

**BENNER TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2006-97

AN ORDINANCE AMENDING THE OFFICIAL ZONING ORDINANCE OF BENNER TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA TO IMPLEMENT THE RECOMMENDATIONS CONTAINED WITHIN THE NITTANY VALLEY REGION COMPREHENSIVE PLAN RELATING TO INDUSTRIAL USES AND ACTIVITIES BY (1) REVISING THE LIGHT INDUSTRIAL DISTRICT (I-2) AND LISTING SPECIFIC CRITERIA ATTACHED TO CERTAIN INDUSTRIAL USES, (2) STRENGTHENING THE DESIGN STANDARDS FOR THIS INDUSTRIAL DISTRICTS, (3) OFFERING DENSITY BONUSES FOR THE USE OF HIGH QUALITY ARCHITECTURAL AND SITE DESIGN FEATURES, (4) REZONING 49.4+ ACRES TO THE LIGHT INDUSTRIAL DISTRICT LOCATED APPROXIMATELY 450 TO 600 FEET SOUTHEAST OF THE BENNER PIKE SOUTH OF THE I-99 INTERCHANGE, AND (5) STRENGTHENING THE GENERAL PROVISIONS RELATING TO THE DESIGN OF INDUSTRIAL SITES.

WHEREAS, Benner Township enacted its Official Zoning Ordinance and Official Zoning Map on October 15, 1997;

WHEREAS, Benner Township officially adopted the Nittany Valley Region Comprehensive Plan, along with Bellefonte Borough and Marion, Spring and Walker Townships on September 16, 2004;

WHEREAS, the Nittany Valley Region Comprehensive Plan devised a future land use strategy premised upon a regional allocation of land use in accordance with the Pennsylvania Municipalities Planning Code;

WHEREAS, Benner Township Officials are currently participating in the development of a regional zoning ordinance that will directly implement the recommendations of the Regional Comprehensive Plan;

WHEREAS, local development opportunities in and around the interchange of Interstate Route 99 present urgency to the implementation of Benner Township Industrial District zoning policies;

WHEREAS, the expedient adoption of such Industrial District zoning policies could qualify the Region for a large infrastructure grant that will address sorely needed public sewer capacities within the Region;

WHEREAS, Township Officials hope to promote high-quality economic development at the I-99 interchange;

WHEREAS, Benner Township Officials intend to implement the regional allocation of industrial land uses as sponsored by the Nittany Valley Region Comprehensive Plan;

NOW, THEREFORE BE IT ORDAINED AND ENACTED THAT THE FOLLOWING AMENDMENTS BE MADE TO THE OFFICIAL ZONING ORDINANCE OF BENNER TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA:

REVISION 1 – Article II Section 3.2.12.A Buffer Yards, the Table in this section is amended to increase the required buffer yard depths within the I-1, I-2 and I-3 Districts as follows:

District Proposed for Development*	Adjoining Zoning District – (Footage Required)											
	F	S	AR-1	R-2	R-3	VR	VC	C-1	C-2	I-1	I-2	I-3
I-1	100									NA	100	
I-2	75		50	75			50			NA	NA	NA
I-3	75						50			NA	NA	NA

*District where Buffer Yards are to be located – All dimensions are shown in feet.

REVISION 2 – Article II, Section 7.2 Light Industrial District is deleted in its entirety and replaced as follows:

“7.2 Light Industrial District (I-2)

“7.2.1 Intent

“The *Light Industrial District* provides key locations for where a mix of various types of light industries can help to diversify the Region’s economy and offer valuable employment opportunities. This District will principally permit light and small-scale industries as opposed to heavy industry that is designated in other areas of the Region. Required lot sizes have been kept small to accommodate the start-up industries that are likely to emerge; however, larger industries have also been permitted. Light industrial uses are permitted by right while conditional use approval is required for uses of greater impact. These areas have been located near existing public utility service areas and along major roads. Design standards have been imposed to create attractive site designs and moderate the objectionable impacts associated with industrial uses. Substantial setbacks are used to protect adjoining residences. It is noted that some portions of this District fall within the Interchange Overlay Zoning District and must abide by the more stringent regulations of this unique area unless, otherwise noted within this Ordinance.

“7.2.2 Permitted Uses

1. Adult and child day care centers, subject to the applicable Supplemental Regulations contained within Article IV of this Ordinance;
2. Banks and similar financial institutions;
3. Bookbinding, printing, and publishing operations;
4. Facilities for the housing and operations of emergency services, as defined herein;
5. Forestry uses subject to the requirements of Article V, Section 9 of this Ordinance;
6. Heavy equipment leasing, rental, sales, service, repair and warehousing, such as excavation machinery, commercial trucks, buses, farm equipment, manufactured homes, trailers, and other similar machinery, subject to the requirements of Article IV, Section 2.2.22. of this Ordinance;
7. Laboratories for medical, scientific, or industrial research and development;
8. Machine, tool and die, and metal fabrication shops;

9. Manufacturing, packaging, storage and/or wholesaling of the following:
 1. Furniture, cabinets, plumbing, heating, air conditioning, ventilation and electrical fixtures, ceramic, stone, vinyl, fiberglass and linoleum tiles, carpets and rugs, windows, doors, insulation, ceiling and roofing tiles, household appliances, finished lumber and other household appointments;
 2. Scientific, medical, optical, specialized, and technical instruments and equipment;
 3. Audio visual components, computers, vending machines, electronic equipment, software and video games;
 4. Office equipment, supplies, furnishings, and equipment;
 5. Packaging materials, supplies and equipment;
 6. Paper, cardboard and Styrofoam products;
 7. Finished textile products;
 8. Cosmetics, drugs, dyes, toiletries, perfumes and other pharmaceuticals;
 9. Brushes, brooms, and combs;
 10. Hot tubs, spas, saunas, and swimming pools;
 11. Jewelry, and other precious or semi-precious metals and stones;
 12. Photographic, lighting, and timekeeping equipment;
 13. Hand tools, hardware, power tools and small engine equipment and vehicles including but not limited to lawn mowers, chain saws, compressors, power washing equipment, motorcycles, and outboard boat motors;
 14. Musical instruments, sporting equipment, bicycles and toys; and,
 15. Small or novelty products from prepared materials (excluding the use of sheet metals).
10. Mass transit and/or taxicab terminals;
11. Medical, dental, optical and counseling clinics and offices;
12. Offices;
13. Processing, packaging, bottling, storage and/or wholesaling of food products excluding:
 1. Pickling processes;
 2. Rendering or slaughtering operations; and,
 3. Sugar refineries.
14. Public utilities structures;

15. Repair shops for products permitted to be manufactured in this District;
16. Sales, storage and/or wholesaling of the following:
 1. Home and auto-related fuels;
 2. Nursery and garden materials, and stock;
 3. Redi-mix concrete;
 4. Contractor supplies; and,
 5. Plumbing, heating, air conditioning, electrical, and other structural components of buildings.
17. Shops for contractors of plumbing, heating, air conditioning, electrical, electronic, roofing, flooring, glass and windows, insulation, carpentry and cabinet-making products and services;
18. Sign makers;
19. Small engine repair shops;
20. Veterinary offices, animal hospitals or kennels;
21. Vocational, technical and mechanical trade schools;
22. Welding shops;
23. Accessory uses customarily incidental to the above permitted uses, including accessory retail sales of products produced on-site so long as the sales area is no more than ten percent (10%) of the total building area or three thousand (3,000) square feet, whichever is less;
 1. Recycling collection facilities as an accessory use, provided such facilities are sufficiently enclosed to prevent the scattering of debris, the materials collected are removed at regular intervals, the facility is posted to prohibit the disposal of any material, good or furnishing that cannot be placed within the actual recycling bin, and the total size of the facility is less than three hundred (300) square feet;
 2. Power generation facilities; and,
 3. Athletic fields and courts and recreation facilities.

“7.2.3. Conditional Uses (The following uses are permitted by conditional use, subject to the review procedures and requirements listed in Article X of this Ordinance).

1. Airports and heliports, subject to the requirements of Article IV, Section 2.2.20. of this Ordinance;
2. Billboards, subject to the requirements of Article IV, Section 2.2.21. of this Ordinance;
3. Freestanding telecommunication towers and equipment subject to the requirements of Article V, Section 13 of this Ordinance;

4. Hospitals and related uses, subject to the requirements of Article IV, Section 2.2.12. of this Ordinance;
5. Mini-warehouses, subject to the requirements of Article IV, Section 2.2.23. of this Ordinance;
6. Principal waste handling, recycling, processing, transfer and disposal facilities, subject to the requirements of Article IV, Section 2.2.24. of this Ordinance;
7. Recycling facilities for paper, plastic, glass and metal products, subject to the requirements of Article IV, Section 2.2.25. of this Ordinance;
8. Sawmills, subject to the requirements of Article IV, Section 2.2.26. of this Ordinance;
9. Truck or motor freight terminals, subject to the requirements of Article IV, Section 2.2.27. of this Ordinance; and,
10. Warehousing and wholesale trade establishments, subject to the requirements of Article IV, Section 2.2.28. of this Ordinance.

“7.2.4. Lot Area, Lot Width, and Lot Coverage Requirements - See the following table:

LOT AREA, WIDTH & COVERAGE REQUIREMENTS WITHIN THE (I-2) DISTRICT		
Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage
1 acre	150 ft.	60% - subject to increase in Article II, Section 7.2.16. of this Ordinance.

“7.2.5. Minimum Setback Requirements (Principal and Accessory Uses)

1. **Front yard setback** - All buildings, structures (except permitted signs) shall be set back at least fifty feet (50') from the street right-of-way; off-street parking lots and outdoor storage areas shall be set back a minimum of twenty feet (20') from the street right-of-way.
2. **Side yard setbacks** - All buildings and structures (except permitted signs) shall be set back at least thirty feet (30') from the side lot lines. Off-street parking lots, off-street loading spaces, and outdoor storage areas shall be set back at least ten feet (10') from the side lot lines, unless joint off-street parking lots and/or off-street loading spaces are shared by adjoining uses. In such instances, one of the side yard setbacks can be waived solely for off-street parking lots and/or off-street loading spaces.
3. **Rear yard setback** - All buildings, structures, off-street parking lots, off-street loading spaces, and outdoor storage areas shall be set back at least thirty feet (30') from the rear lot line.
4. **Buffer Yards** - Any lot adjoining land within any F, S, AR-1, R-2, R-3 & VR District shall maintain a fifty foot (50') setback for nonresidential buildings, structures, off-street parking lots, off-street loading spaces, outdoor storage areas, athletic fields and courts and recreation facilities, from the F, S, AR-1, R-2, R-3 & VR District parcels. Such areas shall be used for a landscape strip and screen.

