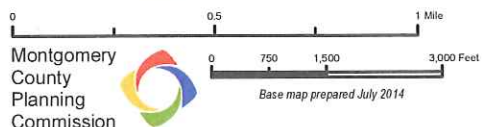

Salford Township
Zoning Ordinance
2006

Zoning district boundaries are approximate.
Refer to the official documentaion for accurate locations.



This map is based on 2010 ortho photography and official sources. Property lines were compiled from individual block maps from the Montgomery County Board of Assessment Appeals, with no verification from the deed. This map is not meant to be used as a legal definition of properties or for engineering purposes.

TOWNSHIP OF SALFORD
COUNTY OF MONTGOMERY

ZONING ORDINANCE #133

An Ordinance regulating and restricting the uses of land in Salford Township; establishing districts for such purpose; defining and designating classifications and types of uses; regulating the size; placement, and arrangement of buildings and other structures, as well as regulating facilities and services in or about such buildings; providing for the administration and enforcement of such regulations; establishing penalties for violation thereof.

The Board of Supervisors of Salford Township does hereby ordain as follows:

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	Ordinance 170	Article 2 & Article 13 – VR District

**SALFORD TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA
ORDINANCE NO. 133**

An Ordinance regulating and restricting the uses of land in Salford Township; establishing districts for such purpose; defining and designating classifications and types of uses; regulating the size; placement, and arrangement of buildings and other structures, as well as regulating facilities and services in or about such buildings; providing for the administration and enforcement of such regulations; and establishing penalties for violation thereof.

The Board of Supervisors of Salford Township does hereby ordain as follows:

**ARTICLE 1
SHORT TITLE; EFFECTIVE DATE; DECLARATION OF LEGISLATIVE
INTENT; INTERPRETATION; CONFLICT; VALIDITY; REPEALER**

SECTION 100. Short Title Effective Date. This Ordinance shall be known and may be cited as The "Salford Township Zoning Ordinance in 2006." This Ordinance shall become effective five days after advertising notice of its passage as required by law.

SECTION 101. Declaration of Legislative Intent. This Ordinance is enacted for the purpose of promoting the health, safety, morals, and the general welfare of the Township, is in accordance with the adopted Indian Valley Regional Comprehensive Plan, and is designed to lessen congestion in the roads and highways, to secure safety from fire, panic and other danger, to avoid undue congestion of population, schools, parking and other public requirements, to secure the protection and preservation of natural resources and agricultural land and activities, to bring Zoning in Salford Township into conformity with that Regional Plan, and to encourage the most appropriate use of land throughout the Township of Salford.

SECTION 102. Interpretation. In interpreting and applying the provisions of this Ordinance they shall be held to be the minimum requirements for the promotion of the health, safety, morals and the general welfare of the Township. The comprehensive plan in accordance with which this Ordinance is enacted and which is reflected in the provisions of this Ordinance has been formulated to implement the purposes set forth in Section 101 aforesaid in the respects therein stated and more particularly with a view toward inter alia, the following objectives:

- A. Guiding and encouraging the future development of the Township in accordance with the comprehensive planning of land use and population density that represents the most beneficial and convenient relationships among the residential, commercial, industrial and recreational areas within the Indian Valley Region, having regard to their suitability for the various uses appropriate to each of them and their potentiality for such uses, as indicated by topography and soil conditions, existing man-made conditions, and trends in population, in the direction and manner of the use of land, in building development, and in economic activity, considering such conditions and trends both within the Township and with respect to the relation of the Township to the Indian Valley Region and surrounding areas;

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- B. Bringing about the gradual conformity of land use to the comprehensive plan aforesaid and minimizing conflicts among the uses of land and buildings;
 - C. Aiding in bringing about the most beneficial relation between land use and the circulation of traffic throughout the Township.
 - D. Aiding in providing a guide for public policy and action in the efficient provision of public facilities and services in the provision of safe and proper sanitary sewage disposal.
 - E. Providing a guide for public policy towards:
 - 1. Preservation of natural resources and agricultural activities; and
 - 2. The minimizing of erosion, flooding, and other disruptions of nature, by specifying uses of land compatible with existing natural conditions as well as the needs of the community.

Insofar as these objectives are consistent with the purpose set forth in Section 101 and with the aforesaid minimum requirements thereof the provisions of this Ordinance shall be interpreted, administered and applied in such manner as will facilitate attainment of the said objectives, and all others permitted by law.

SECTION 103. Conflict. In any case where a provision of this Ordinance is found to be in conflict with a provision of any subdivision, building, fire safety, or health ordinance or code of Salford Township existing on the effective date of this Ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case, where a provision in this Ordinance is found to be in conflict with a provision of any other ordinance or code of Salford Township existing on the effective date of this Ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Ordinance shall be deemed to prevail, and such other ordinance or code are hereby declared to be repealed to the extent that they may be found in conflict with this Ordinance.

SECTION 104. Severability. The provisions of this Ordinance shall be severable, and if any of the provisions hereof shall be held to be unconstitutional, invalid, or illegal by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared to be the legislative intent of this Ordinance that the Ordinance would have been enacted had such unconstitutional, invalid, or illegal provision not be included herein.

ARTICLE 2 DEFINITIONS

SECTION 200. Interpretations. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Ordinance to have the meanings indicated in this Article. The present tense includes the future; the singular number includes the plural, and the plural the singular; the word "building" includes the word "structure" (and vice versa) and shall be construed as if followed by the words "or part thereof"; the word "occupy" includes the words designed or intended to be occupied"; the word "use" includes the words: "arranged, designed, or intended to be used" and the word "shall" is always mandatory.

ACCESSORY BUILDING. A building subordinate to the principal building on the lot and used for purposes customarily incidental to those of the principal building; in accordance with Section 808 herein.

ACCESSORY USE. A use subordinate to the principal use of land, or a building or other structure on a lot and customarily incidental to permitted use and not normally permitted as an independent principal use in the district. See Section 808 for uses included in this definition as accessory to Agricultural, Residential, Noncommercial and Recreational Use.

AGRICULTURE. The cultivating of the soil, and the raising and harvesting of the products of the soil, including but not by way of limitation, nursery, horticulture, and animal husbandry.

AIRCRAFT. Any vehicle which flies through the air, and carries a passenger, or passengers. Includes vehicles commonly known as ultra-light aircraft, gyrocopters, and similar experimental aircraft, or aircraft for which a pilot's license is not required. Look at other ordinances.

BASEMENT. The lowest story of the building whose height from floor to ceiling is, on average, 50 percent or more below ground level, with additional stories above, except that there may be a grade-level entrance on one side.

BED AND BREAKFAST. A dwelling providing for compensation, lodging or sleeping accommodations of not more than three rooms, each of which shall accommodate no more than two persons, not including minor children. Such an establishment may serve breakfast, or breakfast and one other meal per day, only to the occupants of the facility.

BUILDING. Any structure having enclosed walls and roof permanently located on the land.

BUILDING AREA. The aggregate of the maximum horizontal cross-sectional area of all buildings on a lot above ground level, measured at the greatest outside dimensions, excluding cornices, eaves, gutters, or chimneys projecting not more than 3 feet, bay windows not extending through more than one-story and not projecting more than 5 feet; one story open porches projecting not more than 10 feet; entry vestibules not exceeding 40 square feet not projecting more than 5 feet; carriage porch or car port open on 3 sides, and not more than 14 feet high and 20 feet in length; steps and balconies.

BUILDING LINE. The line which establishes the minimum depth of front yard for the particular district measured from the street line. For an irregularly-shaped lot, or for an interior lot, the building line shall be a line, or a combination of lines, not necessarily straight, which is parallel to the street, and/or adjacent lot line(s) nearest the street; inscribed at a distance from the said street or lot lines not less than the minimum front yard depth for the district. This line or combination of lines shall subtend a single straight line whose length is not less than the required minimum lot width.

BUILDING, PRINCIPAL. A building in which is conducted the principal use of the lot on which it is situated. In the VCR District, where conversion of existing building(s) has been allowed either by

Special Exception or Conditional Use, there may be more than one Principal Building on a single lot. In all other districts, there shall be only one principal Building on each lot.

COMPREHENSIVE PLAN. Maps, charts, descriptive matter officially prepared by the Indian Valley Regional Planning Commission and adopted by the Salford Township governing body showing among the other things recommendations for the most appropriate use of land; for the most desirable density of population; for a system of thoroughfares, parkways and streets; for parks and recreational areas; for the general location and extent of facilities for water, sewer, light and power; for the general location, character, and extent of community facilities, and such other items as required by Act 247, the "Pennsylvania Municipalities Planning Code.

DWELLING. A building designed for and occupied exclusively for residential purposes, including hotel, rooming house, tourist home, institutional home, residential club, motor court and the like.

1. Single-Family Dwelling. A building designed for and occupied exclusively as a dwelling for one family.
 - a. Single-Family Semi-Detached Dwelling. A single-family dwelling built so as to have one wall in common with another single-family dwelling on one side only, such common or "party" wall being on the lot line.
2. Two-Family Dwelling. A building designed for and occupied exclusively as a dwelling for two families.
3. Multiple Dwelling. A building not a Single-Family Dwelling nor a Two-Family Dwelling, designed for and occupied exclusively for dwelling purposes by three or more families living independently of one another, not a row house, but customarily called an Apartment House.
4. Townhouse (Rowhouse). One of a structurally connected series of three or more dwellings arranged in a row, each designed for and occupied exclusively as a residence for one family, and each having a party wall in common with one or more of the other dwellings adjacent to it.

