parent Tract in Acres on Effective Date of Ordinance	Maximum Number of Single-Family Detached Dwellings in Addition to Principal Residence Allowed
---	--

1-<20	1
20-<50	2
50-<100	3
100-<200	4
200-<300	5
300 or more	6

- 640.06 An applicant submitting a subdivision or land development plan shall specify on the plan which lot or lots shall carry with them the right to erect or place any unused quota of dwelling rights the tract may have.

- 640.07 Any residential development, whether by subdivision or erection on a Parent Tract, shall be located on the least productive soils of the Parent Tract.
- 640.08 Any proposed non-agricultural use shall be "clustered" or "grouped" in such a manner as to preserve the greatest extent of productive and valuable farmland as possible.
- 640.09 All subdivision and/or land development plans shall include a conspicuous Agricultural Use Notification as follows: "All lands within the Agricultural Preservation District, as designated by the Bethel Township Zoning Ordinance of 2000, as amended, are located in an area where land is used for commercial agricultural production. Owners, residents and other users of this property or neighboring property owners 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 of any kind, 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, discomfort and possibility of injury from normal agricultural operations, and are hereby put on official notice that the state Right-to-Farm Law (Act 133 of 1982) may bar them from obtaining a legal judgment against such normal agricultural operations."

REMAINDER OF PAGE INTENTIONALLY BLANK

650

AREA, YARD, COVERAGE AND HEIGHT RESTRICTIONS

	Non-Residential Uses	On-lot Sewage Disposal Single Family Detached Dwellings
<u>Maximum Permitted</u>		
Lot Size	None	2 Acres
Height	35 Feet	35 Feet
(except barns, silos and grain elevators)		
Lot Coverage	25 Percent	25 Percent
<u>Minimum Required</u>		
Lot Size	50 Acres*	1 Acre
Lot Width		
At Street Line	150 Feet	150 Feet
At Setback Line	150 Feet	150 Feet
Rear Yard	40 Feet	30 Feet
Setback Line	40 Feet	30 Feet
Side Yard		
Total	50 Feet	50 Feet
One Side	25 Feet	25 Feet

* unless otherwise specified

660

SITE PLAN REVIEW

For all uses permitted by right or by special exception, Site Plan Review by the Planning Commission, pursuant to the provisions of Section 1031 of this Ordinance, shall be required.

END SECTION 600

SECTION 700

IC - INDUSTRIAL-COMMERCIAL DISTRICT

710 STATEMENT OF INTENT

The Industrial-Commercial Districts have been established to permit a wide variety of commercial and industrial uses to locate in the vicinity of the interchanges of Interstate 78 and along Old 22.

720 USES PERMITTED BY RIGHT

Land and buildings in an IC district may be used for the following purposes and no others unless a special exception, as provided for in section 730, is granted:

- 720.01 Retail Store, including Convenience Stores and Shopping Centers.
- 720.02 Office.
- 720.03 Medical Office Buildings.
- 720.04 Financial Institutions.
- 720.05 Electronics and Appliance Repair businesses.
- 720.06 Restaurant, Restaurant - Drive-Thru or Fast Food.
- 720.07 Automobile Sales, Automobile and Small Engine Equipment Repair
- 720.08 Terminal, storage, or transfer facilities for trucking or railroad operations.
- 720.09 Hotel or Motel.
- 720.10 Research establishment or laboratory.
- 720.11 Public Social and Recreation Facilities
- 720.12 Amusement and Entertainment Establishments.
- 720.13 Private Social and Recreation Facilities, provided that such facilities will not be used for gunning, trap shooting, or similar purpose and will not be used for the operation of motor vehicles.
- 720.14 Municipal Use, fire station
- 720.15 Wholesaling, distribution, warehousing and storage businesses.
- 720.16 Printing, publishing, lithography and bookbinding.

- 720.17 Laundry or dry cleaning plant.
- 720.18 Public utility, Telecommunications Facility
- 720.19 General Agriculture, subject to the provisions of Section 1033.01 of this Ordinance
- 720.20 Intensive Agriculture, as defined by this Ordinance, as defined by this Ordinance, subject to the requirements of Section 1033.02 of this Ordinance.
- 720.21 Building materials sales and storage.
- 720.22 Manufacturing, compounding, processing, packaging, and treating of products, subject to section 760.
- 720.23 Heavy Machinery and Equipment Repair businesses
- 720.24 Funeral Home
- 720.25 Forestry
- 720.26 Churches, Places of Worship, and Related Uses
- 720.27 Home Occupation, subject to the provisions of section 1039 of this Ordinance.
- 720.28 Accessory uses and buildings to the above permitted uses.