“7.2.6. Maximum Permitted Height

The height of any principal or accessory structure shall not exceed forty-five feet (45'), except that uninhabitable structures and mechanical appurtenances may be built to a height not exceeding seventy-five feet (75') above the finished grade when erected upon or as an integral part of a building. All structures extending above forty-five feet (45') from grade (except permitted signs) shall be set back a distance at least equal to their height from all property lines. All uses must comply with Article II, Section 3.3.1. of this Ordinance.

"7.2.7. Off-Street Loading Spaces

Off-street loading spaces shall be provided as specified in Article V, Section 15. of this Ordinance.

"7.2.8. Off-Street Parking

Off-street parking shall be provided as specified in Article V, Section 10. of this Ordinance.

"7.2.9. Signs - Signs shall be permitted as specified in Township Ordinance No. 74 and as applicable in Article VII, Section 6.

"7.2.10. Access Drive Requirements

All access drives shall be in accordance with the *Benner Township Street Standards Ordinance No. 60* as amended.

"7.2.11. Screening

A visual screen must be provided along any adjoining lands within a F, S, AR-1, R-2, R-3 & VR District, regardless of whether or not the F, S, AR-1, R-2, R-3 & VR District property is developed (see Article V, Section 8.3. of this Ordinance).

"7.2.12. Landscaping

Any portion of the site not used for buildings, structures, off-street parking lots, off-street loading spaces, outdoor storage areas, and sidewalks shall be maintained with a vegetative ground cover and other ornamental plantings (see Article V, Section 8 of this Ordinance). A minimum ten foot (10') wide landscape strip shall be provided along all property lines. Such landscape strip can be waived for that portion of the site occupied by a joint off-street parking lot and/or off-street loading space area shared by adjoining uses.

"7.2.13. Waste Products

Dumpsters may be permitted within the side or rear yard, provided such dumpsters are screened from any adjoining roads or properties. All dumpsters shall be set back a minimum of seventy-five feet (75') from any adjoining F, S, AR-1, R-2, R-3 & VR District properties. All waste receptacles shall be completely enclosed within a masonry or framed enclosure with a self-closing door or gate.

"7.2.14. Operations Standards

All applicants shall submit written evidence that all operations shall be in compliance with any Commonwealth of Pennsylvania and/or Federal Government regulations, as required by the most recent regulations made available from these governmental bodies.

"7.2.15. Outdoor Storage and Display

Within this District, outdoor storage is permitted, provided all outdoor storage areas comply with Article V, Section 5 of this Ordinance, are screened from adjoining roads and properties, and comply with all of those setbacks specifically imposed thereon, listed in this section.

"7.2.16. Architectural Design Standards

Applicant's are encouraged to design and construct buildings that complement the Township's developing landscape. To that effect, the Township offers an optional set of architectural design standards that are tied with the granting of a density bonus. In this case, applicants may opt to obtain a prescribed increase in permitted lot coverage in return for the use of the following specific architectural design guidelines. A developer desiring to obtain such approval shall, when making application for approval for a land development, also make application for approval under this section. The Board of Supervisors shall consider both requests simultaneously. These optional standards may only be applied to the proposed use upon approval by the Board of Supervisors and written acceptance by the applicant of all requirements of this section and any valid conditions of approval attached by the Board of Supervisors;

1. Buildings and sites should be designed by qualified architects and constructed and maintained so that they:
 - o Contribute to a cohesive and unified architectural theme upon the site and with neighboring properties within the District;
 - o Feature prominent customer entrances and exterior pedestrian amenities;
 - o Include architectural details or elements such as windows, colonnades, porches, porticos, columns, pilasters and canopies;
 - o Make use of a combination of wood, brick, metal, stone, concrete masonry split face block or textured molded block glass stucco exterior wall materials or "exterior insulation and finish systems" (EIFS) as viewed from adjoining streets and properties;
 - o Employ "earth-tone," "pottery-tone" or "Williamsburg-type" colors for primary wall surfaces;
 - o Visually screen heating, ventilation, air conditioning, elevator, or other mechanical appurtenances, from adjoining streets and properties; and,
 - o Place utilities underground except that junction boxes, transformers and other apparatuses which due to their function require above-ground placement, shall be screened from adjoining roads and properties.
2. The applicant shall submit graphic elevations drawn to scale by an architect registered in the Commonwealth of Pennsylvania depicting compliance with these standards with proposed materials labeled and a corresponding color palette;
3. In return for compliance with the above-described design standards, the Township will award an increase in permitted lot coverage to a maximum of seventy (70%) for the proposed use.
4. Existing shopping centers that desire to incorporate the architectural design standards in return for the increase in permitted lot coverage after the original approval shall require another approval at that time.
5. Should any part of this Section 7.2.16. be declared invalid by the courts, the entire Section 7.2.16. shall be automatically repealed.
6. This Section shall supersede all requirements listed in Article VII, Sections 5.1., 5.2.A. and 5.2.B. of this Ordinance.

"7.2.17. Environmentally-Sensitive Areas

"The requirements of Article V, Section 7 shall not apply to uses within this District."

REVISION 3 – Article IV, Section 1. is added to as follows:

"In addition to the zoning district regulations and other applicable sections of this Ordinance, the following sets forth supplemental regulations that shall be applied to listed uses. These supplemental regulations must be satisfied prior to approval of any application for such uses. The applicant shall be required to demonstrate compliance with these supplemental regulations and must furnish whatever evidence is necessary to demonstrate such compliance. All uses must comply with the standard regulations expressed within the underlying district, unless those supplemental regulations expressed herein specify different requirements; in such cases, the specific supplemental regulations shall apply. For the purposes of this Article IV, any required setbacks imposed upon specific uses shall be measured from the boundary line of the site for which the specific use is requested, regardless of whether or not this line corresponds to a property line or a lease line.

REVISION 4 – Article IV, Section 2.2.20., Airports and heliports is added as follows:

"2.2.20. Airports and heliports

- A. Within the (I-2) District, airports and heliports are permitted by conditional use, subject to the following criteria:
- B. Minimum Lot Area - Thirty (30) acres for airports and five (5) acres for heliports;
- C. All facilities shall be designed and operated in strict compliance with all applicable State and Federal laws and regulations;
- D. The applicant shall furnish evidence of the obtainment of a license from the Pennsylvania Department of Transportation, Bureau of Aviation, prior to the approval of the conditional use application;
- E. The applicant shall furnish evidence of the techniques that will be used to employ "fly-neighborly" guidelines to avoid adverse audio-visual impacts to nearby residents and livestock; and,
- F. No part of the take-off/landing strip and/or pad shall be located nearer than three hundred feet (300') from any property line.

REVISION 5 – Article IV, Section 2.2.21., Billboards is added as follows:

"2.2.21. Billboards

- A. Within the (I-2) District, billboards are permitted by conditional use, subject to the following criteria:
- B. No billboard shall be located within one thousand feet (1,000') of another billboard;
- C. All billboards shall be a minimum of fifty feet (50') from all property lines and street right-of-way;

- D. All billboards shall be set back at least three hundred feet (300') from any land within a F, S, AR-1, R-2, R-3 and/or VR District;
- E. No billboard shall obstruct the view of motorists on adjoining roads, or the view of adjoining commercial or industrial uses, which depend upon visibility for identification;
- F. No billboard shall exceed an overall size of three hundred (300) square feet, nor exceed twenty-five feet (25') in height;
- G. All properties upon which a billboard is erected shall be regularly maintained so as not to create a nuisance by means of weeds, litter or vector habitation; and,
- H. Any lighting used for billboards shall be designed to only illuminate the face of the billboard and not cast glare on adjoining areas or in an upward direction.

REVISION 6 – Article IV, Section 2.2.22., Heavy equipment leasing, rental, sales, service, repair and warehousing, such as excavation machinery, commercial trucks, buses, farm equipment, manufactured homes, trailers, and other similar machinery, is added as follows:

“2.2.22. Heavy equipment leasing, rental, sales, service, repair and warehousing, such as excavation machinery, commercial trucks, buses, farm equipment, manufactured homes, trailers, and other similar machinery.

- A. Within the (I-2) District, heavy equipment leasing, rental, sales, service repair and/or warehousing facilities are permitted by right, subject to the following criteria:
- B. Aside from occasional diagnostics, testing and simple repairs, all service and/or repair activities shall be conducted within a completely-enclosed building;
- C. All uses involving drive-thru service shall provide sufficient on-site stacking lanes to prevent vehicle back-ups on adjoining roads;
- D. All exterior storage and/or display areas shall be screened from adjoining properties within the F, S, AR-1, R-2, R-3 and VR Districts. All exterior storage/display areas shall be set back at least fifty feet (50') from adjoining street lines and shall be covered in an all-weather, dust-free surface. Any exterior storage and/or display areas located within the front yard shall occupy no more than twenty percent (20%) of the front yard area or shall be no wider than twenty percent (20%) of the lot frontage;
- E. The storage of junked vehicles, boats, machinery, trucks, trailers, mobile homes and heavy equipment vehicles on the property is prohibited;
- F. Any ventilation equipment outlets associated with the service/repair work area(s) shall not be directly toward any adjoining residentially-zoned property;
- G. All vehicles shall be repaired and removed promptly from the premises;
- H. The applicant shall furnish evidence that the storage and disposal of materials and wastes will be accomplished in a manner that complies with all applicable State and Federal regulations. The applicant will describe those specific methods used to collect, store and dispose of greases, lubricants, fuels, solvents and other toxic substances associated with the proposed use; and,

- I. Dumpsters for this use need not be completely enclosed within a masonry or framed enclosure with a self-closing door or gate closed .