DWELLING UNIT. A building or portion thereof providing complete housekeeping facilities, complete housekeeping facilities for one family.

1. Permanent Dwelling Unit. A building or portion thereof providing complete housekeeping facilities for one family for year round use.
2. Seasonal or Occasional Dwelling Unit ("Guest Home"). A building or portion thereof, accessory to a principal residence, providing complete or partial housekeeping facilities for one family for seasonal or occasional use. Such dwelling units may not be occupied more than 5 months out of any 12 months.

FAMILY. Any number of individuals living together as a single non-profit housekeeping unit and doing their cooking on the premises, excluding, however, occupants of a club, fraternity house, lodge, residential club or rooming house.

FORESTRY. The cutting removal of trees for the purpose of sale of lumber, firewood, pulpwood, or other related forest products. The private harvesting of a tract owned by the user of the end product shall not be considered as forestry. Plant nurseries, orchards, Christmas tree farms, and the like, shall not be considered forestry, but shall be considered agriculture or horticulture.

GARAGE.

1. Garage, Private. An accessory building or part of a principal building of an area of at least 250 square feet, used for the storage of motor vehicles owned and used by the owner or tenant of the premises.
2. Garage, Storage. A building for the storage of vehicles, whether vehicles used in a business ("commercial vehicles"), or a building for the use of the public to store vehicles on a short-term basis in return for payment of a storage fee.

HEIGHT OF BUILDING. A building's vertical measure from the main level of the ground surrounding the building to the highest point of the roof providing that chimneys, fire towers, elevator penthouses, tanks and similar projections shall not be included in calculating the height. (Building height limitation is a function of the capacity of available fire fighting equipment.)

HOME OCCUPATION. An occupation for gain or support conducted only by members of a family residing on the premises and conducted entirely within the dwelling or accessory building(s) on the same site. Permitted Home Occupations shall include barber or hair-styling shops; professional offices occupied only by the resident(s) of the property; office of contractor, provided that no materials used in the business may be stored on the property; tutoring or private instruction in music, personal care, or similar teaching; studio of artist or photographer; private child care for a number of children less than that requiring Commonwealth licensure; and occupations deemed to be of a similar nature approved by the Zoning Hearing Board as a Special Exception. Vehicles used in the business may be stored in a garage on the property only as permitted in a Private Garage, as defined above. If articles are offered for sale, they shall not be displayed so as to be visible from outside the dwelling.

1. Employees may be allowed as a Special Exception by the Zoning Hearing Board. If such a Special Exception is granted, the Board shall specify in its ruling the number of employees permitted. In addition to the review criteria enumerated in Section 402 of this Ordinance, the Board shall also consider whether the increase in size of the use is a logical use for the property; whether the neighbors to the property would be inconvenienced, annoyed, or otherwise harmed thereby; and whether the number of employees is reasonable in view of the circumstances under which the applicant conducts his practice. The Board shall specifically ensure that, notwithstanding any other provisions of this Ordinance, adequate parking for the clients of the practitioner will be provided.

HOTEL. A building used for the purpose of furnishing for compensation more or less temporary lodging to the public, with or without meals, and having lodging accommodations for ten or more persons.

JUNK YARD. A lot, land or structure, or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal or discarded material; or for the collection, dismantling, storage and salvaging of machinery or vehicles not in running condition, and for the sale of parts thereof.

LOADING SPACE. A space, accessible from a street or way, in a building or on a lot, for the temporary use of vehicles while loading or unloading merchandise or materials.

LOT. A parcel of land which is occupied, or can be occupied, by one principal building or other structure or use, together with any accessory buildings or structures, or uses customarily incidental to such principal buildings or other structure or use, and any other such open spaces as are arranged or designed to be used in connection with such principal buildings or other structure or use, such open spaces and the area and dimensions of such lot being not less than the minimum required by the Ordinance.

1. Interior Lot. A lot completely surrounded by adjacent lots except for an access strip to a public road, owned in fee simple.

LOT AREA. The total horizontal area of the lot lying within the lot lines, provided that no area of land lying within the legal right-of-way of a public road be deemed a portion of any lot area, further provided that in the case of an interior lot, not more than 10 percent of the total lot area shall lie within an access strip owned in common deed with the major portion of the lot.

LOT LINE. A property boundary line of any lot held in single or joint ownership, except that in the case of any lot abutting a street, the lot line for such portion of the lot as abuts the street, shall be deemed the same as the ultimate right-of-way, and shall not be the center line of the street, or any other line within the ultimate right-of-way, even though such may be the property line.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosed area, used solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of the National Flood Insurance Program.

MOTOR COURT OR MOTEL (With or Without Restaurant and Lounge Facilities). A building and/or semi-detached building containing rooms or apartments in connection with vehicular parking or storage space serving such rooms or apartments, which buildings or group of buildings is designed, intended, or used principally for sleeping accommodations for travelers. Such building shall be suitable for occupancy all seasons of the year.

MUNICIPAL USES. Any use by Salford Township, including, but not limited to Municipal office, storage building for road maintenance equipment and supplies, park, open space, recreational facility, and similar uses.

NON-CONFORMING. A building or other structure, use, or lot, which by reason of design, location, size or use, does not conform with the requirements of the Districts in which it is located.

PARKING SPACE. A reasonably level space, available for the parking of one motor vehicle, not less than 10 feet wide and having an area not less than 200 square feet exclusive of passageways, or other means of circulation or access.

1. **Parking Space (All Weather).** A parking space surfaced to whatever extent necessary to permit reasonable use under all conditions of weather.

PERFORMANCE STANDARDS. Measures and standards by which the suitability of the proposed use can be measured by the extent of its external effect.

PUBLIC UTILITIES FACILITIES. A building or structure and its equipment, used for the transmission and exchange of telephone, radio, petroleum products, gas, power, sewer, and water facilities, provided, however, that in a Residential District these shall not include public business facilities, storage of materials, trucks, or repair facilities or housing of repair crews.

RELIGIOUS INSTITUTION. Any building or structure used principally for the worship of a Supreme Being, or Beings. This shall include terms such as "church", "temple", "synagogue", "cathedral", or similar appellations. A religious institution may include such accessory uses as Sunday schools; meeting or "fellowship" halls with or without facilities to cook and serve food; offices for officials and staff; housing for ministers, priests, brothers, nuns, or similar officials; and day care centers or nursery schools operated by the institution.

ROOMING HOUSE ("Tourist Home", "Boarding House", or Similar Term). A dwelling providing for

compensation, lodging or sleeping accommodations with or without meals for less than 10 guests. This term shall include establishments commonly know as "bed and breakfasts", but shall not include an institutional occupancy, as defined in the Pennsylvania Uniform Building Code. The proprietors of any such permitted establishment shall maintain a guest register listing the persons residing there, and shall allow the Township to examine such guest register at any time.

SERVICE STATION. Any area of land, including structures thereon, or any building or part thereof, that is used for the repairing, lubricating, washing, or otherwise servicing motor vehicles but which shall not include painting or body or fender repairs.(note the deletion)

SIGN. A structure, building wall, or other outdoor surface or any device used for visual communication which is used for the purpose of bringing the subject thereof to the attention of the public, or to display, identify and publicize the name and product or service of any person or business.

SPECIAL EXCEPTION. Permission or approval granted by the Zoning Hearing Board for certain special property uses which the Ordinance authorizes under stated conditions.

STREET. A right-of-way publicly or privately owned, serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties, and space for sewers and public utilities.

STREET LINE. The dividing line between a lot and the right-of-way of a public street, road or highway legally opened or officially plotted or between a lot and a privately owned street, road or way over which the owners or tenants of two or more lots which are held in single and separate ownership have the right-of-way.

STRUCTURAL ALTERATION. Any change in or addition to the supporting or structural members of a building, such as, the bearing walls, columns, beams or girders, or any change which would convert an existing building into a different structure, or adapt it to a different use, or which in the case of a non-conforming use, would prolong the life of such use.

1. **Substantial Damage.** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
2. **Substantial Improvement.** Any repair, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:
 - a. Any project for improvement of a structure to correct existing violations of state or local health, safety, or sanitary code specifications which have been identified by the local code;
 - b. Any alteration of a structure designated as 'Historic' by virtue of:
 - 1) being listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register, or
 - 2) being listed individually on a state inventory of historic places in a historic preservation program, which has been approved by the Secretary of the Interior.

STRUCTURE. Any form or arrangement of building material involving the necessity of providing proper support, bracing, tying, anchoring, or other protection against the forces of the elements.

SWIMMING POOL. A structure either recessed in the ground, or wholly or partly above grade, intended to contain water for recreational swimming or bathing. This definition shall include structures commonly known as "hot tubs" if the largest horizontal dimension exceeds 8 feet, but excludes small, portable pools known as "wading pools", less than 8 feet in their largest dimension, and commonly used by small children.