730 USES PERMITTED BY SPECIAL EXCEPTION

The following principal uses and any accessory uses associated therewith, and no other uses, are permitted within the Industrial Commercial District only by special exception, which may be granted only by the Zoning Hearing Board, subject to and in accord with all other relevant provisions of this Ordinance and any conditions which may be imposed by the Zoning Hearing Board.

- 730.01 Automobile Filling Station.
- 730.02 Principal Parking Facilities.
- 730.03 Car wash, subject to:
 - a. No water used in the washing or cars shall be discharged onto public roads or onto other properties.
 - b. Car washing activities shall be carried out within a building.
 - c. An approach drive or parking area to accommodate a minimum of four (4) cars per bay shall be constructed, except in the case of a facility where only one (1) bay is provided.

In such case, the approach drive or parking area shall be constructed to accommodate a minimum of eight (8) cars.

730.04 Bus passenger station, including the storage and repair of buses.

730.05 Junk yard, subject to:

- a. The premises shall be maintained so as not to constitute a nuisance or a menace to the health of the residents and inhabitants of the Township and shall be maintained so as not to constitute a place for the breeding of rodents and vermin.
- b. No garbage or organic waste shall be stored.
- c. Whenever any motor vehicle or part thereof shall be received in the junk yard, and shall not be held for resale as an operating unit, all gasoline and oil shall be removed from the motor vehicle or part thereof within seven (7) calendar days.
- d. The manner of storage and arrangement of materials shall be such as to provide for adequate access for fire fighting purposes.
- e. The manner of storage, arrangement of materials, and drainage facilities shall be such as to prevent the accumulation or stagnant water upon the premises.
- f. No open burning whatsoever shall be permitted.
- g. All junk yards shall be completely enclosed, except at entrances, by a Landscape Screen, as herein defined, which shall be backed by a fence at least six (6) feet in height. The fence shall contain gates at all entrances which shall be locked except during operating hours.
- h. No materials shall be stored less than twenty-five (25) feet from any street outside the property on which the junk yard is located and no materials shall be stored less than twenty-five (25) feet from a lot line of the lot on which the junk yard is located.
- i. No materials stored within the junk yard shall be stacked to a height exceeding the height of the evergreen planting screen enclosing the junk yard, provided that in no case shall materials be stacked to a height exceeding ten (10) feet.
- j. The construction and operation of a junk yard shall be subject to conditions set forth in any and all other Bethel Township Ordinances and Regulations that may be adopted from time to time, including but not limited to the Bethel Township Junkyard Ordinance.

730.06 Penal Institution, subject to Section 1036 of this Ordinance.

730.07 Highly Intensive Agriculture, as defined by this Ordinance, subject to the provisions of Section 1033.02 of this Ordinance.

730.08 Adult Book Store, pursuant to the provisions of Section 1034 of this Ordinance.

730.09 Adult Motion Picture Theater, pursuant to the provisions of Section 1034 of this Ordinance.

730.10 Massage Establishment, pursuant to the provisions of Section 1034 of this Ordinance.

730.11 Cabaret, pursuant to the provisions of Section 1034 of this Ordinance.

730.12 Mini-warehouse

730.13 Sanitary landfill, subject to:

- a. The operation of a sanitary landfill shall not be permitted unless a permit for such landfill has been issued by the Pennsylvania Department of Environmental Protection. All landfills shall be operated in accordance with Pennsylvania Act 241 of 1968, as amended (the Pennsylvania Solid Waste Management Act) and the rules and regulations of the Pennsylvania Department of Environmental Protection.
- b. The construction and operation of a sanitary landfill shall be subject to conditions set forth in any and all other Bethel Township Ordinances that may be adopted from time to time.