REVISION 7 – Article IV, Section 2.2.23. Miniwarehouses is added as follows:

“2.2.23. Miniwarehouses

- A. Within the (I-2) District, mini-warehouses are permitted by conditional use, subject to the following criteria:
- B. Parking shall be provided by parking/driving lanes adjacent to the buildings. These lanes shall be at least twenty-six feet (26') wide when cubicles open onto one side of the lane only, and at least thirty feet (30') wide when cubicles open onto both sides of the lane;
- C. Required parking spaces may not be rented as, or used for, vehicular storage. However, additional external storage area may be provided for the storage of privately-owned recreation vehicles, so long as such external storage area is screened from adjoining land within the (F, S AR-1, R-2, R-3 and VR) Districts and adjoining roads, and is located behind the minimum front yard setback line. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked, or inoperative vehicles;
- D. Except as noted above, all storage shall be kept within an enclosed building except that the storage of flammable, highly combustible, explosive or hazardous chemicals shall be prohibited. Any fuel tanks and/or machinery or other apparatuses relying upon such fuels shall be stored only in an external storage area as described above;
- E. Because of the danger from fire or explosion caused by the accumulation of vapors from gasoline, diesel fuel, paint, paint remover, and other flammable materials, the repair, construction, or reconstruction of any boat, engine, motor vehicle, or furniture is prohibited;
- F. No door openings for any mini-warehouse storage unit shall be constructed facing any property within the (F, S AR-1, R-2, R-3 and VR) Districts;
- G. Mini-warehouses shall be used solely for the dead storage of property. The following lists examples of uses expressly prohibited upon the site:
 1. Auctions, commercial wholesale or retail sales, or garage sales;
 2. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment;
 3. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment;
 4. The establishment of a transfer and storage business; and,
 5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations;
- L. The applicant shall adequately demonstrate that all mini-warehouses rental and/or use contracts shall specifically prohibit these uses;
- M. The mini-warehouses will be surrounded by a six foot (6') to eight foot (8') high fence; and,

- N. All outdoor lights shall be shielded to direct light and glare only onto the site and may be of sufficient intensity to discourage vandalism and theft. Said lighting and glare shall be deflected, shaded and focused away from all adjoining property. The applicant shall demonstrate compliance with Article V Section 7 of this Ordinance.

REVISION 8 – Article IV, Section 2.2.24., Principal waste handling, recycling, processing, transfer and disposal facilities is added as follows:

“2.2.24. Principal waste handling, recycling, processing, transfer and disposal facilities.

- A. Within the (I-2) District, principal waste handling, recycling, processing, transfer and disposal facilities are permitted by conditional use, subject to the following criteria:
- B. All principal waste handling facilities for “municipal and residual wastes,” as defined by the PA DEP, shall be operated by the Centre County Solid Waste Authority;
- C. Any processing and/or treatment of waste (including but not limited to incineration, composting, steaming, shredding, compaction, material separation, refuse derived fuel, pyrolysis, etc.) shall be conducted within a wholly-enclosed building;
- D. No waste shall be deposited, stored or disposed of, and no building or structure shall be located, within two hundred feet (200') of any property line, and five hundred feet (500') of any land within a (F, S, AR-1, R-2, R-3 and/or VR) Districts;
- E. Any external area used for the unloading, transfer, storage, or deposition of waste must be completely screened from view at the property line. (The use of an earthen berm is encouraged where practicable.) In addition, such areas must also be completely enclosed by an eight foot (8') high fence, with no openings greater than two inches (2") in any direction;
- F. The applicant must demonstrate compliance (through a written statement) and continue to comply with all applicable State and Federal standards and regulations;
- G. The use shall be screened from all land within a (F, S, AR-1, R-2, R-3 and/or VR) District;
- H. All uses shall provide sufficiently-long stacking lanes into the facility, so that vehicles waiting to be weighed and/or unloaded will not back-up onto public roads;
- I. All access drives onto the site shall be paved for a distance of at least two hundred feet (200') from the street right-of-way line. In addition, if portions of on-site access drives are unpaved, then a fifty foot (50') long gravel section of driveway shall be placed just beyond the preceding two hundred foot (200') paved section to help collect any mud that may have attached to a vehicle's wheels;
- J. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against the indiscriminate and unauthorized dumping, all areas of the site shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations;
- K. Litter control shall be exercised to prevent the scattering of wind-borne debris, and a working plan for the cleanup of litter shall be submitted to the Township;

- L. The unloading, processing, treatment, transfer, and disposal of waste shall be continuously supervised by a qualified facility operator;
- M. Any waste that is to be recycled shall be stored in leak- and vector-proof containers. Such containers shall be designed to prevent their being carried by wind or water. These containers shall be stored within a completely-enclosed building;
- N. All storage of waste shall be indoors in a manner that is leak- and vector- proof. During normal operation, no more waste shall be stored on the property than is needed to keep the facility in constant operation; but, in no event for more than seventy-two (72) hours;
- O. A contingency plan for the disposal of waste during a facility shutdown, shall be submitted to the Township;
- P. Leachate from the waste shall be disposed of in a manner in compliance with any applicable State and Federal laws or regulations. If leachate is to be discharged to a municipal sewage facility, pre-treatment shall be required and appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall leachate be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with the Department of Environmental Protection's regulations;
- Q. All structures shall be set back at least a distance equal to their height;
- R. The applicant shall submit an analysis of raw water needs (groundwater or surface water) from either private or public sources, indicating quantity of water required. If the source is from a municipal system, the applicant shall submit documentation that the public authority will supply the water needed.

In addition, if the facility is to rely upon non-public sources of water, a water feasibility study will be provided to enable the municipality to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed development and to estimate the impact of the new development on existing wells in the vicinity. The water feasibility shall be reviewed by the municipal engineer.

A water system which does not provide an adequate supply of water for the proposed development, considering both quantity and quality, or does not provide for adequate groundwater recharge, considering the water withdrawn by the proposed development, shall not be approved by the Township.

A water feasibility study shall include the following information:

- calculations of the projected water needs;
- a geologic map of the area with a radius of at least one mile from the site;
- the location of all existing and proposed wells within one thousand feet (1,000') of the site, with a notation of the capacity of all high-yield wells;
- the location of all existing on-lot sewage disposal systems within one thousand feet (1,000') of the site;
- the location of all streams within one thousand feet (1,000') of the site and all known point sources of pollution;
- based on the geologic formation(s) underlying the site, the long-term safe yield shall be determined;
- a determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams, and the groundwater

table; and,

- a statement of the qualifications and the signature(s) of the person(s) preparing the study;

- S. The applicant shall provide a qualified traffic analysis, as described in Article V, Section 12 of this Ordinance;
- T. A minimum one hundred foot (100') wide landscape strip shall be located along all property lines. No structures, storage, parking, or any other related activity or operation shall be permitted within this landscape strip;
- U. The applicant shall furnish expert testimony regarding emergency preparedness measures provided and/or otherwise available to respond to potential hazards regarding the spill of waste materials during transport to and from the site, and potential hazards regarding firefighting of waste materials upon the site; and,
- V. No principal waste handling facility shall be located within one (1) mile of another, as measured in a straight line between closest property lines.

REVISION 9 – Article IV, Section 2.2.25., Recycling facilities for paper, plastic, glass, and metal products is added as follows:

“2.2.25. Recycling facilities for paper, plastic, glass, and metal products

- A. Within the (I-2) District, recycling of paper, glass and metal products is permitted by conditional use, subject to the following criteria:
- B. All operations, including collection shall be conducted within a completely-enclosed building;
- C. There shall be no outdoor storage of materials processed, used or generated by the operation;
- D. The applicant shall explain the scope of operation, and offer expert testimony regarding the measures used to mitigate problems associated with noise, fumes, dust, and litter, and,
- E. The applicant shall be required to submit a written working plan to assure regular maintenance of the site to immediately collect stray debris and litter.

REVISION 10 – Article IV, Section 2.2.26., Sawmills is added as follows:

“2.2.26. Sawmills

- A. Within the (I-2) District, sawmills are permitted by conditional use, subject to the following requirements:
- B. All sawing and milling activities shall be conducted within a completely enclosed building;
- C. No material shall be deposited or stored, and no building or structure shall be located, within two hundred feet (200') of any property line and five hundred feet (500') of any land within an (F, S, AR-1, R-2, R-3, or VR) Districts;

- D. All uses shall provide sufficiently long stacking lanes into the facility so that vehicles waiting will not back-up onto public roads;
- E. Litter control shall be exercised to prevent the scattering of wind-borne debris, and a working plan for the cleanup of litter shall be submitted; and,
- F. All outdoor storage areas shall be screened from adjoining roads and properties;
- G. The applicant shall be required to demonstrate suitable methods for disposal of waste materials in accordance with applicable local, State and Federal requirements; and,
- H. The applicant shall describe those methods that will be employed to comply with Article V, Section 14 (Noise Standards).

REVISION 11 – Article IV, Section 2.2.27., Truck or motor freight terminals is added as follows:

“Section 2.2.27. Truck or motor freight terminals

- A. Within the (I-2) District, truck or motor freight terminals are permitted by conditional use, subject to the following criteria:
- B. The applicant shall furnish a Traffic Impact Report, prepared by a professional traffic engineer, in accordance with Article V, Section 12 of this Ordinance;
- C. The subject property shall have a minimum of three hundred feet (300') of road frontage along an arterial and/or collector road;
- D. The subject property shall be located no closer than five hundred feet (500') from any (F, S, AR-1, R-2, R-3 or VR) District and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus;
- E. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least fifty feet (50') from any street right-of-way line. Unless the fuel pump islands are set back two hundred feet (200') from the street line, they shall be designed so that, when fueling, trucks must be parallel to street;
- F. Access driveways shall be a minimum of twenty-eight feet (28'), and a maximum of thirty-five feet (35') wide. All access drives onto the same road shall be set back at least one hundred fifty feet (150') from one another, as measured from closest points of cart-way edges;
- G. Off-street parking shall be provided at a rate equal to that required for each of the respective uses comprising the truck stop. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods;
- H. All vehicle service and/or repair activities shall be conducted within a completely-enclosed building. Outdoor storage of parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations must be screened from adjoining roads and properties;
- I. The outdoor storage of unlicensed and/or uninspected vehicles is prohibited;

- J. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within thirty (30) days after arrival;
- K. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system will comply with Article V, Section 14 (Noise Standards);
- L. The applicant shall furnish evidence that the storage and disposal of materials and wastes will be accomplished in a manner that complies with all applicable State and Federal regulations. The applicant will describe those specific methods used to collect, store and dispose of greases, lubricants, fuels, solvents and other toxic substances associated with the proposed use;
- M. Any use where four or more diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of 10 minutes;
- N. The use shall provide sufficiently-long stacking lanes and on-site loading/unloading areas, so that trucks waiting to be loaded/unloaded will not back up onto public roads. No parking or loading/unloading shall be permitted on or along any public road; and,
- O. Litter control shall be exercised to prevent the scattering of wind-borne debris, and a working plan for the cleanup of litter shall be submitted to the Township.