TRAILER OR MOBILE HOME. Any structure designed as a residence, which has, at its time of manufacture, wheels, which enable it to be towed on the highway to its site. Upon the removal of the wheels and tow yoke, and the placement of the structure on a permanent, enclosed foundation and connection to permanent water, sewer, utility lines, such a vehicle shall be considered a single family residence for purposes of this Ordinance.

ULTIMATE RIGHT-OF-WAY. The future or planned width of highway in the public domain as shown on the official ultimate right-of-way map on file at the office of the Township Secretary.

VARIANCE. Permission or approval granted by the Zoning Hearing Board in accordance with Section 401 hereof, constituting a modification of, or a deviation from the exact provisions of this Ordinance as applied to the use of a specific piece of property or portion of the same.

VEHICLE. Any device used for transportation of persons or materials which has a form of motive power not dependent on the muscular effort of the operator or passenger, of a type which is subject to regulation under the Pennsylvania Motor Vehicle Code.

YARD. An open, unoccupied space on the same lot with a building or other structure, open and unobstructed by man-made features from the ground to the sky, except for public utility lines or facilities:

1. **Front Yard.** A yard extending the full width of the front lot line and extending in depth from the front lot line to the nearest point of the principal structure on the lot.
2. **Rear Yard.** A yard extending the full width of the lot along the rear lot line and extending in depth from the rear lot line to the nearest point of the principal structure on the lot.
3. **Side Yard.** A yard extending the full depth of the lot along a side lot line and extending in width from such side lot line to the nearest point of the principal structure on the lot.

ARTICLE 3 ADMINISTRATION

SECTION 300. Zoning Officer Appointment and Qualification. The provisions of this Ordinance shall be enforced by a Zoning Officer and/or police department and other municipal agencies. The Zoning Officer shall be appointed on the first meeting of the Township Supervisors following the adoption of this Ordinance to serve until the first day of January next following, and shall thereafter be appointed annually to serve a term of one year and/or until his successor is appointed. The Zoning Officer may succeed himself. He shall receive such compensation as the governing body by resolution shall provide.

SECTION 301. Duties and Powers. It shall be the duty of the Zoning Officer and he shall have the power to:

- A. Keep a record of all plans and applications for permits and all permits issued with notations as to special conditions attached thereto. All records shall be open for public inspection.
- B. Review applications for zoning permits for erections or alterations of structures or changes of use determine whether such construction or use is in accordance with the general requirements of this Ordinance, and all other applicable ordinances and with the laws and requirements of the Commonwealth.
- C. Conduct inspection and surveys to determine compliance or noncompliance with the terms of this Ordinance. In carrying out such surveys, the Zoning Officer or his representative may enter upon any land or buildings.
- D. Make written orders requiring compliance with the provisions of this Ordinance to be served personally or by registered mail.
- E. Institute proceedings in courts of proper jurisdiction for the enforcement of provisions of this Ordinance.
- F. Maintain a map showing the current zoning classifications of all land.
- G. Maintain a map and register showing the registration, identity location, and type of all nonconforming uses.
- H. Participate in all proceedings before the Zoning Hearing Board; present the facts and information to assist the Board in reaching a decision which shall be compatible with this Ordinance.
- I. The Zoning Officer shall issue no permit for the construction or use of any land or building unless such use or construction also conforms to the requirements of all other ordinances of Salford Township and with the laws of the Commonwealth.

SECTION 302. Permits.

- A. No building or structure shall be constructed or altered in the Township or the use of any building changed, no vacant land occupied until a zoning permit is secured from the Zoning Officer, and the fee for same duly received. No permit shall be issued for any building or structure which falls under the jurisdiction of the Pennsylvania Uniform Construction Code (PAUCC), adopted by the

Commonwealth of Pennsylvania pursuant to Act 45 of 1999, unless the Applicant shall have first presented to the Zoning Officer a Letter of Review stating that the proposed construction meets all requirements of the Pennsylvania Uniform Construction Code. For one- or two-family dwellings or Accessory uses thereto to which the PAUCC applies, the Review shall be done by a Certified Third Party Reviewing Agency. The Zoning Officer shall maintain a list of Reviewing Agencies approved by the Pennsylvania Department of Labor and Industry to perform Code reviews. Fee arrangements with such Reviewers shall be arranged privately between the Applicant and the Reviewer. For all other types of buildings, the Applicant shall obtain the review from the Pennsylvania Department of Labor and Industry (PAL&I), paying that agency's customary review fee. However, the Board of Supervisors shall not assess a fee for any permit required for the erection of farm buildings provided that said farm buildings otherwise comply with this Ordinance. Upon the completion of the work authorized by any permit, and applicant or owner shall notify the Zoning Officer of said completion. No permit shall be considered as complete or permanently effected until the Zoning Officer has noted on the permit that the work has been inspected and approved as being in conformity with the provisions of this Ordinance.

- B. The Zoning Officer shall not issue a certification that the work of construction of a building or a building addition is in conformity with the provisions of the Zoning Ordinance until the Applicant shall have first presented to the Zoning Officer a Letter of Inspection from the same Certified Third Party Reviewing Agency which reviewed the construction plans (or PAL&I, as applicable), stating that the construction has been inspected for those items required by the Pennsylvania Uniform Construction Code, and has been found compliant therewith. The fee arrangements for this inspection service shall be arranged either privately between the Applicant and the Third Party Reviewer, or shall be PAL&I's customary fee, as applicable.

SECTION 303. Application for Permit. All applications for a zoning permit shall be made in writing by the owner or tenant or authorized agent and shall be filed with the Zoning Officer on forms prescribed. The application: (1) shall include a statement as the proposed use of the building; (2) shall be accompanied by a plan, drawn to scale, showing the location of the building in relation to property and road line; (3) shall include adequate evidence that the side lines of all roads shown in the plan have been located and staked on the premises by a person competent to give such location; and (4) shall include statement that work shall be begun within 90 days of issuance of permit or permit shall be void.

- A. National Pollutant Discharge Elimination System (NPDES) Permit required. Any construction or other activity upon the ground which requires a Zoning Permit under other provisions of the Ordinance, and which will disturb an area of one acre or more, and which area either currently discharges runoff at a Point Source or will discharge at a Point Source following the construction activity, shall require the Applicant to obtain from the Montgomery County Conservation District, or from any successor agency, a National Pollutant Discharge Elimination System (NPDES) Permit prior to the issuance of the required Zoning Permit.
- B. The Applicant for a Zoning Permit for any new principal building or use on a lot greater than one acre in any District shall submit to the Zoning Officer with the Permit Application, a Plan of Grading for such building or use, sealed by a Professional Engineer registered in the Commonwealth of Pennsylvania, showing the limits of disturbance, showing a calculation of such area, and showing sufficient information to determine whether the runoff from the area in question will discharge at a Point Source following the construction activity.
- C. The Plan of Grading shall be used by the Zoning Officer to determine whether or not an NPDES Permit shall be required for the activity under the Zoning Permit. If it is determined that an NPDES Permit is required, Applicant shall obtain the required permit and return with same to the Zoning Officer for his Zoning Permit.

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- D. At the sole discretion of the Zoning Officer, the submission of a Plan of Grading for any use requiring a Zoning Permit may be required if there is a reason to believe the work under the Permit would disturb an area of one acre or more. If the Zoning Officer finds, as a result of examining the Plan of Grading that such work will disturb one acre or more, the Zoning Officer shall require the Applicant to obtain an NPDES Permit prior to issuing a Zoning Permit to the Applicant.
 - E. At the sole discretion of the Zoning Officer may, any Plan of Grading may be referred to the Township Engineer for assistance in making a determination. If so, the fee charged by the Township Engineer for review shall be added to the cost of the Zoning permit, and paid by the Applicant."

SECTION 304. Fees. The applicant for the permit shall, at the time of making the application, pay to the Zoning Officer for Township use, a fee in accordance with a fee schedule adopted by resolution of the Board of Supervisors upon the enactment of this Ordinance, or as such schedule may be amended by resolution of the Board of Supervisors. No fee shall be charged for permits for agricultural as set forth in Section 1902, above.

ARTICLE 4 ZONING HEARING BOARD

SECTION 400. Appointment. The Board of Supervisors of Salford Township shall appoint a Zoning Hearing Board consisting of three members. The Board of Supervisors shall designate one such member to serve until the first day of January following the effective date of this Ordinance, one until the first day of the second January thereafter; and one until the first day of the third January thereafter; shall appoint three successors on the expiration of their respective terms to serve 3 years; and shall fill any vacancy for the unexpired term of any member whose term becomes vacant. The members of the Zoning Hearing Board shall be removable for cause by the Board of Supervisors upon written charges and after public hearing. "Board" when hereafter used in this Article shall mean the "Zoning Hearing Board".

