

# *Joint Zoning Ordinance for Lower Alsace Township and Mount Penn Borough of 2011*

## Table of Contents

	<u>Page</u>
<b>Article 1: Establishment and Application Provisions</b>	
Section 101: Preamble	1
Section 102: Short Title	1
Section 103: Purpose Statements	1
Section 104: Community Development Objectives	2
Section 105: Regional Allocation of Land Uses	3
Section 106: Application and Interpretation	3
Section 107: Exemptions	3
<b>Article 2: Definitions</b>	
Section 201: General Interpretation	4
Section 202: Specific Terms	4
<b>Article 3: Joint Zoning Map and Zoning Districts</b>	
Section 301: Establishment of Zoning Districts and Overlay Districts	42
Section 302: Official Joint Zoning Map	42
Section 303: Interpretation of District Boundaries	43
Section 304: Application of District Regulations	44
<b>Article 4: Zoning District Regulations</b>	
Section 401: Statement of Intent	46
Section 402: Rural Conservation (RC) Zoning District	46
Section 403: Rural Residential (R-1) Zoning District	52
Section 404: Low Density Residential (R-2) Zoning District	57
Section 405: Medium Density Residential (R-3) Zoning District:	62
Section 406: High Density Residential (R-4) Zoning District	66
Section 407: Urban Residential (R-5) Zoning District	71
Section 408: Local Commercial (C-1) Zoning District	76
Section 409: General Commercial (C-2) Zoning District	84
Section 410: Industrial (I-1) Zoning District	91
<b>Article 5: Overlay District Regulations</b>	
Section 501: Statement of Intent	96
Section 502: Carsonia Avenue Overlay District	96
Section 503: Floodplain Overlay District	105
Section 504: Historic Preservation Overlay District	106
Section 505: Perkiomen Avenue Overlay District	109

Section 506:	Riparian Buffer Overlay District	117
Section 507:	Spook Lane Overlay District	118
Section 508:	Steep Slope Overlay District	121
Section 509:	Wetlands Overlay District	123
Section 510:	Woodlands Overlay District	125

**Article 6: Supplemental Development Requirements**

Section 601:	Statement of Intent	126
Section 602:	Adaptive Reuse and Redevelopment	126
Section 603:	Age-Qualified Retirement Community	128
Section 604:	Agricultural Operations and Uses	134
Section 605:	Automotive Sales, Service and/or Repair Facility	138
Section 606:	Banks and Financial Institutions	141
Section 607:	Bed and Breakfast Establishment	142
Section 608:	Business, Professional and Governmental Offices	143
Section 609:	Campgrounds	145
Section 610:	Club, Lodge or Social Quarters	147
Section 611:	Commercial Water Resource Use	148
Section 612:	Conservation Use	150
Section 613:	Day Care Facilities and Uses	151
Section 614:	Dry Cleaners and Laundromats	153
Section 615:	Emergency Services Facility	154
Section 616:	Forestry	155
Section 617:	Funeral Home	157
Section 618:	Garage Parking Facility	158
Section 619:	Grocery Store	160
Section 620:	Group Home	161
Section 621:	Health Club or Fitness Center	162
Section 622:	Home Improvement and Building Supply Store	164
Section 623:	Home Occupation	165
Section 624:	Horseback Riding School and/or Stable	167
Section 625:	Hospitals and Medical Centers	168
Section 626:	Hotel and Motel	170
Section 627:	Kennels	171
Section 628:	Laboratory and Research Facility	173
Section 629:	Landscape Center	174
Section 630:	Library	176
Section 631:	Manufactured or Mobile Home Park	177
Section 632:	Manufacturing, Fabrication and Finishing Uses	181
Section 633:	Medical, Dentist, Vision, Counseling and Health Care Providers	182
Section 634:	Mixed Use Commercial and Residential	184
Section 635:	Multi-Family Apartment Uses and Developments	186
Section 636:	Municipal Uses	189
Section 637:	Museums	190
Section 638:	Nurseries and Greenhouses	191

Section 639:	Personal Care, Assisted Living Care, Convalescent Home or Nursing Home	192
Section 640:	Personal Service Establishment	194
Section 641:	Places of Worship, Religious Uses and Cemeteries	195
Section 642:	Printing or Publishing Facilities	197
Section 643:	Quarrying and Mining Operations	198
Section 644:	Recreational Uses	200
Section 645:	Residential Cluster Design for the RC Zoning District	202
Section 646:	Residential Cluster Design for the R-1 Zoning District	207
Section 647:	Residential Cluster Design for the R-2 Zoning District	211
Section 648:	Restaurants, Cafes and Taverns	216
Section 649:	Retail Business Uses	218
Section 650:	Retail Convenience Store	219
Section 651:	Schools and Educational Uses	221
Section 652:	Secondary Commercial Use or Pad Site	223
Section 653:	Shopping Centers and Shopping Malls	224
Section 654:	Single-Family Detached Dwellings	226
Section 655:	Single-Family Semi-Detached Dwellings	227
Section 656:	Telecommunication, Wireless Communication and Transmitting Facilities	228
Section 657:	Theater	233
Section 658:	Townhouse Uses and Developments	235
Section 659:	Transitional Age Development	239
Section 660:	Veterinary Hospitals	242
Section 661:	Warehousing and Distribution Center	243
Section 662:	Wholesale Establishment	245
Section 663:	Undefined or Other Land Uses Not Provided For	246