REVISION 12 – Article IV, Section 2.2.28., Warehousing and wholesale trade establishments added as follows:

“2.2.28. Warehousing and wholesale trade establishments

- A. Within the (I-2) District, warehousing and wholesale trade establishments are permitted by conditional use, subject to the following criteria:
- B. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 1. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with applicable State and Federal regulations;
 2. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size;
 3. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.), and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and regulations, including, but not limited to, those listed in Article V, Section 14 (Noise Standards), and Article V, Section 7 (Outdoor Lighting), both of this Ordinance;

4. A Traffic Impact Report prepared by a professional traffic engineer in accordance with Article V, Section 12 of this Ordinance;
- C. The subject property shall be located no closer than five hundred feet (500') from any (F, S, AR-1, R-2, R-3 or VR) District and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus;
- D. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least fifty feet (50') from any street right-of-way;
- E. Access driveways shall be a minimum of twenty-eight feet (28'), and a maximum of thirty-five feet (35') wide. All access drives onto the same road shall be set back at least one hundred fifty feet (150') from one another, as measured from closest points of cartway edges;
- F. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods;
- G. All vehicle service and/or repair activities shall be conducted within a completely-enclosed building. No outdoor storage of parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations, shall be permitted;
- H. The outdoor storage of unlicensed and/or uninspected vehicles is prohibited;
- I. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within thirty (30) days after arrival; and,
- J. The use shall provide sufficiently-long stacking lanes and on-site loading/unloading areas, so that trucks waiting to be loaded/unloaded will not back up onto public roads. No parking or loading/unloading shall be permitted on or along any public road. The applicant shall designate and reserve sufficient space on the site to accommodate staged or queued vehicles awaiting loading/unloading at a rate of no less than five percent (5%) of the projected maximum number of trips per day.
- K. Any use where four or more diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of 10 minutes; and,
- L. The applicant will describe those specific methods used to collect, store and dispose of greases, lubricants, fuels, solvents and other toxic substances associated with the proposed use.

REVISION 13 – Article IV, Section 2.2.12., Industrial Uses, is deleted in its entirety and replaced as follows:

“2.2.12. Hospitals and related uses

- A. Within the (I-2) District, hospitals and related uses are permitted by conditional use, subject to the following criteria:
- B. The subject property shall have frontage along an arterial road;
- C. Adequate provision shall be made for a system of roads sufficient to accommodate predictable vehicular traffic, and to ensure safe and efficient vehicular access for emergency management equipment;

- D. Emergency entrances shall be located on a building wall which faces away from properties within the F, S, AR-1, R-2, R-3 & VR District, residentially-zoned properties, or is separated by at least five hundred (500) feet from properties within the F, S, AR-1, R-2, R-3 & VR Districts;
- E. A Traffic Impact Report shall be prepared by a professional traffic engineer, in accordance with Article V, Section 12 of this Ordinance;
- F. Public sewer, and public water utilities shall be utilized;
- G. Materials and Waste Handling - All uses shall be required to provide detailed information regarding materials and waste handling, including:
 - 1. Listing of all materials to be both used or produced on the site;
 - 2. Listing of all wastes generated on the site; and,
 - 3. Evidence shall be provided indicating that the disposal of all materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within the County which have been contracted to dispose of the materials and wastes used or generated on-site or some other legal means of disposal. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the use change in the future, such that the materials used or wastes generated changes significantly either in type or amount, the owner shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section.
- H. Permitted Uses - Where more than one (1) of the following uses are proposed, either at one time or separately over time, integrated site function and design shall be required consistent with the creation of a campus-like environment;
 - 1. Commercial day-care facilities;
 - 2. Commercial schools with exclusively health care-related curricula intended to prepare enrolled students for careers in health care, nursing schools, and other allied health technology training programs;
 - 3. Health, fitness and recreation clubs;
 - 4. Hospitals and hospices;
 - 5. Intermediate care and skilled nursing facilities;
 - 6. Medical and dental offices;
 - 7. Outpatient health services, including, but not limited to, laboratories, radiological and diagnostic imaging services, blood banks, outpatient surgery centers, and outpatient clinics and patient care facilities;
 - 8. Accessory buildings, uses and services customarily incidental to the above uses, including, but not limited to, the following:

- a. Administrative offices;
 - b. Municipal uses and essential services (e.g., private central utility plant, electrical switching facility, steam generation facility, heating facility, ventilation facility, and oxygen facility);
 - c. Automobile parking lots and parking garages;
 - d. Housing for students, employees and their families in accordance with the standards of the (R-3) District;
 - e. Lodging facilities for patients and their families;
 - f. Retail sales of medical/health care-related supplies (e.g., durable medical equipment, prosthetics, pharmaceutical supplies) and retail sales/ service for the convenience of employees, patients and visitors (e.g., uniforms, flowers, gifts, uniform cleaning, barber/beauty salons, automatic teller banking, restaurants). All retail sales and services shall be located within buildings in which other permitted uses are located. Retail sales and services may not exceed five percent (5%) of the floor area of existing buildings within this District;
 - g. Short-term, intermittent educational programs which are not intended to prepare students for careers in health care, but, rather, are intended to inform employees, patients, health care providers, or the public regarding health care issues;
 - h. Helistop. The helistop shall only be used for the emergency transport by helicopter of patients to or from other permitted health care-related uses. The helistop shall not include auxiliary facilities, such as fueling and maintenance equipment. The helistop shall be set back a minimum of three hundred (300) feet from any adjoining property and any street. The applicant must demonstrate compliance, through a written statement, and continue to comply with applicable State and Federal standards; and,
 - i. Incinerators and autoclaves. Only the processing of waste generated on-site is permitted. All processing and storage of waste shall be conducted within a completely-enclosed building. All storage of waste shall be in a manner that is leak and vector-proof. No storage of waste shall exceed seven (7) days in length. The incinerator shall be set back at least a distance equal to its height from all lot lines. The applicant must demonstrate compliance, through a written statement, and continue to comply with all applicable State and Federal standards and regulations
- I. Maximum Permitted Height - The maximum permitted height is sixty (60) feet, provided that the structure shall be setback a distance at least equal to its height from each lot line. Furthermore, any building with floor space exceeding forty-five (45) feet in height shall require the applicant to obtain a letter from the Township Emergency Management Coordinator indicating that adequate provision has been made for fire-fighting and rescue activities;
- J. The applicant shall furnish a description of the effect of the proposed use on the delivery of ambulance service. This description shall include a letter from the agency(s) responsible for first-due ambulance service in the Township. Such letter shall describe

the adequacy/inadequacy of existing facilities and services to accommodate the proposed use, and any suggestions that might enhance ambulance service. Should it be determined that the proposed use would overburden local ambulance service, the Township may attach conditions of approval that seek to assure adequate levels of service.

REVISION 14– Article V, Section 7., Illumination is deleted in its entirety and replaced as follows:

“SECTION 7 Outdoor Lighting

“7.1. All on-site lighting shall be provided within the following ranges for periods when the use is in operation and shall be, except as noted in Section 7.2., otherwise extinguished between the hours of 10 p.m. and 6 a.m.:

On-Site Area	Range of Required Illumination
Roadside sidewalks and bikeways (without stairways and/or tunnels)	0.2 to 0.9 footcandles
Freestanding sidewalks, paths and bikeways (without stairways and/or tunnels)	0.5 to 0.8 footcandles
Sidewalk, path and bikeway stairways and/or tunnels	20 to 50 footcandles
Playgrounds, parks and athletic courts/ fields where on-site lighting is required	5.0 to 30 footcandles, or for competitive sports as recommended by the IESNA.
Off-street loading spaces	2.0 to 20 footcandles
Off-street parking lots	0.5 to 2.0 footcandles
Building facades, monuments, fountains, signs, architectural features, and similar objects	0 to 15 footcandles
Building entries for public, quasi-public, commercial, and industrial uses	1.0 to 5.0 footcandles

“7.2. In all Districts, outdoor lighting of a building and/or grounds for security surveillance purposes is permitted. Such lighting shall be arranged, and of sufficient illumination, to enable the detection of suspicious movement, rather than the recognition of definitive detail. For security lighting of grounds and parking lots, the level of illumination shall not exceed one (1) footcandle. Security lighting for buildings/structures shall be directed toward the face of the building/structure, rather than the area around it, and shall not exceed five (5) footcandles;

“7.3. In all Districts, all outdoor lighting provided in conjunction with any nonresidential or nonfarm use shall be hooded and/or screened so as not to permit the source of illumination nor lenses to be seen from off of the premises;

“7.4. Adequate lighting shall be provided in parking lots and loading areas that will be used at night. The primary lighting sources shall be pole-mounted fixtures, not building-mounted fixtures. The maximum height of lighting standards within parking lots and loading areas shall not exceed the maximum height of principal buildings or twenty-five (25) feet whichever is less.

REVISION 15 – Article V, Section 8., Landscaping and Soil Erosion Control is deleted in its entirety and replaced as follows:

“SECTION 8 Landscaping and Screening Requirements

“8.1. Yard Groundcover

Any part of the site which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas shall be planted with an all-season groundcover approved by the Board of Supervisors (e.g., grass, ivy, vetch, pachysandra, etc.). In addition, gravel can be substituted if done in a manner to complement other vegetative materials. It shall be maintained to provide an attractive appearance, and all non-surviving plants shall be replaced promptly;

“8.2. Landscaping Requirements

Any required landscaping (landscape strips and interior landscaping) shall include a combination of the following elements: deciduous trees, ground covers, evergreens, shrubs, vines, flowers, rocks, gravel, earth mounds, berms, walls, fences, screens, sculptures, fountains, sidewalk furniture, or other approved materials. Artificial plants, trees, and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than eighty percent (80%) of the required landscape area shall be vegetative in composition, and no outdoor storage shall be permitted within required landscape areas.