SECTION 401. Powers and Duties. The Board shall have the following powers:

- A. Appeals and Interpretations. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by any administrative official in the enforcement of this Ordinance. To interpret the words, terms, regulations, provisions, and restrictions of this Ordinance where there is doubt as to the meaning thereof.
- B. Special Exceptions. To hear and decide Special Exceptions to the terms of this Ordinance, in such cases as are herein expressly provided for, in harmony with the general purposes and intent of this Ordinance and in furtherance of the Declaration of Legislative Intent of both the Ordinance and the Article in question, if applicable. The Board shall have the power to impose appropriate conditions and safeguards.
- C. Variance. To authorize, upon appeal, in special cases, such variance from the terms of this Ordinance as the Board shall feel will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship and so that the spirit of this Ordinance shall be observed and justice done. The special circumstances requiring a Variance shall be fully set forth in the minutes of the Board, which shall show the vote of each member upon each question.

SECTION 402. Standard for Zoning Hearing Board Actions. In any instance where the Zoning Hearing Board is required to consider any of those matters itemized in Section 401, in accordance with the provisions of this Ordinance the Board shall among other things:

- A. Consider the suitability of the property for the use desired. Assure itself that the proposed change is consistent with the spirit, purpose, and intent of the Zoning Ordinance.
- B. Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood and that the use of the property adjacent to the area included in the proposed change or plan is sufficiently safeguarded.
- C. Determine that the proposed change will serve the best interests of the Township, the convenience of the community (where applicable), and the public welfare.

- D. Consider the effect of the proposed change upon logical, efficient, and economical extension of public services and facilities. The Board shall, in its consideration, ensure that such change will not burden the remainder of the community with additional costs for public service purely for the benefit of the applicant.
- E. Consider the suitability of the proposed location of industrial or commercial use for the respect of probable effects upon highway safety, and assure adequate access arrangement in order to protect streets from undue congestion and hazard.
- F. Be guided in its study, review, and recommendation by sound standards of subdivision practice where applicable. The attention of the Board is specifically directed in this respect to the Township Subdivision and Land Development Ordinance, which shall be considered to represent minimum sound subdivision and land development standards in the view of the Township.
- G. Impose such conditions, in addition to those specifically required in this Ordinance, as are necessary to assure that the intent of the Zoning Ordinance is complied with, which conditions may include, but are not limited to, harmonious design of buildings, planting and its maintenance as a sight or sound screen, the minimizing of obnoxious, offensive, or hazardous elements, adequate standards of parking and sanitation.
- H. Determine that the special circumstances or conditions fully described in the findings applying to the land or buildings, for which the Variance is sought, justify that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.
- I. Determine whether the unique circumstances for which the Variances sought were either created by the owner of the property, or were due to or the result of general conditions in the district in which the property is located. No Variance shall be granted for circumstances created purely by the owner of the property.

SECTION 403. Orders. In exercising the above mentioned powers, the Board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination, appealed from and may make such order, requirement, decision or determination as ought to be made and, to that end, shall have the powers of the officer from whom the appeal is taken.

SECTION 404. Rules of Procedure. The Board shall adopt rules of procedure in accordance with the several provisions of this Ordinance as to the manner of filing appeals or applications for Special Exceptions or for Variances from the terms of this Ordinance. All appeals and applications made to the Board shall be in writing, on forms prescribed by the Board. Each and every appeal or application shall refer to the specific provision of the ordinance involved and shall exactly set forth the interpretation that is claimed, the use for which the Special Exception is sought, the details of the Variance that is applied for, and the grounds on which it is claimed that the Variance should be granted, as the case may be.

SECTION 405. Meetings. Meetings of the Board shall be held at the call of the chairman and at such times that the Board may determine. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon question, or if absent, or failing to vote, indicating such fact, keeping records of its examinations or other official, and all of which shall be immediately filed in the office of the Board and shall be a public record.

SECTION 406. Advisory Review of Planning Commission. At least 10 days before the date of hearing required by law for an application for Special Exception before the Zoning Hearing Board, the secretary of such Board shall transmit to the Planning Commission a copy of the notice of hearing and other information as may have been furnished by the applicant or the Zoning Officer. The Board shall not take final action on any Special Exception until it has either received the advisory opinion of the Planning Commission, or a statement from the Planning Commission declining comment.

SECTION 407. Technical Assistance. The Zoning Hearing Board, in considering any matter within its jurisdiction may consult with the Salford Township Planning Commission, the Montgomery County Planning Commission, or any other groups or specialists having expert knowledge of the matter under consideration, but need not be bound thereby. The Board may also contract for technical advice on the matter under consideration; such costs may be required to be paid by the applicant. (See Section 2104.)

SECTION 408. Notice of Hearings. Upon the filing with the Board of an application for a Special Exception or for a variance or any interpretation from the terms of this Ordinance, the Board shall fix a reasonable time and place for a public hearing thereon and shall give 10 days notice as follows:

- A. By publishing a notice in a newspaper or general circulation published or circulated in the Township.
- B. By mailing or serving due notices thereof to the parties in interest.
- C. By mailing or serving notices thereof to the Township Supervisors.
- D. By mailing or serving notice thereof to the owner or owners, at their last known residence of every lot on the same street within 1,500 feet of the lot or building in question and of every lot not on the same street within 500 feet of said lot or building.
- E. By posting a notice on the building or lot.
- F. By mailing a notice to every resident, or residents' association registered for the purpose.
- G. By mailing a notice to the Township Planning Commission. The notices herein required shall state the location of the building or lot and the general nature of the question involved.

SECTION 409. Appeal to Court. Any person aggrieved by any decision of the Board, or any taxpayer, or any officer of the Township, may within 30 days after any decision of the Board, appeal to the Court of Common Pleas of Montgomery County by petition in such form as may be prescribed or authorized by law.

SECTION 410. Life of Decision. Any Special Exception or Variance granted by the Zoning Hearing Board shall expire at the end of one year from date of decision, unless executed within that time; if construction is involved, the Special Exception or Variance shall be deemed to be executed if construction is begun.

ARTICLE 5

VIOLATIONS, FINES, REMEDIES, AND CHARGES

SECTION 500. Violations. It shall be the duty of the Zoning Officer to take cognizance of violation of this Ordinance. He shall investigate each violation, which comes to his attention whether by observation or communication. He shall order in writing the correction of such conditions as are found to be in violation of this Ordinance.

Failure to secure a Zoning Permit or Zoning Hearing Board Certificate when required, previous to erection, construction, extension, or addition to a building, shall be a violation of this Ordinance.

SECTION 501. Notice of Violation. If a violation is not corrected within 30 days after the date upon which the Zoning Officer issued an order to correct such conditions, it shall be the duty of, the Zoning Officer to notify the Township Supervisors of the violation, who take necessary action to correct the violation. However, if in the opinion of the Zoning Officer the violation creates an imminent danger to life and property, the violator shall be ordered to discontinue such violation immediately.

SECTION 502. Fines. For any and every violation of the provision of this Ordinance the owner, general agent or contractor of a building or premises where such violation has existed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist and the general agent, architect, building contractor or other person who knowingly commits, takes part, or assists in any such violation, or who maintains any building or premises in which such violation shall exist shall be liable upon conviction thereof to a fine not to exceed the maximum permitted under Commonwealth law for each and every offense or imprisonment in Montgomery County Prison for a period not exceeding 30 days, or both, and/or whatever such person shall have been notified by the Zoning Officer or by service of warrant in a prosecution, or in any other way, that he has committed such violation of this Ordinance, each day that he shall thereafter continue the violation shall constitute a separate offense punishable by a like fine or imprisonment.

SECTION 503. Remedies. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used or any hedge, tree, shrub, or other growth is maintained in violation of this Ordinance or of any regulations made pursuant hereto, in addition to other remedies provided by law, any appropriate action or proceedings by authorized legal process may be instituted or taken to prevent such unlawful direction, construction, or reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business or use in or about said premises.

SECTION 504. Charges. The Board of Supervisors shall adopt, by resolution, a fee schedule setting forth the charge to be made for zoning permits; for each appeal or application to the Zoning Hearing Board for a Special Exception or Variance; for certifications; for Conditional Uses, for Land Development, for each application for a change or amendment of the zoning regulations or zoning map and all other charges incident to the administration and enforcement of this Ordinance. Where charges are incurred by the necessity for technical assistance beyond those costs normally included in standard fees (e. g., the hiring of technical experts by the Zoning Hearing Board, or reviews by Township Engineer), the fee schedule may include provisions for such costs to be borne by the applicant.

ARTICLE 6 AMENDMENTS

SECTION 600. Amendments by the Governing Body. The Board of Supervisors of Salford Township, may from time to time amend, supplement, change, modify, or repeal this Ordinance, including the zoning map, by proceeding in the following manner, and as otherwise required by law, with specific reference to Act 247, Pennsylvania Municipalities Planning Code.

SECTION 601. Amendment Procedure. The Board of Supervisors by resolution adopted at a regular or special meeting, shall fix a time and place of a public hearing on, the proposed amendment and cause 30 days notice thereof to be given as follows:

- A. By publishing a notice thereof in a weekly newspaper of general circulation in Township for two successive weeks or in a daily newspaper for three successive days.
- B. By mailing a notice to every resident, or residents' association, registered for the purpose. In addition, notices shall be sent to all property owners within 1,500 feet if only a particular property is involved. The notice shall state the general purpose of the proposed amendment and that full opportunity will be given to any citizen, and all parties in interest attending such hearings. Whenever a proposed amendment affects a particular property, then there shall be posted upon said property or premises at such place or places as the Zoning Officer may direct, notice of said amendment.