730.14 Stockyards, subject to the following:

- (a) An off-street parking plan shall be provided at the time of application. This plan will allow maneuverability, parking and loading of trucks, trailers, or other vehicles.
- (b) Off-street Parking Facilities shall be provided pursuant to Section 1026 in this Ordinance.
- (c) Operations open after hours of darkness shall be adequately lighted in such a manner that no glare or light is directed toward adjacent properties or onto public streets. No unshielded lights shall be permitted. No lighting shall be utilized in such a manner to produce illumination greater than 0.5-foot candles beyond the lot boundaries.
- (d) If any stockyard presents a fire hazard, emits smoke, dust or other air pollutants, noise, light/glare, or creates a nuisance as a result of the operation, conditions may be attached as deemed necessary to adequately control and mitigate the potentially detrimental effects that the activity may have on the surrounding area.
- (e) Waste storage shall not be permitted within 300 feet of any property line.
- (f) Any area being utilized for animal holding or grazing purposes shall be fenced with a minimum of 5 strands of high tensile wire. Fences shall be located outside of the legal right-of-way of any street.
- (g) Solid and liquid wastes shall be disposed of in such a manner that insect or rodent problems are avoided.

(h) A plan for landscaping and vegetative buffering is required.

730.15 Flea Market

730.16 Bed-and-Breakfast

730.17 Hazardous Waste Facility

(a) Notwithstanding the provisions of section 740 of this Ordinance, the minimum distance from any portion of a Lot utilized for the storage, processing, treatment or disposal of Hazardous Waste to any property line shall be 1,000 feet.

730.18 Buildings in excess of the maximum permitted building height listed in Section 740.

730.19 Methadone Treatment Facility, subject to the following:

(a) A methadone treatment facility shall not be established or operated within 500 feet of an existing school, public playground, public park, residential housing area, child-care facility, church, meeting-house or other actual place of regularly stated religious worship established prior to the proposed methadone treatment facility."

730.20 Bulk water extraction, subject to the provisions of section 1041.

730.21 Mineral extraction, subject to the provisions of section 1042.

730.22 Accessory uses and buildings to the above permitted uses.

REMAINDER OF PAGE INTENTIONALLY BLANK

740 AREA, YARD, COVERAGE AND HEIGHT RESTRICTIONS

Maximum Permitted

Building Height 50 ft

Lot Coverage 70 percent

Minimum Requirements

Lot Area 40,000 square feet

Setback Line 50 ft

Minimum Requirements, cont.

Lot Width

 At street line 120 ft

 At setback line 120 ft

Rear Yard 50 ft

Side Yard

 Total 40 ft

 One side 20 ft

Distance between Highway

 Access Points 100 feet (150 Feet for SR 501, SR 419, Old 22)

750 SITE PLAN REVIEW

For all uses permitted by right or by Special Exception, Site Plan Review by the Township Planning Commission, pursuant to the provisions of Section 1031 of this Ordinance, shall be required .

760 PERFORMANCE STANDARDS FOR ALL USES PERMITTED WITHIN THE INDUSTRIAL COMMERCIAL DISTRICT

For all uses permitted by right or by special exception within the Industrial Commercial zoning district, the applicant shall demonstrate the ability to comply with each of the applicable following standards:

760.01 Air Management

- a. Open burning is not permitted.
- b. No gases, vapors, or particulates shall be emitted from the facility which are harmful to persons, property, animals, or vegetation beyond the lot lines of the lot on which such gases, vapors or particulates originate.

- c. No radioactive vapors or gases shall be emitted from the facility in amounts which are harmful.
- d. No odors causing annoyance or discomfort to the public shall be detectable beyond the lot lines of the lot on which such odors originate.
- e. The emission of any smoke at a density to the Method 9 federal guidelines of the EPA Air Quality Program) for any three (3) minute period, but at no time may the opacity be greater than sixty percent (60%). This standard shall not be applied to emissions where the presence of uncombined water is the only reason for the failure of the emission to meet the opacity limits. (Uncombined water produces a white "smoke" which vanishes a short distance from the stack.)

760.02 Waste Water Management

- a. Effluent must meet standards set by the Department of Environmental Protection of the Commonwealth of Pennsylvania.
- b. In no case shall potentially dangerous effluent from plant operations be discharged.

760.03 Solid Waste Management

- a. No permanent storage of waste material on the lot shall be permitted. All waste materials awaiting transport shall be screened from view from all adjacent properties.

REMAINDER OF PAGE INTENTIONALLY BLANK