For each seven hundred fifty (750) square feet of required area for landscape strips, one shade/ornamental tree shall be provided. For every three hundred (300) square feet of interior landscaping required (parking lots), one mature shade tree shall be provided. If deciduous, these trees shall have a clear trunk at least five (5) feet above finished grade; if evergreen, these trees shall have a minimum height of six (6) feet. All required landscape strips shall have landscaping materials distributed along the entire length of the lot line abutting the yard;

“8.3. Screening

Screening shall be provided as required throughout this Zoning Ordinance. Such screening shall be located as specified. When no location is specified, screening shall occur along the subject property's lot line, except that screening can be located elsewhere on the subject property if the applicant can demonstrate by credible evidence that the alternate location affords a more effective screen for the proposed use by reason of natural site conditions, on and adjoining, the site, or because of the site design. Alternate screening location shall be approved by the governing body as part of the land development process; when no land development is required, the Zoning Officer may approve alternate screening location with assistance from the Township engineer. Screening materials may include evergreens (trees, hedges, or shrubs), walls, fences, earth berms, or other approved similar materials. Any wall or fence shall not be constructed of corrugated metal, corrugated fiberglass, or sheet metal. Screening shall be arranged so as to block the ground level views between grade, and a height of six (6) feet. Landscape screens must achieve this visual blockage within two (2) years of installation; and,

“8.4. Selection of Plant Materials

Trees and shrubs shall be typical of their species and variety; have normal growth habits, well-developed branches, densely foliated, vigorous, fibrous root systems. They shall have been grown under climatic conditions similar to those in the locality of the project or properly acclimated to conditions of the locality of the project. Any tree or shrub which dies within

eighteen (18) months of planting shall be replaced. All landscaping and screening treatments shall be properly maintained.

REVISION 16 – Article V, Section 10. Off-Street Parking Regulations is amended as follows:

“10. Off-Street Parking Regulations

“10.1. When Required

Off-street parking shall be required in accordance with the provisions of this Section prior to the occupancy of any building or use. Off-street parking shall be provided whenever:

- A. A building is constructed or a new use is established,
- B. The use of an existing building is changed to a use requiring more parking facilities, and
- C. An existing building or use is altered or enlarged so as to increase the amount of parking space required.

“10.2. Reduction of existing parking

Off-street parking facilities existing on the effective date of this chapter shall not subsequently be reduced to an amount less than that required under Article V, Section 10.23 of this Ordinance.

“10.3. Parking for single-family dwellings

Every single-family dwelling shall be required to provide at least two (2) off-street parking spaces. Such spaces must be provided behind the street right-of-way line and may be within garages, carports, and/or driveways. Additional regulations pertaining to driveways are contained in *Benner Township Street Standards Ordinance No. 60* as amended. The remaining regulations contained in this section do not apply to off-street parking facilities serving one (1) single-family dwelling.

“10.4. Site plan approval.

- A. Each application for a land development approval and/or zoning permit for a use for that requires off-street parking spaces shall include a site plan drawing showing the proposed layout of the lot. The drawing shall clearly indicate all of the design elements required herebelow.
- B. No Zoning Permit shall be issued for any use for which off-street parking spaces are required unless the site plan has been approved or necessary variances have been obtained.

“10.5. Surfacing

All parking lots shall be constructed and maintained with a paved surface of concrete or bituminous materials, unless another dust-free surface is approved by the Board of Supervisors.

“10.6. Separation from streets and sidewalks

Parking spaces shall be guarded by curbs, wheel stops or other protective devices, which shall be arranged so that parked cars cannot project into streets, yards, or walkways.

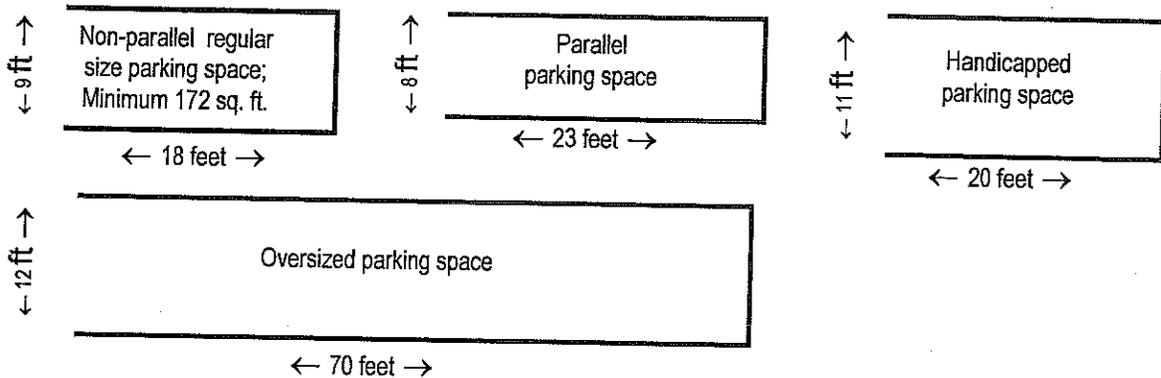
“10.7. Drainage

Parking lots shall be graded to a minimum slope of one (1) percent to provide for drainage. Adequately sized inlets and storm sewers shall be provided to discharge stormwater in accordance with a plan to be approved by the Township under the terms of the SLDO.

“10.8. Parking space sizes.

- A. Within an off-street parking lot, each parking space for passenger vehicles (except those spaces dedicated for use by handicapped persons) shall have a minimum length of eighteen (18) feet and a minimum width of nine (9) feet with a rectangular shape. Angled spaces will need to be longer to achieve the rectangular shape with the minimum dimensions.
- B. Where parallel parking is proposed, parking spaces shall be delineated by painted lines and shall have a minimum width of eight (8) feet as measured from the curb or cartway edge and a minimum length of twenty-three (23) feet as measured along the curb or cartway edge.
- C. Oversized parking spaces as defined and required herein shall be a minimum of twelve (12) feet wide and seventy (70) feet long, be designed to enable drive-through capability without the need for reverse movements, located to allow for easy maneuvering, identified by signage and arranged according to the minimum standards listed in the following diagram.

Off-Street Parking Spaces Diagram



“10.9. Design standards for parking spaces dedicated for use by handicapped persons.

- A. All parking lots shall comply with the latest standards issued by the Americans with Disabilities Act and those standards issued by the Commonwealth of Pennsylvania.

“10.10. Interior driveways.

- A. Driveways between rows of parking spaces shall have the minimum widths shown:

Angle of Parking	Width of Driveway: One-Way Traffic	Width of Driveway: Two-Way Traffic
90 Degrees	24 feet	24 feet
60 Degrees	20 feet	24 feet
45 Degrees	15 feet	24 feet
30 Degrees	12 feet	24 feet
Parallel	12 feet	24 feet

- B. Interior driveways in areas where there is no parking permitted shall be at least twelve (12) feet wide for each lane of traffic.
- C. The maximum permitted length of interior drives between rows of parking spaces shall be two hundred (200) feet.

“10.11. Marking of parking spaces and interior drives.

- A. All parking lots shall be adequately marked and maintained for the purpose of defining parking spaces and interior drives prior to occupancy. As a minimum, the lines of all parking spaces and interior drives (including directional arrows, etc.) shall be solid white and four (4) inches in width. White paint for these lines shall conform to Federal Specification TT-P-115C, Type 1, for white non-reflective traffic line paint, or equivalent.
- B. In the event parking lots are not marked as required by this section, the Township may at its option, perform or hire the said marking to be done and recover the same from the owner or tenant of said lot in the manner permitted by law.

“10.12. Required Horizontal Radii

Not less than a five (5) feet radius of curvature shall be permitted for horizontal curves in parking areas.

“10.13. Dead-end parking spaces

All dead-end parking lots shall be designed to provide sufficient back-up area for all end spaces.

“10.14. Lighting

Adequate lighting shall be provided if the parking lot is to be used at night. The lighting shall be arranged so as not to direct, reflect, or otherwise cause glare beyond the property line. Lighting shall comply with Article V, Section 7. of this Ordinance.

“10.15. Access drive requirements

Every parking lot shall be connected to a street by means of an access drive. This access drive shall be at least twelve (12) feet wide for each lane, exclusive of curb return and gutters. The *Benner Township Street Standards Ordinance No. 60* as amended specifies other requirements for access drives.

“10.16. Speed bumps and traffic calming devices.

- A. Speed bumps, constructed as part of access drives or parking lots, shall be marked with permanent, yellow diagonal stripes.
- B. The speed bumps shall be in the form of mounds or depressions in the pavement and shall be designed to restrain motor vehicle speed.
- C. There shall be a warning sign posted at each entrance to a parking area having speed bumps.
- D. In no case shall the overall height (or depth) of speed bumps exceed two (2) inches.
- E. Speed bumps and traffic calming devices shall be setback at least fifty (50) feet from the street right-of-way of any local street and at least one hundred (100) feet from the street right-of-way of any arterial or collector street.

"10.17. Joint parking lots.

Parking lots may be designed to serve a more than one (1) use, provided that the number of spaces is not less than the sum of the spaces that would be required for each use if calculated separately.

"10.18. Prohibited uses of a parking lot.

Parking lots are for the sole purposes of accommodating the passenger vehicles of persons associated with the use which requires them. Parking lots shall not be used for the following and/or loading purposes:

- A. The sale, display, or storage of automobiles or other merchandise, except as otherwise permitted by this Article;
- B. Parking vehicles accessory to the use;
- C. Performing services (including services to vehicles); or
- D. Required off-street parking space shall not be used for loading and unloading purposes except during hours when business operations are suspended.

"10.19. Independent Vehicle Access

Parking facilities shall be designed so that each vehicle may proceed to and from the parking space provided for it without requiring the moving of any other vehicle. All commercial and industrial use access drives shall be so designed and constructed such that vehicles need not reverse onto the street in order to exit the parking facility.