SECTION 602. Application for Amendment. Every application for amendments of the Zoning Ordinance shall be first presented to the Zoning Officer and shall contain the following:

- A. The applicant's name and address and his representative, and the interest of every person represented in the application.
- B. A plan showing the extent of the area to be rezoned. Streets bounding and intersecting the area, and the land use and zone classification of abutting districts, and photographs of the area to be rezoned and abutting areas.
- C. A statement of the circumstances in the proposed district and in abutting districts and any other factors on which the applicant relies as reasons for supporting the proposed zoning.
- D. The approximate time scheduled for the beginning and completion of the development in the area.
- E. A site plan to scale, indicate the location of structure, uses and area for off-street parking and loading.
- F. Information about the market areas to be served by the proposed development if a commercial use, including population, affected demand for the proposed business facilities, and any other information describing the relationship of the pro-posed development to the needs of the market areas as the Zoning Officer, Planning Commission, and Governing bodies shall prescribe.
- G. A description of the relationship of the proposed change to the Township's development objectives, as expressed in the Comprehensive Plan; this Ordinance; the Subdivision and Land Development Ordinance; the Tylersport Village Preservation Study; and other pertinent documents. Such description shall show how the proposed change would further the goals and objectives stated in the

above referenced documents; and shall describe how the general welfare of Salford Township and its residents would be enhanced by the proposed change.

SECTION 603. Referral to Planning Commission. All proposed amendments, before adoption, shall be referred to the Planning Commission, if one exists, for recommendations or report which shall not be binding.

ARTICLE 7 NONCONFORMING USE

SECTION 700. Land. Any land, the existing lawful use of which at the time of passage of this Ordinance, does not conform with the regulations of the district in which it is located, shall have such use considered as Nonconforming Use, which may continue on such land but shall be subject to all the other pertinent regulations covering Nonconforming Use.

SECTION 701. Buildings. Any lawful building or structure, or the lawful use of any building existing the time of the passage of this Ordinance that does not conform to use, height, location, size or bulk, with the regulations of the district in which is located shall be considered a nonconforming building or, and may continue such use in its present location, but shall be subject to all other pertinent regulations covering nonconforming uses.

SECTION 702. Buildings Under Construction. A building for which a valid zoning permit has been issued and is actually under construction to the extent of completion of footings may be completed as nonconforming use; buildings not under actual construction at the time of passage of this Ordinance shall be built in conformity with the requirements herein.

SECTION 703. Change of Use. A nonconforming building, structure, or use shall be considered as such unless and until it complies with the regulations of the district in which it is located. Such use shall not be changed to a use designated for a district having less restrictive regulations than the district in which the use is located.

SECTION 704. Discontinued Use. A nonconforming use, when discontinued may be resumed at any time within one year from such discontinuance, but not thereafter. The resumption may be of the same class of uses, but shall not be resumed as a nonconforming use of a lower class.

SECTION 705. Extension. A lawful nonconforming use, or building, or structure or portion thereof, may be extended upon a lot held in single and separate ownership on the effective date of this Ordinance. Such lawful nonconforming use may be continued in any new building erected upon the lot or tract held in single or separate ownership on the effective date of this Ordinance. Provided that the total projected area of buildings or other structures, or the total usable floor space, whichever is the smaller, shall not be increased by more than 25 percent; provided that a nonconforming use occupying a portion of a building may be expanded throughout the building.

- A. A single-family dwelling, which on the effective date of this Ordinance, is non-conforming solely because it is totally located within required front, side, or rear yard areas, may be expanded by any amount otherwise compliant with this Ordinance if such expansion satisfies both 1 and 2 below.
 - 1. All new exterior construction shall take place on the side of the existing building furthest from the lot line to which the non-conforming yard area is adjacent; and

2. No new exterior construction shall extend beyond the greatest exterior dimensions of the existing building in the directions most nearly parallel with the lot line to which the non-conforming yard area is adjacent.
 3. If a dwelling shall be located totally within two intersection yard areas this dwelling may be expanded as provided in 1 and 2 above, except that all new exterior construction shall not extend beyond the exterior dimensions of the existing building in the direction most nearly parallel to the lot line along which the building extends the greater distance; and at the other end the new construction shall not extend beyond the existing lot line.
- B. A single-family dwelling, which on the effective date of this Ordinance is non-conforming solely because it is either partially or totally located within required front, rear, or side yard areas may be expanded vertically within the limits of height prescribed elsewhere in this Ordinance, so long as all new exterior construction remains within the existing extend of the building plan.

SECTION 706. Reduction of Nonconformity. If the owner or occupant of a lawful nonconforming building or structure desires to make a change in such building or structures of a type normally requiring a zoning permit; and if the net effect of such change would be to lessen the degree of nonconformity; The Zoning Officer may, if he determines that to bring the use into complete conformity would work an unnecessary hardship on the applicant, issue a zoning permit for such change without requiring that the use or change meet all requirements for conformance.

(An example would be the demolition of an accessory structure not meeting setback requirements, and its reconstruction in a location where, the setback would be more closely met. Another would be the relocation of a sign or other obstruction from a nonconforming location to another nonconforming location where the degree of obstruction would be lessened.)

SECTION 707. Change or Resumption of Nonconforming Uses. The Zoning Officer shall initially determine what resumption or change of nonconforming use is of the same class of uses and permissible. In the case of dispute of the Zoning Officer's finding, applicant shall request a hearing from the Zoning Hearing Board, which shall proceed as though the matter were a request for a variance.

SECTION 708. Building Destroyed By Explosion, Accident or Calamity. A nonconforming building which has been destroyed or damaged by fire, explosion, accident or calamity, (as contrasted to deterioration due to time or neglect) may be reconstructed and used for the same nonconforming use, provided that:

- A. A reconstructed building shall not exceed in height, area, and volume, the building destroyed.
- B. Zoning permit for reconstruction shall be applied for within 6 months from the date the building was destroyed.

SECTION 709. Building Condemned. A nonconforming building which has been legally ordered to be razed shall not be rebuilt or used as a nonconforming use.

SECTION 710. Temporary Nonconforming Use. A temporary nonconforming use which will benefit the public health, or welfare, or promote property development of the district in conformity with the intent of this Ordinance, may be permitted for a period of not more than one month, on the approval of

the Zoning Officer. Such use to be permitted for a longer period shall require public hearing before the Zoning Hearing Board, after which a zoning permit may be issued for a period not exceeding one year in any case.

SECTION 711. Zoning Permit Required. Zoning permits shall be required for nonconforming buildings, structures, or uses existing at the time of passing of this Ordinance; and shall be issued by the Zoning Officer without charge stating that the use is nonconforming. The Zoning Officer shall notify all occupants of property being used as nonconforming uses, who shall apply for a zoning permit within 30 days after receipt of notice. Zoning Officer shall also issue permits for change of nonconforming use, or for temporary nonconforming use, in accordance with Sections 703, 704, 705 and 710 above.

ARTICLE 8 GENERAL PROVISION

SECTION 800. Effect of Private Covenants. Nothing herein contained shall be construed to render inoperable any enforceable restrictions established by covenants running with the land, and which restrictions are not prohibited by or not contrary to the regulations established herein.

SECTION 801. Lots of Record. A lot which is not of the required lot area but which is of public record and in single and separate ownership; or which is assessed as a separate parcel for real estate tax purposes as of the date of application for Zoning Permit may be used for a permitted use in the district in which it is located, provided that all other requirements of the district are met. The Zoning Officer shall have the authority to determine whether a lot is a lot of record for purposes of issuing a Zoning Permit under this Section.

SECTION 802. Reduction of Lot Area. No lot shall be so reduced that the area of the lot or the dimensions of the required open spaces shall be less than herein prescribed by this Ordinance.

SECTION 803. Obstructions to Vision at Intersections Prohibited. On any lot, no wall, fence, or other structure shall be erected, altered or maintained and no hedge, tree, shrub or other growth shall be planted or maintained over 3 feet in height, which will interfere with or obstruct vehicular or pedestrian vision at any intersection of streets or any street or crosswalk.

SECTION 804. Access to Public Street. Each and every lot shall abut a public street for at least 50 feet at the ultimate right-of-way line.

SECTION 805. Public Utilities. The provisions of this Ordinance shall not be construed to limit or interfere with the construction, installation, operation and maintenance of public or municipal structures, or facilities in existence at the time of passage of this Ordinance, or which may hereafter be located with public easements or rights-of-way designated for such purposes. The location of any construction not within a public easement or right-of-way, however, unless specifically provided for in this Ordinance, shall be subject to approval of the Zoning Hearing Board as a Special Exception, which shall give consideration to the effect of such construction or installation upon the public safety and the character of adjacent neighborhood.

SECTION 806. Dwellings on Single Lot. No more than one dwelling unit shall be permitted on a lot single and separate ownership except as a temporary dwelling (e.g., "guest house"); or as specifically permitted in the "MF" Multi-Family or "VCR" Village Commercial Residential Districts; or as described in Section 1809 below.