**Article 7: General Regulations**

Section 701:	Statement of Intent	248
Section 702:	Access to Lots, Buildings, Structures and/or Uses	248
Section 703:	Accessory Uses, Buildings and Structures	248
Section 704:	Alternative Energy Facilities and Uses	254
Section 705:	Architectural Features and Design Enhancements	260
Section 706:	Blasting and Detonation Requirements	260
Section 707:	Clear Sight Triangles and Visibility at Intersections	261
Section 708:	Common Open Space	261
Section 709:	Corner Lot Restrictions and Requirements	263
Section 710:	Domestic Pets and Farm Animals	263
Section 711:	Excavating, Filling and Grading	264
Section 712:	Fences, Walls and Hedges	264
Section 713:	Flag Lots or Key Hole Lots	265
Section 714:	Front Yard and Lot Width Exceptions	266
Section 715:	Garage Sales and Yard Sales	266
Section 716:	Hazardous Conditions and Areas	267
Section 717:	Height Limit Exceptions	267
Section 718:	Landscaping	268

Section 719:	Lighting	268
Section 720:	Mailboxes	275
Section 721:	Noise Standards	275
Section 722:	Outdoor Storage and Display Requirements	276
Section 723:	Performance Standards and Controls	278
Section 724:	Prohibited Uses	278
Section 725:	Projections into Yards	278
Section 726:	Residential Conversions	279
Section 727:	Roadside Stands for the Sale of Agricultural and Horticultural Products	279
Section 728:	Satellite Dish or Communications	280
Section 729:	Solid Waste Storage and Disposal	281
Section 730:	Swimming Pools and Therapeutic Spas	281
Section 731:	Temporary Structures and Uses	283
Section 732:	Utilities	284
Section 733:	Yards along Double and Reverse Frontage Lots	285

**Article 8: Off-Street Loading and Parking**

Section 801:	Statement of Intent	285
Section 802:	General Provisions for Off-street Loading and Parking	285
Section 803:	Off-Street Loading Areas	286
Section 804:	Off-Street Parking Areas	287
Section 805:	Driveways, Private Roads, Access Lanes and Fire Lanes	292
Section 806:	Drive-Through Service Facilities	293
Section 807:	Highway Frontage Development and Access Management Requirements	294
Section 808:	Parking of Recreation Vehicles and Commercial Vehicles	295

**Article 9: Signs**

Section 901:	Statement of Intent	298
Section 902:	General Standards and Requirements for all Signs	298
Section 903:	Summarization Chart for Categorical Sign Requirements	301
Section 904:	Signs Requirements for Residential Uses	304
Section 905:	Sign Requirements for Non-Residential Uses	305
Section 906:	Off-Premises Advertising Signs or Billboards	307
Section 907:	Special Use Signs, Temporary Signs and Promotional Signs	309
Section 908:	Nonconforming Signs and Abandoned Signs	311
Section 909:	Prohibited Signs	312

**Article 10: Nonconformities**

Section 1001:	Statement of Intent	313
Section 1002:	Nonconforming Lots of Record	313
Section 1003:	Nonconforming Uses of Land	313
Section 1004:	Nonconforming Buildings or Structures	314
Section 1005:	Nonconforming Use of Buildings or Structures	315
Section 1006:	Pre-Existing Planned Residential Communities	315

**Article 12: Administration and Enforcement**

Section 1101:	Statement of Intent	316
Section 1102:	Zoning Officer	316
Section 1103:	Permits	317
Section 1104:	Zoning Hearing Board	320
Section 1105:	Public Hearings and Procedures	321
Section 1106:	Zoning Variances	322
Section 1107:	Special Exceptions	323
Section 1108:	Conditional Uses	325
Section 1109:	Zoning Amendments and Curative Amendments	328
Section 1110:	Joint Comprehensive Plan Implementation Agreement	328
Section 1111:	Opinions, Mediation and Appeals	329
Section 1112:	Filing Fees and Costs	329
Section 1113:	Violations, Penalties and Remedies	329

**Article 12: Municipal Enactment**

Section 1201:	Validity and Severability	331
Section 1202:	Repealer	331
Section 1203:	Effective Date	331
Section 1204:	Municipal Adoption by Lower Alsace Township	332
Section 1105:	Municipal Adoption by Mount Penn Borough	333

**Appendix**

Appendix A:	Joint Zoning Map for Lower Alsace Township and Mount Penn Borough (2011)	
Appendix B:	Inset Map 1: Joint Zoning Map depicting an enlarged view of Mount Penn Borough	
Appendix C:	Inset Map 2: Joint Zoning Map depicting the Carsonia Avenue Overlay District and the Spook Lane Overlay District within Lower Alsace Township	
Appendix D:	Inset Map 3: Joint Zoning Map depicting the Carsonia Avenue Overlay District and the Perkiomen Avenue Overlay District within Mount Penn Borough	