"10.20. Location

All parking spaces shall be provided on same premises except that, if the required number of parking spaces cannot be reasonably provided on the premises, the Zoning Hearing Board may, as a special exception, permit such spaces to be provided on another property subject to the following requirements:

- A. The proposed off-site location for the off-street parking spaces is located within the same zoning district as the principal use;
- B. The proposed off-site location for the off-street parking spaces is located within one hundred fifty feet (150') of the premises containing the principal use;

- C. Adequate pedestrian access from the off-site parking spaces to the principal use is provided to the satisfaction of the Zoning Hearing Board; and,
- D. Such off-lot spaces shall not thereafter be reduced or encroached upon in any manner. The same off-lot space may not be claimed by more than one (1) user for use at the same time.

“10.21. Bus stop

Where provided, bus stops shall be located and designed to permit the safe discharge and collection of occupants of the bus at the use within the lot. Bus stops shall be linked with a safe means of pedestrian access to the principal use of the property.

“10.22. Landscaping and Screening Requirements

The following landscaping and screening requirements shall apply to all parking lots:

- A. Front Yard Landscape Strip - When a parking lot is located in a yard which abuts a street, a landscaped strip shall be provided on the property along the entire street line. If there is no building or other structure on the property, the parking lot shall still be separated from the street by the landscaped strip. This strip shall be measured from the street line or the closest edge of any access drive along the street frontage, whichever produces the wider landscape strip. The strip may be located within any other landscaped strip required to be located along a street. The following lists required width of landscape strips:

Number of Parking Spaces in Parking Lot, Including Joint Facilities	Landscape Strip Width Measured In Feet From the Street R.O.W. Line*
Less than 100	10
100-250	15
Over 250	20

*or the closest edge of any access drive along the street frontage, whichever produces the wider landscape strip.

- B. Side and Rear Yard Landscape Strips - Unless otherwise indicated, all off-street parking lots shall be surrounded by a ten (10) foot wide landscape strip.
- C. Interior Landscaping
 1. In any parking lot containing twenty (20) or more parking spaces (except a parking garage), five percent (5%) of the total area of the lot shall be devoted to interior landscaping.
 2. Such interior landscaping shall be used at the end of parking space rows and to break up rows of parking spaces at intervals of no less than every ten parking spaces, and to help visually define travel lanes through or next to the parking lot.
 3. Landscaped areas situated outside of the parking lot, such as peripheral areas and areas surrounding buildings, shall not constitute interior landscaping.

4. For the purpose of computing the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including all parking spaces and access drives, aisles, islands, and curbed areas.
 5. Groundcover alone is not sufficient to meet this requirement. Trees, shrubs, or other approved material shall be provided. At least one (1) mature shade tree shall be provided for each three hundred (300) square feet (or fraction) of required interior landscaping area. These trees shall have a clear trunk at least five (5) feet above finished-grade level;
 6. Parked vehicles may not overhang interior landscaped areas more than two and one-half (2½) feet. Where necessary, wheel stops or curbing shall be provided to insure no greater overhang;
 7. If a parking lot of under twenty (20) spaces is built without interior landscaping, and later additional spaces are added so that the total is twenty (20) or more, the interior landscaping shall be provided for the entire parking lot;
- D. **Screening** - When a parking lot is located on property which is adjacent to an F, S, AR-1, R-2, R-3 & VR District, the parking lot shall be screened from the adjoining residential property in accordance with Article V, Section 8.3 of this Ordinance;

“10.23. Schedule of required parking spaces

Except as provided for in Sections 10.23.A. and 10.23.C., the minimum number of automobile and oversized off-street parking spaces to be provided for each land use type shall be as indicated on following chart. Any use involving a combination of several uses shall provide the sum of the number of spaces required for each individual use. When a calculation results in a fraction, any fraction below one-half (½) may be disregarded, and any fraction of one-half (½) or more shall require an additional full space.

COMMERCIAL USES		
Type of Use	Minimum of One Passenger Parking Space for Each	Minimum of One Oversize Parking Space for Each
Automobile, truck, trailer, bus, and recreational vehicle repair and washing facilities	¼ service and/or washing bay (i.e. 4 per bay)	10,000 square feet of gross floor and ground area devoted to repair and service facilities.
Automobile, boat, and trailer sales	500 square feet of gross indoor and outdoor display areas	10,000 square feet of gross indoor and outdoor display areas
Carpeting, drapery, floor covering, and wall covering sales	500 square feet of gross floor area	10,000 square feet of gross indoor and outdoor display areas
Convenience stores	75 square feet of gross floor area	1000 square feet of gross floor area
Drive-thru and/or fast-food restaurants	Two seats and one per each two employees	30 seats
Food markets and grocery stores	150 square feet of gross floor area	5000 square feet of gross floor area
Fuel dispensing use as a principal or accessory use	2 parallel spaces arranged in a stacked configuration for each fuel dispensing location.	Fuel dispensing use
Funeral homes	50 square feet of gross floor area	Funeral home
Furniture sales	500 square feet gross floor area	10,000 square feet of gross floor

COMMERCIAL USES		
Type of Use	Minimum of One Passenger Parking Space for Each	Minimum of One Oversize Parking Space for Each
		area
Hotels, motels	Guest sleeping room and one per each employee on two largest shifts. (Restaurants and other accessory uses shall add to this requirement.)	10 guest sleeping rooms
Mini-warehouses	25 units plus one per 250 square feet of office space, plus two per any resident manager	25 units
Nightclubs	Two seats of legal occupancy plus one per each employee on site at one time	30 seats of legal occupancy
Office buildings	250 square feet of gross floor area	10,000 square feet of gross floor area
Clinics and professional offices of veterinarians, physicians, dentists, opticians, counselors and etc.	8 spaces per practitioner plus one per employee	10,000 square feet of gross floor area
Retail stores or shops (except those listed above)	200 square feet of gross floor area plus one per each employee on two largest shifts	5000 square feet of gross floor area
Restaurants and taverns	Three seats plus one per each employee on largest shift	30 seats
Shopping centers or malls	200 square feet of gross floor area plus one per each employee on two largest shifts	5000 square feet of gross floor area
Other commercial buildings	400 square feet of gross floor area	5000 square feet of gross floor area
Auditorium, banquet, conference, and meeting facilities; church, theater, and other such places of public assembly	Three (3) seats. For uses without permanent seats, 50 square feet of area used for assembly purposes	100 persons of legal occupancy

INDUSTRIAL USES		
Type of Use	Minimum of One Passenger Parking Space for Each	Minimum of One Oversize Parking Spaces for Each
Industrial and heavy manufacturing establishments	Two employees on the two largest shifts or at least one space per each 1,000 square feet of gross floor area, whichever is the greatest number	10,000 square feet of gross floor area
Warehousing	Employee on the two largest shifts	10,000 square feet of gross floor area
Other industrial uses	Two employees on the two largest shifts or at least one space per each 1,000 square feet of gross floor area, whichever is the greatest number	10,000 square feet of gross floor area

RECREATION USES		
Type of Use	Minimum of One Passenger Parking Space for Each	Minimum of One Oversize Parking Spaces for Each
Amusement arcades	80 square feet of gross floor area	30 persons of legal occupancy
Baseball, soccer, field hockey, lacrosse, rugby, football and other athletic fields, without spectator seating.	1/12 field (12 per field)	field (ie. 1 per field)
Baseball, soccer, field hockey, lacrosse, rugby, football and other athletic fields with spectator seating	1/12 field (12 per field) plus one (1) per each four (4) seats of spectator seating	1/2 field (ie. 2 per field)
Basketball and volleyball courts without spectator seating	1/8 court (8 per court)	Court (ie. 1 per court)
Basketball and volleyball courts with spectator seating	1/8 court (8 per court) plus one (1) per each four (4) seats of spectator seating.	1/2 Court (ie. 2 per court)
Bowling alleys, billiards rooms	1/4 lane/table (i.e., 4 per lane/table) and one per each two employees	100 persons of legal occupancy
Campgrounds	Non-RV campsite, plus one per employee, plus 50% of the spaces normally required for accessory uses	RV campsite, plus 1 per 20 non-RV campsites
Golf courses	1/2 hole (i.e., 2 per hole), plus one per employee, plus 50% of the spaces normally required for accessory uses	9 holes
Golf driving ranges	One per tee and one per employee	20 tees
Gymnasiums without spectator seating	1/8 court (8 per court)	Court (ie. 1 per court)
Gymnasiums with spectator seating	1/8 court (8 per court) plus one (1) per four (4) seats of spectator seating.	1/2 Court (ie. 2 per court)
Miniature golf courses	1/2 hole (i.e., 2 per hole) and one per employee	18 holes
Riding schools or horse stables	Two stalls plus one per every four seats of spectator seating	Four stalls
Picnic areas	Per table	20 tables
Skating rinks	Four persons of legal occupancy	100 persons of legal occupancy
Swimming pools (other than one accessory to a residential development)	Four persons of legal occupancy	100 persons of legal occupancy
Tennis or racquetball clubs	1/4 court (i.e., 4 per court), plus one per employee plus 50% of the spaces normally required for accessory uses	10 courts

RESIDENTIAL USES		
Type of Use	Minimum of One Passenger Parking Space for Each	Minimum of One Oversize Parking Spaces for Each
Single-family detached dwellings, two-family conversions, and conversion apartments	1/2 dwelling unit (i.e., two spaces per dwelling unit)	See Section 2233.1. of this Ordinance.
Boarding houses, group homes, bed and breakfasts, orphanages, dormitories,	Bedroom	See Section 2233.1. of this Ordinance

RESIDENTIAL USES		
Type of Use	Minimum of One Passenger Parking Space for Each	Minimum of One Oversize Parking Spaces for Each
rectories and etc.		
Duplex, quadraplexes, townhouse and multiple-family, dwellings	1/3 dwelling unit (i.e., three spaces per dwelling unit). Such parking spaces can take the form of private driveways, or garages and/or common parking lots, provided all spaces required are within 150 feet of the unit served.	See Section 2233.1. of this Ordinance

SOCIAL AND INSTITUTIONAL USES		
Type of Use	Minimum of One Passenger Parking Space for Each	Minimum of One Oversize Parking Spaces for Each
Auditorium, banquet, conference, and meeting facilities; church, theater, and other such places of public assembly	Three (3) seats. For uses without permanent seats, 50 square feet of area used for assembly purposes	100 persons of legal occupancy
Clubs, lodges and other similar places	Two seats but not less than 100 square feet of gross floor area and one per each employee on two largest shifts	30 persons of legal occupancy
Nursing, rest or retirement homes	Four accommodations (beds) in addition to those needed for doctors and support staff	100 persons of residency
Hospitals, sanitariums	Spaces shall be provided for visitors, at the rate of at least one space per each 1.5 accommodations (beds). Such spaces shall be in addition to those necessary for doctors and other personnel.	100 accommodations (beds)
Museums, art galleries, cultural centers, libraries	400 square feet of gross floor area	100 persons of legal occupancy
Rehabilitation centers (without overnight accommodations)	One per each employee and per each three people anticipated to be handled through the facility.	30 persons of legal occupancy
Schools below grade ten, including principal day-care and kindergarten	Six students enrolled	60 students enrolled
Schools, tenth grade and above, including colleges with on-site housing for a majority of students enrolled	Three students enrolled	40 students
Colleges that do not offer on-site housing for a majority of students enrolled	1.5 students enrolled	60 students enrolled
Vocational training and adult education facilities	1.5 students enrolled	60 students enrolled

- A. All other uses not specifically mentioned above shall provide off-street parking spaces to accommodate one (1) space for the maximum number of persons regularly employed, having business, and/or resident upon the premises at any given time.
- B. No off-street parking area shall accommodate more than one hundred twenty (120) percent of the minimum requirement, regardless of whether such additional spaces

are provided with pervious surfacing, except as provided for below by Section 10.23.C.