- A. Zoning Officer shall be empowered to issue a permit for the temporary placement of a mobile home (without the permanentizing features normally required,) on any lot for a period not to exceed 18 months for the purpose of temporary occupancy while the occupant of same constructs a permanent dwelling on said lot. This permit must be issued jointly with the permit for the permanent dwelling, and may be renewed only for one 6-month extension. At the expiration of the permit, or at occupancy of the permanent dwelling, whichever comes first, the mobile home shall be removed from the site. Such mobile home must have permanent sewage disposal facilities, but may be connected to the sewage system installed to serve the permanent dwelling, if the reconnection to the

permanent dwelling is done in a manner approved by the Sewage Enforcement Officer.

SECTION 807. Building Lighting. For requirements for lighting of parking areas, driveways, and similar spaces, see Article 1902. Building facades, walls, columns, roofs, etc. shall not be externally illuminated, except for seasonal decoration of residential properties (e.g. Christmas lights and similar displays).

SECTION 808. Accessory Uses. Accessory uses authorized in this Ordinance shall include, but not by way of limitation, the following:

- A. Uses accessory to agriculture: greenhouse, roadside stand for sale of agricultural products produced on the premises; barns, preparation of agricultural products produced on premises for use and the disposal thereof by marketing or otherwise.
- B. Uses accessory to dwelling:
 - 1. Private garage, private parking space, private stables and/or barns, private stable and/or raising of horses is limited to lots 1 acre or greater in lot area, and is limited to the rate of one horse per acre on lots of less than 10 acres.
 - 2. Private greenhouse.
 - 3. Living quarters for household employees, caretakers, and watchman.
 - 4. Home Occupation.
 - a. Such uses shall be required, in addition to the parking spaces required for the principal use, to have parking as described in Article 1900 for the use which most nearly describes the home occupation. Determination of the suitable use description shall be made by the Zoning Officer.
 - 5. Private residential swimming pools, subject to the provision that the pool, including decking and aprons, filters and other mechanical equipment, shall not be located within 10 feet of any property line.
 - 6. Towers for reception of radio or television signals, operation of Amateur Radio station, or windmills for powering the electrical system of the residence, or for the delivery of water.
 - a. The structure shall not exceed 100 feet in height.
 - b. The structure shall be set back from the property line a distance of at least one hundred 10 percent of the height of the structure, and at a minimum, comply with required setbacks for the District.
 - c. The structure shall be anchored to the ground in a manner prescribed by a Professional Engineer, registered in the Commonwealth of Pennsylvania. Such plans shall be submitted with Zoning Permit Application.
 - d. If the height is to be greater than 60 feet, the increased height shall be reviewed as a Special Exception in the manner prescribed elsewhere in this Ordinance. If the height is to be greater than that allowed by Special Exception, it shall be subject to review and approval as a Conditional Use.

- e. In wooded areas, the structure may not project above the average height of the surrounding trees by an amount greater than 20 percent of its height.
- f. On lots of less than 10 acres, the structure may not be placed in the area between the principal building and the front yard setback line.
- g. Dish and microwave antennas shall not exceed 10 feet in diameter; dish or microwave antennas greater than 2 feet in diameter may not be located more than 10 feet above finished grade to the lowest edge.
- h. Mounting of a dish or microwave antenna greater than 2 feet in diameter to any building is not permitted where the antenna is visible from any road within 500 feet.

SECTION 809. Conversions. The Zoning Hearing Board may allow, as a Special Exception, the conversion of a single-family dwelling into a dwelling for a greater number of families, subject to the following requirements:

- A. Each dwelling unit shall not have less than 750 square feet of floor area.
- B. The lot area per family is not reduced thereby to an amount less than 75 percent of that required by this Ordinance for the district in which the designated lot is located.
- C. The yard and building area requirements for the district in which the building is located shall not be reduced.
- D. There is no external alteration of the building except as may be necessary for reasons of safety. Fire escapes and outside stairways shall, as far as practicable, be located to the rear of the building.
- E. The Zoning Hearing Board shall specify the maximum number of families permitted to occupy such building, and such further conditions and restrictions as the Board may consider appropriate.
- F. The off street parking requirements of this Ordinance or any other arrangements as deemed appropriate by the Zoning Hearing Board are met.
- G. The conversion shall be authorized only for a large dwelling with relatively little economic usefulness as a conforming use, or for any other arrangement within the intent and purpose of this Ordinance, which may be deemed appropriate by the Zoning Hearing Board.
- H. All regulations pertaining to on lot sewage as defined in the Salford Township on lot Sewage Ordinance and/or the Department of Environmental Resources Regulations shall be strictly adhered to.
- I. Conversions within the VCR District shall meet the requirements of Article 14, rather than of this section.

SECTION 810. Projections into Required Yards. No building and no part of a building shall be erected within or shall project into any required yard in any district, except that:

- A. An unenclosed porch, not more than 18 feet in height, may be erected to extend into a required front

or rear yard a distance of not more than 10 feet, provided that in no case shall it extend into such front or rear yard more than one-half the required depth of the yard.

- B. A terrace, platform, or landing place, not covered by a roof, canopy or trellis, which does not extend above the level of the first floor of the building, may be erected to extend into the required yard a distance of not more than 40 percent of the required depth or width of the yard.
- C. A carriage porch or carport may be erected over a driveway in a required side yard, provided that such a structure is:
 - 1. Not more than 18 feet in height and 20 feet in length and 12 feet in width.
 - 2. Entirely open on at least three sides, exclusive, of the necessary supporting columns and customary architectural features; and
 - 3. At least 10 feet from the side lot line.
- D. A buttress, chimney, cornice, pier, or pilaster of a building may project not more than 3 feet into a required yard.
- E. Open, unenclosed fire escapes, steps, bay window or balcony may project not more than 6 feet into a required yard.

SECTION 814. Elder Apartment (In Existing Dwelling). In any district an existing detached dwelling may be altered to provide a rental apartment by securing a zoning permit from the Zoning Officer, subject to all of the conditions outlined below:

- A. The apartment must be occupied by an elderly or custodial relative of the owner; or the dwelling must be owned by an elderly person.
- B. The dwelling to be altered must be a minimum of 2,000 square feet in habitable area prior to the alteration.
- C. The apartment created may be 750 square feet maximum, and may contain no more than one bedroom.
- D. The remaining habitable area of the original dwelling may not be reduced to less than 1,500 square feet.
- E. The new apartment must have a separate outside entrance.
 - 1. The new apartment and the remaining dwelling unit may share an entry vestibule; however, the entry doors from the vestibule to the dwelling units must have doors with separately keyed locks.
 - 2. There may be a connecting door between the two dwelling units if there is not a common entry vestibule.
- A. There shall be no exterior alterations to the building except for the new entrance, and alterations required for health or safety reasons.

- B. There shall be no addition to the floor area of the original dwelling, excepting that a maximum addition of 10 percent may be allowed as a Special Exception if it is determined to be necessary to lay out the new apartment in a safe and/or logical manner.
- C. In addition to the number of parking spaces required in this Ordinance for the original dwelling, one additional parking space (off-street) shall be provided.
 - 1. No additional driveway entrances to the street shall be created.
 - 2. If the front yard is used for parking, a maximum of 25 percent of the area (between building setback line and building) may be used for parking area. On corner lots, either the front yard, or the side yard nearest the street, may be used for this parking, but not both.
- D. If no additional bedrooms are created by the conversion and upon certification of the Township's Sewage Enforcement Officer that there is no evident malfunction of the existing septic system, no further revisions to on-site sewage system is required.
- E. If an additional bedroom is created by the conversions, a permit shall be obtained for the required alterations to the on-site sewage system prior to issuance of a Zoning Permit for the conversion. The Township may require escrow funds or other surety for on-site sewage alterations.

SECTION 815. Conversion of Existing Accessory Building. In any district, except the VCR District, one existing accessory building on a lot with an existing single-family detached dwelling may be altered to provide one rental apartment by Special Exception, subject to all of the conditions outlined below:

- A. In RC and RA Districts, there are no size limitations on an otherwise conforming lot. If the lot is an existing non-conforming lot, it must be at least 75 percent of the minimum size required in the District, and the applicant must demonstrate that the conversion can be made without adverse effect on surrounding properties.
 - 1. In RR District, lots must be of conforming size.
 - 2. In all other districts, the lot must be a minimum of one and one half times the required minimum size for the District.
- B. The apartment produced by the conversion must be occupied by an elderly or custodial relative of the property owner; or the property must be owned by an elderly person.
- C. The apartment produced by the conversion may be 750 square feet maximum.
- D. There shall be no exterior alterations to the building or structure being converted, except for required windows and doors, and the addition of dormers for windows on a half-story roof; or, if the accessory building is a garage, the removal and closing off of the garage door(s) shall be allowed.
 - 1. An exterior stair may be added if the new apartment is not on the ground floor, if it is shown that an interior stair cannot be created in a reasonable manner. This outside stair may be covered and enclosed from the weather. Except for this, there shall be no addition to the floor area of the building being converted.
- E. In addition to the number of parking spaces required for the original dwelling, two additional parking spaces (off-street) shall be provided.

1. No additional driveway entries to the street shall be created.
 2. If the front yard is used for parking, no more than 25 percent of the area (between building set back line and principal building) may be used for parking area. On corner lots, a maximum of 25 percent of either the front yard, or the side yard nearest the street, may be used, but not both.
- F. The new apartment must be served by the same well as the existing dwelling.
- G. A permit shall be obtained from the Township Sewage Enforcement Officer either certifying that the existing on-site sewage system is adequate to accept the additional usage created by the new apartment, or permitting the required alterations to the system. Evidence that such a permit is granted shall be submitted with the application for a Special Exception.
1. Township may require escrow funds or other surety for on-site sewage alterations.
- H. Once approval for Special Exception is received, a zoning permit shall be secured from the Zoning Officer for the conversion.
- I. Only one accessory building on a single property may be converted as permitted in this Section.

SECTION 816. Elder Cottages (Mobile or Modular). In any district, an Elder Cottage may, by Special Exception, be placed on a property with an existing single-family detached dwelling subject to all the conditions outlined below:

- A. The Elder Cottage must be occupied by an elderly relative of the property owner.
- B. The Elder Cottage must be a manufactured or modular unit.
- C. Title to the Elder Cottage must be owned by the owner of the principal building, or by the Elderly tenant.
- D. The Elder Cottage may be a maximum of 400 square feet in floor area.
- E. The Elder Cottage must be placed on a temporary foundation, and shall have enclosing skirts securely attached to enclose the foundation area.
- F. The Elder Cottage shall be removed within 6 months of cessation of occupancy by the elderly tenant.
 1. This shall not prohibit periods of non-residency for medical or other reasons. However, over a period of 2 years, residency less than 50 percent of the total time shall constitute cessation of occupancy.
 2. During any period of non-residency, the Elder Cottage shall not be occupied by any other party.
- G. In addition to the number of parking spaces required for the original dwelling, one additional off-street parking space shall be provided.
 1. The total parking area shall meet the requirements of 815 E.1 and E.2, above.
- H. Sewage and water supply must comply with Section 815 F, G, and G.1, above.

- I. The placement of the Elder Cottage shall comply with the side and rear yard requirements of the District for an accessory building, and with the front yard requirements of the District for a principal building.
 - 1. Total site coverage of all existing buildings, plus the Elder Cottage shall not exceed 110 percent of the permitted site coverage for the District.
- J. Once approval for Special Exception is received, a Zoning Permit shall be secured from the Zoning Officer.
- K. The owner of the principal building on the property shall file annually with the Zoning Officer a report indicating whether the tenant is or is not occupying the Elder Cottage, and shall pay to the Zoning Officer a fee, as set by the Board of Supervisors, for the filing and handling of the report.

SECTION 817. Definitions. Words and phrases used throughout Sections 814, 18615, and 88, shall have the same meanings as for the remainder of this Ordinance. In addition, the following words and phrases shall have the definitions indicated below wherever they appear in Sections 814, 815, and 88.

- A. **CUSTODIAL.** A person who, by reason of physical or mental impairment, which is expected to be lifelong, or to result in death, is incapable of independent living, but rather requires as a minimum part-time supervision, assistance, or care by others.
- B. **DETACHED DWELLING.** A single-family home consisting of a single structure, and not connected physically to any other building. A dwelling which is not a duplex, twin, row home, townhouse, apartment or similar type structure.
- C. **ELDERLY.** A person 62 years of age or older. Where a dwelling unit as described in Sections 814, 815, or 816 is to be occupied by a couple, at least one of the persons shall be elderly.
- D. **MANUFACTURED (home).** A self-contained dwelling unit for one family, which is assembled off-site and is delivered to the site complete and ready for occupancy except for minor and incidental unpacking and assembly, and except for the connection of utility lines.
- E. **MODULAR (home).** A manufactured unit which is factory-produced in more than one section, the sections being joined on the site into an integral dwelling unit.
- F. **RELATIVE.** A person related by blood, or by legal adoption.

ARTICLE 9 ESTABLISHMENT OF DISTRICTS

SECTION 900. Classes of Districts. For the purpose of this Ordinance, Salford Township is hereby divided into classes of districts, which shall be designated as follows:

RC	Rural Conservation District
RA	Residential Agricultural District
RR	Rural Residential District
FPC	Flood Plain Conservation District
SSC	Steep Slope Conservation District
VR	Residential District
VCR	Village Commercial Residential District
MF	Multi-Family Residential District

The locations and boundaries of such districts shall be as shown upon the map attached to and hereby made a part of this Ordinance, which shall be designated "Zoning Map". The said map, and all the notations, references and other data thereon, shall be as much a part of this Ordinance as if fully described herein.

SECTION 901. District Boundaries. The boundaries between districts are shown on the Zoning Map, and the following rules shall apply:

- A. Where a district boundary is indicated as approximately following the centerline of a street, lane, lake or watercourse, or right-of-way of a power line, or other public utility, such center line shall be construed to be such boundary.
- B. Where a district boundary is indicated as approximately following a lot line or other property line, such lot line or property line shall be construed to be such boundary.
- C. Where a district boundary divides a lot or runs through undivided, the location of such boundary shall be as on the Zoning Map, and construed to begin and end at the points evident from the map, such as an intersection of streets, or the intersection of other obvious boundaries.
- D. Where figures are shown on the Zoning Map between a street and a district boundary, they shall indicate that the district boundary runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicated, unless specified.
- E. Where a district boundary line divides a lot held in single and separate ownership at the effective date of this Ordinance, the use regulations applicable to the less restricted district shall extend over the portion of the lot in the more restricted district a distance of not more than 50 feet beyond the district boundary line, provided that the regulations as to the use in the less restricted district may extend a distance of more than 50 feet beyond the district boundary line when authorized as a Special Exception.

SECTION 902. Federal and State-Owned Property. Whenever federal- or state-owned property is included in one or more zoning districts, it shall be subject to the provisions of this Ordinance only insofar as permitted by the Constitution and laws of the United States of America and of the Commonwealth of Pennsylvania.

SECTION 903. Density Adjustments. In the RC Rural Conservation District, the RA Residential Agricultural District, and the RR Rural Residential District, the following density adjustment factors are to be used to determine 1) total developable area; 2) maximum tract density; and 3) minimum individual lot acreage.

- A. Total Developable Area Calculation (Site). Total Developable Area shall be defined as the total area of a site as modified by the applicable density factor(s) listed in Table 903.1, below, in the manner described herein. In calculating the maximum tract density the developer shall determine the number of acres containing each natural feature and multiply by the applicable density factor, as listed in Table 903.1, below, to determine the developable area subject to each feature. After calculating the total acreage for each category, the total of these categories is added to the acreage, if there is any, that does not contain any of the natural features listed or is not contained within any rights-of-way, to get total developable area for the site.

TABLE 903.1 Density Factors

Natural Features	On-Site Water & Sewer	Central Water	Central Sewer	Central Water & Sewer
SOILS:	Density factor	Density factor	Density factor	Density factor
A. Seasonal High Water Table: Less than 18" 18" - 36"	.33 .67	.33 .67	.33* .67*	.33* .67*
B. Depth to Bedrock: Less than 42"	.67	.67	.67*	.67*
DIABASE	.33	.33**	.33	.33**
LOCKATONG	.67	.67	.67	.67* **
WATERBODIES	.00	.00	.00	.00
WATERCOURSES	.00	.00	.00	.00
FLOODPLAIN	.00	.00	.00	.00
WETLANDS	.00	.00	.00	.00
SLOPES: 15% - 24% Greater than 24%	.33 .00	.33 .00	.33 .00	.33 .00

* Applies to a sewage system that utilizes land for treatment/disposal purposes. For a sewage system not utilizing land, the density factor equals 1.0.

** Applies to a site that utilizes individual well(s) as the water source. For a site not utilizing individual well(s), the density factor equals 0.67. No development utilizing central water service from on-site wells shall be placed in an area of Diabase or Locatong.

In the event that a portion of a tract is underlain by more than one natural feature subject to a density adjustment factor, that acreage shall be subject to the most restrictive factor only.

Since acreage that is contained within public or private rights-of-way, any portion of these items that also contains a natural feature subject to a density factor should not be included when calculating developable area subject to that natural feature.

SECTION 904. Method of Calculation.

A. Calculations shall be done as follows:

1. Acreage without natural features as listed above, and outside public rights-of-way:

Subtotal = _____

2. Acreage subject to density factor adjustment:

Acreage (soils) x density factor	=	
Acreage (diabase) x density factor	=	
Acreage (water bodies) x density factor	=	
Acreage (watercourses) x density factor	=	
Acreage (floodplain) x density factor	=	
Acreage (wetlands) x density factor	=	
Acreage (slopes 15% +) x density factor	=	

Subtotal = _____

3. DEVELOPABLE AREA (1 + 2)

TOTAL = _____

B. Maximum Tract Density Calculation. Total developable area is divided by the minimum developable lot area in the underlying zoning district to determine the maximum number of permissible lots on the tract and, therefore, the maximum density.

$$\text{Maximum Density} = \frac{\text{Total Developable Area}}{\text{Minimum Developable Lot Area}}$$

All total tract density values shall be rounded to the lowest whole number, i.e., 5.97 equals a maximum density of 5 lots.