C. Alternative off-street parking standards to those provided in this Section may be permitted by the Zoning Hearing Board as a special exception in accordance with Article XI of this Ordinance. The applicant shall establish by credible evidence that adequate parking is provided for all uses within the development. Such evidence shall include, but not necessarily be limited to, the following:

1. Estimates of required parking needs based upon actual traffic or parking surveys for existing similar land uses located in comparable settings.
2. Analysis of shared parking facilities with other uses that routinely experience peak parking demands at different times of the day, week, or season, and where the parking spaces required by one use can also accommodate another nearby use.
3. Analysis of the possible use of permeable surfaces for overflow parking where such overflow parking area would be used sparingly and where the applicant can show that the permeable surfaces will be constructed of stable materials and will be environmentally beneficial to the community.
4. Analysis of the likelihood of the use of bus service (both public transit and charter service) by a significant volume of patrons.

REVISION 17 – Article V, a new Section 14., Noise Standards is added as follows:

“Section 14 Noise Standards

“14.1. Except for agricultural, horticultural and forestry-related uses, no use shall regularly generate exterior noise levels in excess of those listed in the following table:

Measurement Taken Along An Adjoining Property that is Located Within the Following Districts	Time Period	Maximum Permitted Noise Level
F, S, AR-1, R-2, R-3, or VR	6 a.m. to 10 p.m.	50 dBA
F, S, AR-1, R-2, R-3, or VR	10 p.m. to 6 a.m.	45 dBA
VC, C-1 or C-2	6 a.m. to 10 p.m.	60 dBA
VC, C-1 or C-2	10 p.m. to 6 a.m.	55 dBA
I-1, I-2 and I-3	Anytime	70 dBA

“14.2. Should the ambient noise level at any location exceed the above standards, that ambient noise level shall become the maximum permitted noise level at that location. The maximum permitted noise level shall be applied to regularly-occurring uses and activities; short-term temporary noises and infrequent instantaneous noises may be permitted at noise levels 20 dBA higher than the above-described standards, but only between 7 a.m. and 10 p.m.

REVISION 18 – Article V, SUPPLEMENTAL USE REGULATIONS is amended by adding a new Section 15 as follows:

“15. Off-Street Loading

"15.1. When Required

Off-street loading spaces shall be required in accordance with this Section prior to the occupancy of any building or use that requires off-street loading. Off-street loading spaces shall be provided on the same lot as the use that it serves. Off-street loading spaces shall be provided whenever:

- A. a new use is established,
- B. the use of a property or building is changed such that more off-street loading spaces are required, and
- C. an existing use is enlarged such that more off-street loading spaces are required.

"15.2. Site plan approval.

- A. Each application for a land development approval and/or zoning permit for a use for which off-street loading spaces are required shall include a site plan drawing showing the proposed layout of the off-street loading spaces. The drawing shall clearly include the design elements required by this Section.
- B. No Zoning Permit shall be issued for any use for which an off-street loading space is required unless the site plan has been approved or necessary variances have been approved.

15.3. Surfacing - All off-street loading spaces, including access drives, shall be constructed and maintained with a paved surface of concrete or bituminous materials.

15.4. Location - Except as provided elsewhere, ground-level off-street loading spaces may be located in any side or rear yard. No loading area is permitted between a building and an adjoining street right-of-way. Except as may be specified in each zoning District, no exterior portion of an off-street loading space shall be located within fifty (50) feet of any F, S, AR-1, R-2, R-3, & VR District. off-street loading facilities shall be located on the face of a building not facing any adjoining land in these zoning districts.

15.5. Connection to street - Every loading space shall be connected to a street by means of an access drive. The access drive shall be at least twenty-four (24) feet wide, exclusive of curb returns and gutters.

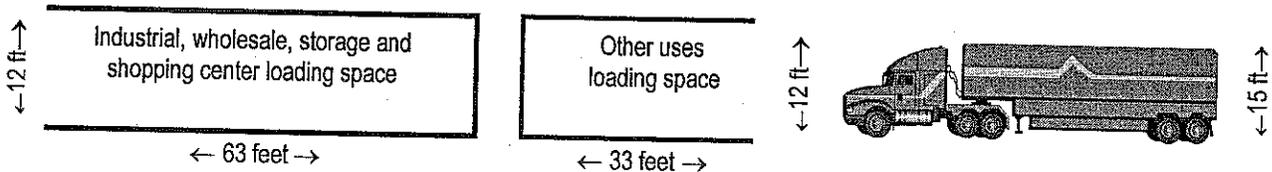
15.6. Separation from streets, sidewalks, and parking lots - Off-street loading spaces shall be designed so that there will be no need for service vehicles to back onto streets or sidewalks. Furthermore, off-street loading spaces shall not interfere with off-street parking lots or with the free movement of vehicles and pedestrians on the site and over a public street.

15.7. Drainage - Off-street loading facilities (including access drives) shall be drained to prevent damage to other properties or public streets. Furthermore, all off-street loading facilities shall be designed to prevent the collection of standing water on any portion of the loading facility surface, particularly next to access drives.

15.8. Required off-street loading facility space sizes - Off-street loading spaces shall have a rectangular shape with not less than the following dimensions, excluding access drives, entrances, and exits. Angled spaces will need to be longer to achieve the rectangular shape.

Facility	Length	Width	Height (if covered or obstructed)
Industrial, Wholesale and Storage Uses and Shopping Centers	63 feet	12 feet	15 feet
All Other Uses	33 feet	12 feet	15 feet

Off-Street Loading Space Diagram (§10.9..8.)



- 15.9. **Access** - Loading spaces shall be designed so that each vehicle may proceed to and from the space provided for it without requiring the moving of any other vehicle. All access drives shall be so designed and constructed such that it will not be necessary for drivers to back out onto a street. All dead-end loading spaces shall be designed to provide sufficient back-up and turn-around area for all vehicles intended to use them.
- 15.10. **Lighting** - Adequate lighting shall be provided if the loading facility is to be used at night. The lighting shall comply with Article V, Section 7 of this Ordinance.
- 15.11. **Landscaping and screening requirements** - Unless otherwise indicated, all off-street loading facilities shall be surrounded by a fifteen (15) foot wide landscapes strip. All off-street loading facilities shall be screened from adjoining areas in a F, S, AR-1, R-2, R-3 & VR District and all adjoining public streets. Where the lot is adjacent to a F, S, AR-1, R-2, R-3 & VR District:
 - A. the width of the landscaped strip shall be equal to the width of the required side yard for that district or fifteen feet (15') whichever is the greater distance; and,
 - B. the width of the landscaped strip along a rear lot line next to any of these zoning districts shall be equal to the width of the required rear yard of that district, or fifteen feet (15') whichever is the greater distance.
- 15.12. **Loading space markings** - All off-street loading spaces shall be marked and maintained for the purpose of defining all loading spaces and interior drives. As a minimum, the lines of all spaces and interior drives (including directional arrows) shall be in a color typically suitable for such markings and shall be at least four (4) inches in width. Painted lines, arrows, and dividers shall be provided and maintained to control truck parking and to direct vehicular circulation.
- 15.13. **Schedule of Required Off-Street Loading Spaces** The schedule of required off-street loading spaces is as follows:

Type of Use	Number Spaces Per	Gross Floor Area
Hospital, nursing rest or retirement homes or other similar institution	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Hotel, motel or similar lodging facility	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Industry or manufacturing	None	First 2,000 square feet
	1.0	2,000 to 25,000 square feet
	+1.0	Each additional 40,000 square feet (or fraction)
Office building, including banks and other similar financial establishments	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Retail sales and services, per store	None	First 2,000 square feet
	1.0	2,000 to 10,000 square feet
	2.0	10,000 to 40,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Shopping centers (integrated shopping centers, malls and plazas) having at least 25,000 square feet of gross floor area	1.0	25,000 square feet up to 100,000 square feet
	+1.0	Each additional 100,000 square feet
Theater, auditorium, bowling alley, or other recreational establishment	None	First 10,000 square feet
	1.0	10,000 to 100,000 square feet
	+1.0	Each additional 100,000 square feet (or fraction)
Undertaking establishment or funeral parlor	None	First 3,000 square feet
	1.0	3,000 to 5,000 square feet
	+1.0	Each additional 10,000 square feet (or fraction)
Wholesale or warehousing (except mini-warehousing)	None	First 1,500 square feet
	1.0	1,500 to 10,000 square feet
	+1.0	Each additional 40,000 square feet (or fraction)
Multi-family dwellings	None	Less than 100 dwelling units
	1.0	100 to 300 dwelling units
	+1.0	Each additional 200 dwelling units (or fraction)

REVISION 19 – Article V, SUPPLEMENTAL USE REGULATIONS is amended by adding a new Section 16 as follows:

“Section 16 Groundwater and Surface Water Protection

- 16.1. Due to the karst geology of Benner Township and the desire of the Township Supervisors to protect underground and surface water resources, in addition to any Federal, State or other Local requirements, the following environmental safeguards shall be observed for business activities located within the Township:
- A. Wash-down operations, either internal to a structure or outside, shall be conducted on an impervious surface, equipped with an oil/sediment separator system, or an underground storage tank, or combination thereof, or other type collection/separation system (as approved by the Township) for the purpose of preventing pollutants from the environment. This does not preclude the Owner from proposing new methods of Best Management Practice techniques or treatments. Such systems shall be inspected no less than annually and cleaned/repared as required to restore it to full operating condition.
 - B. Chemicals used in business operations and which are of the type or quantity that the Sewer Authority/Sewage Plant cannot accept shall be neutralized, stored for periodic removal, or otherwise deactivated on-site to be environmentally safe. All storage tanks shall be double-lined with underground units having safety devices which will prevent overflow, detect leaks and send/emit an audible alarm if such conditions occur.
 - C. Unused or stored chemicals/fuel/solvents/other known environmentally-hazardous liquids shall be stored in a manner that does not allow accidental spills to reach soil or water sources. Dispensing operations shall be conducted on an impervious surface which can contain spillage or direct same to the systems noted in paragraph 1., above. For contained spills, such spills shall be immediately cleaned up in accordance with environmental regulations and the Facility's Operations Manual.
 - D. Above-ground storage tanks larger than 249 gallon capacity shall be double lined and installed above ground with an additional sump area equal to one and one-half times (1.5X) the capacity of the tank.
 - E. In the event any regulations of the Federal, State or other Local jurisdictional entity is stricter than those prescribed herein, the stricter requirement shall apply.

REVISION 20 – Article V, SUPPLEMENTAL USE REGULATIONS is amended by adding a new Section 17 as follows:

“Section 17 Operations and Performance Standards

- 17.1. All uses proposed within the Township shall operate in compliance with all applicable State and Federal regulations. The following lists known governmental regulations associated with various land uses and their impacts. This list in no way excludes or limits Federal or State jurisdiction over uses within the Township, but is merely provided for information to applicants and landowners.
- A. Noise pollution and vibration: “Rules and Regulations” of the Pennsylvania Department of Environmental Protection, as well as any and all regulations that may

succeed or replace these regulations. In addition, all uses shall comply with those standards listed in Article V, Section 14 of this Ordinance.

- B. Air pollution, airborne emissions, and odor: "Rules and Regulations" of the Pennsylvania Department of Environmental Protection, as well as any and all regulations that may succeed or replace these regulations.
- C. Water pollution: The Clean Streams Law, June 22, 1937 P.L. 1987, 35 P.S. 691.1 as amended, as well as any and all regulations that may succeed or replace these regulations. In addition, all uses shall comply with those standards listed in Article V, Section 16 of this Ordinance.
- D. Mine reclamation and open pit setback: Pennsylvania Act No. 1984-219, the "Noncoal Surface Mining Conservation and Reclamation Act," as well as any and all regulations that may succeed or replace these regulations. In addition, all uses shall comply with those standards listed in Article II, Section 7.1. and Article V, Section 11., of this Ordinance.
- E. Glare and heat: "Rule and Regulations" of the Pennsylvania Department of Environmental Protection, as well as any and all regulations that may succeed or replace these regulations. In addition, all uses shall comply with those standards listed in Article V, Section 7 of this Ordinance.

REVISION 21 – Article XII Section 2. Definitions is amended to alphabetically add the following definitions:

EMERGENCY SERVICES – Uses that are devoted to the protection of the public at the local level and are operated by a governmental agency, authority created by a government agency, or a volunteer group. This definition expressly includes, but is not limited to, advanced life support (ALS), ambulance, emergency medical services (EMS), emergency medical technicians (EMT), fire, forest fire, police, rescue and recovery and sheriff stations. This definition does not include prisons.

FLOOR AREA RATIO – The percentage of gross floor area that principal buildings occupy in relation to the lot area.

GROSS FLOOR AREA - The sum of the floor areas of a building as measured to the outside surfaces of exterior walls and/or all areas intended for the conduct of a use.

IESNA – Illuminating Engineers Society of North America.

ILLUMINANCE - The quantity of light per unit area, measured with a light meter in footcandles.

MINI-WAREHOUSE - 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 no processing, manufacturing, sales, research and development testing, service and repair, or other non-storage activities shall be permitted. No unit shall exceed six hundred (600) square feet of gross floor area.

OFF-STREET LOADING SPACE - An off-street area provided for the loading or unloading of goods and/or materials that has direct usable access to a use's loading docks and/or doors and is connected to a street or alley by an access drive. This definition shall also expressly include any area that directly adjoins the loading docks and/or doors that is necessary for the vehicles to maneuver into place with the use's loading docks and/or doors. This definition shall not include the access drives on the site that do not directly adjoin the loading docks and/or doors unless they require vehicles to move in a reverse direction to negotiate access to and from the loading docks and/or doors.

OFF-STREET PARKING SPACE – A designated area for the placement of motor vehicles associated with employees, customers and visitors that is located on the site of a principal use and is connected to a street via an access drive.

OVERSIZE PARKING SPACE – An off-street parking space designed to accommodate a vehicle with one or more of the following characteristics:

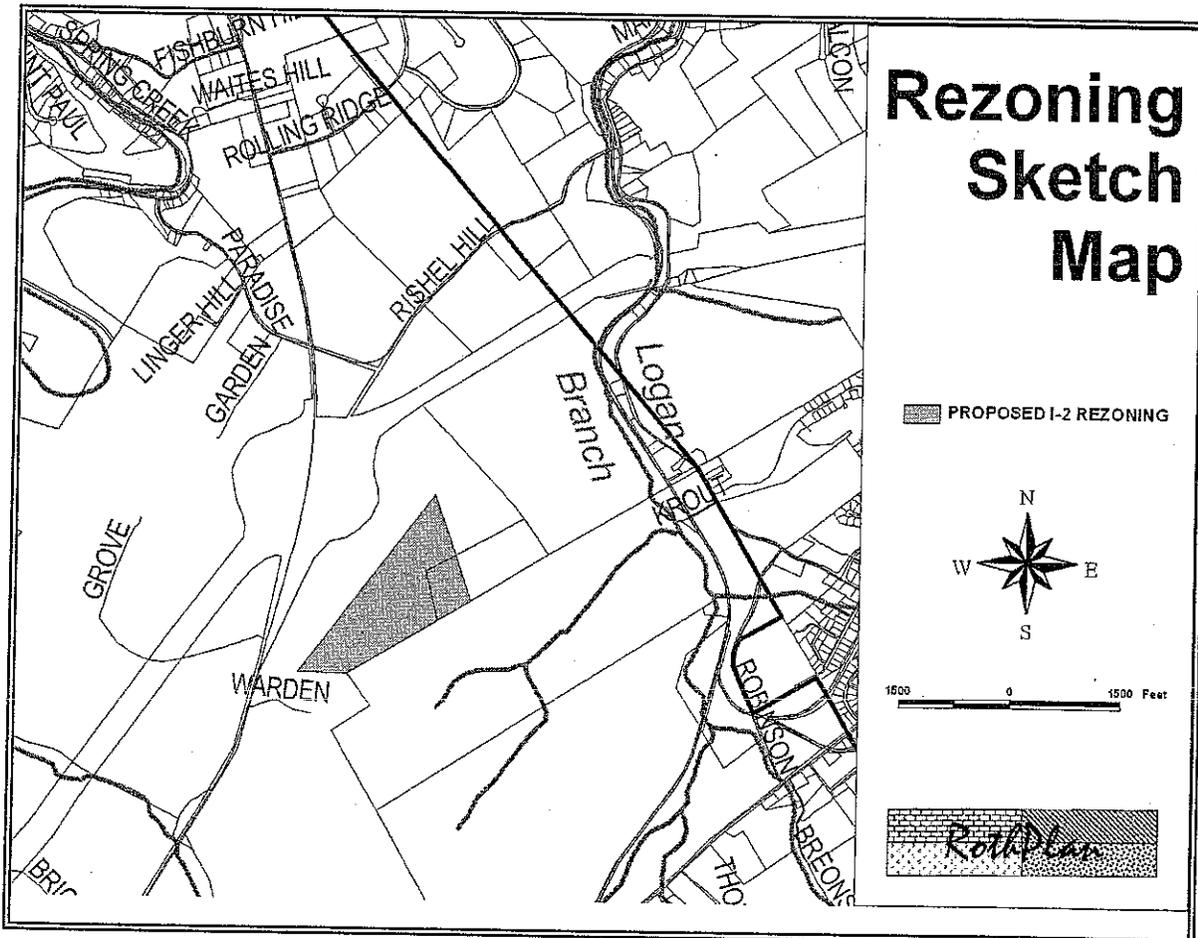
1. A registered gross weight in excess of seventeen thousand one (17,001) pounds;
2. Having a length in excess of twenty (20) feet;
3. Having a height of more than eleven (11) feet, six (6) inches;
4. Having a width of more than eight (8) feet nine (9) inches; and/or,
5. Showing a windshield weight class sticker with a number above six (6).

SLDO - The latest version of the Township's Subdivision and Land Development Ordinance, as may be amended.

REVISION 22 – Article VII, Section 5.3.A. is amended as follows:

“A. After the effective date of this Article, all new utility lines serving uses including electric, telephone, data, and CATV, shall be installed underground except as provided in *Subsection C* below.”

REVISION 23 – The Official Zoning Map is amended in accordance with the attached Proposed Rezoning Sketch Map:



* * * * *

REPEALER

Any ordinance, or any part thereof, inconsistent herewith and any amendments thereof are hereby expressly repealed.

SEVERABILITY

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

EFFECTIVE DATE

This Ordinance shall become effective five (5) days after its enactment by the Board of Supervisors of Benner Township, County of Centre, Commonwealth of Pennsylvania.

This Ordinance, ordained and enacted this 22nd day of September, 2006.

BOARD OF SUPERVISORS OF BENNER TOWNSHIP

By:

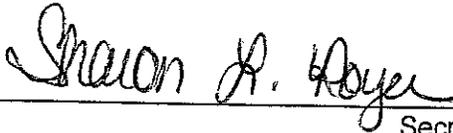


Chairman



Vice-Chairman

ATTEST:



Secretary

(SEAL)