Note: Maximum density is the maximum number of lots that could be created. Depending on the configuration of the tract, the maximum site density may be unattainable.

C. Minimum Individual Lot Acreage Calculation. Each proposed lot shall be analyzed according to the density factors. When establishing a lot, the subdivider shall determine the number of acres containing each natural feature and multiply by the applicable density factor to determine the developable area subject to each feature as they occur on the lot. After calculating the total acreage for each category, the total is added to the acreage, if there is any, that does not contain any natural feature listed or is not contained within any rights-of-way. This total developable area for each individual lot must add up to the minimum developable lot area in order to be an acceptable lot. This procedure must be performed for each proposed lot.

Developable Area (Lot)

1. Acreage without natural features listed above, and outside public rights-of-way.

Subtotal = _____

2. Acreage subject to density factor adjustment:

Acreage (soils) x density factor	=	_____
Acreage (diabase) x density factor	=	_____
Acreage (water bodies) x density factor	=	_____
Acreage (watercourses) x density factor	=	_____
Acreage (floodplain) x density factor	=	_____
Acreage (wetlands) x density factor	=	_____
Acreage (slopes 15% +) x density factor	=	_____

Subtotal = _____

3. DEVELOPABLE AREA (1 + 2)

TOTAL = _____

SECTION 905. Example.

RC Zoning District (Minimum Developable Lot Area = 87,120 square feet)

Site Area = 10 acres, on-site sewer and water

Natural Features: floodplain; soils with shallow depth to bedrock

A. Total Developable Area Calculation (Site)

1. Acreage without natural features and outside public rights-of-way. (2.5)

Subtotal = 2.50

2. Acreage subject to density factor adjustment:

Acreage (soils) x density factor (5.5 x .67)	=	<u>3.69</u>
Acreage (diabase) x density factor	=	_____
Acreage (water bodies) x density factor	=	_____
Acreage (watercourses) x density factor	=	_____
Acreage (floodplain) x density factor (2 x 0.0)	=	<u>0.00</u>
Acreage (wetlands) x density factor	=	_____
Acreage (slopes 15% +) x density factor	=	_____

Subtotal = 3.69

3. DEVELOPABLE AREA (1 + 2)

TOTAL = 6.19

B. Maximum Tract Density Calculation

Maximum Density = $\frac{\text{Total Developable Area}}{\text{Minimum Developable Lot Area}}$

Maximum Density = $\frac{6.19 \text{ acres} = 269,636.4 \text{ square feet}}{87,120 \text{ square feet}} = 3.095 \text{ or } 3 \text{ lots}$

C. Minimum Individual Lot Acreage Calculation. Proposed Lot 1 gross area = 4.13 acres

Developable Area (Lot):

1. Acreage without natural features and outside public rights-of-way. (0.0)

Subtotal = 0.00

2. Acreage subject to density factor adjustment:

Acreage (soils) x density factor (3.52 x .67)

= 2.36

Acreage (diabase) x density factor

=

Acreage (water bodies) x density factor

=

Acreage (watercourses) x density factor

=

Acreage (floodplain) x density factor (.61 x 0.0)

= 0.00

Acreage (wetlands) x density factor

=

Acreage (slopes 15% +) x density factor

=

Subtotal = 2.36

3. DEVELOPABLE AREA (1 + 2)

TOTAL = 2.36

Lot 1 is an acceptable lot since it has a developable area greater than or equal to the minimum developable lot area of the underlying zoning district.

Note: For the example tract, lot sizes could range from 87,120 square feet (the minimum developable lot area) where none of the listed natural features occur, to 2.74 acres where the lot is completely underlain by soils with 24 inches depth to bedrock. A lot could not exist where its entire area lies within the floodplain.

SECTION 906. Natural Features Determination. The following procedure shall be followed to determine the presence, location, and boundaries of all natural features and, except as provided for elsewhere in this Ordinance, to address disputes concerning these features:

- A. The presence, location, and boundaries of any natural feature(s) shall be determined by the applicant through on-site survey and reference to Soil Survey of Montgomery County, Soil Conservation Service, United States Department of Agriculture, and/or United States Geologic Survey topographic maps.
- B. The Township Planning Commission shall review the applicant's information and provide the initial determination of the presence, location, and boundaries of all natural features located on the site(s).
- C. Should a dispute arise concerning the Township Planning Commission's decision, the applicant shall have the burden of proving that a different finding is warranted. The applicant shall submit to the Township Planning Commission all technical information and documentation supporting a different finding, including any information or findings from qualified agencies such as the Soil Conservation Service. The Township Planning Commission shall refer the information to the Township Engineer. Upon review, the Township Engineer shall make a final determination.
- D. In the event that the Township Engineer's final determination is disputed, the applicant may appeal to the Township Zoning Hearing Board.

ARTICLE 10 RC RURAL CONSERVATION DISTRICT

SECTION 1000. Declaration of Legislative Intent. In addition to furthering the general goals and objectives stated in Article 1 of this Ordinance, the specific intent of this Article is to minimize the amount of new suburban development which occurs in the portion of the Township that is now rural in character and is designated in the RC Rural Conservation District, and to blend that which does occur here unobtrusively into the rural environment. It is the intent of the township to encourage new suburban development to locate in Districts with less severe environmental constraints, and conversely to discourage such growth within this zoning district; the environmental imperatives of this area can then shape and complement the form of the present and future development while preserving the natural features, the agricultural activities and other key components of the rural environment by not crowding them with suburban uses and hastening their demise. In advancing these principles, the following shall be the specific objectives of the RC Rural Conservation District:

- A. Discourage the location of non-rural uses which do not blend with and complement the rural character.
- B. Maintain a sufficiently low density and intensity of uses to not require typical suburban type improvements, services, facilities and infrastructure.
- C. By so limiting the need for intensive services, to avoid the necessity of excessive taxation upon all the residents of the Township for the purpose of supporting services in the district which by nature of their low density, or expense of installation, are inherently uneconomic.
- D. Preserve from development the natural amenities existing here, including but not limited to, agricultural soils, woodlands, floodplains, steep slopes and stream valleys.
- E. Maintain rural vistas, especially from public areas such as roads and waterways.
- F. Locate housing units and other non-rural uses where they are least visible and hidden by topography or vegetation and thus minimize perceived density.
- G. Preserve the existing forested areas of the Township from destruction, so as to maintain their continued functioning as a climatic moderator for the Township, and as a natural rainwater retention system for the avoidance of stream flooding.
- H. Tailor development for the district to its natural capacity to provide necessities such as water and waste disposal wholly from resources within the district without degrading the district's resources so that they cannot support the district's population.

SECTION 1001. Use Regulations. A building may be erected, altered or used, and a lot may be used or occupied, for any of the following purposes, and no other:

- A. Single-family detached dwelling.
- B. Natural open space uses primarily of a passive nature and conducted out of doors, including wildlife sanctuary; forest preserve; nature center; arboretum outdoor education center, and similar uses.

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- C. Game farm, fish hatchery; hunting or fishing preserves; or similar uses designed for the protection or propagation of wildlife.
 - D. Agricultural activities of the following types provided they are conducted in accordance with recognized sound soil conservation practices:
 - 1. The cultivation, harvesting and sale of crops and related farm products.
 - 2. The raising and sale of livestock or fowl, along with associated pasture and grazing land.
 - 3. Orchards, nurseries, greenhouses and related horticultural uses, but not including retail sales.
 - E. Accessory uses on the same lot with and customarily incidental to any permitted use.
 - F. Tree harvesting in accordance with the requirements of Article 20 (Section 2000 and following).
 - G. Home occupations.
 - H. Municipal building.
 - I. Single-family detached dwelling converted for multiple occupancy when authorized as a Special Exception, subject to the provisions of Article 8, Section 809 - Conversions.
 - J. Any of the following uses by Special Exception:
 - 1. Stable or horseback riding academy.
 - 2. Animal hospital, including kennel.
 - 3. Garden supply.
 - 4. Day care center.
 - 5. Billboards
 - K. Single-family detached dwelling converted for multiple occupancy when authorized as a Special Exception, subject to the provisions of Article 8, Section 809 - Conversions.

SECTION 1002. Conditional Uses. The following uses may be allowed in the RC Rural Conservation District by the Township Board of Supervisors after recommendation by the Township Planning Commission, provided they meet the standards and criteria set forth in Section 1004.

- A. Day camp, summer camp, resort, private swimming club, provided that no year-round dwellings are permitted in connection therewith, except that adequate water and sewage disposal facilities are included for all such uses, and provided that, in accordance with the purposes and intent of this Ordinance, the land area requirements per occasional dwelling unit shall be the same as those required for single-family detached dwellings as provided in Section 1006 of this Article, provided, however, that such land area may be determined by dividing the overall area devoted to such use, by the number of occasional dwelling units placed thereon.
 - 1. In the event that the guests shall be housed in dormitories or other group habitation rather than in single-family dwellings, the required land area shall be the required unit area (5 acres) per 10 persons, or fraction thereof.

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- B. Parks and recreation areas providing facilities primarily of a non-intensive nature, including hiking, bicycle, or bridle trails; picnic areas; fishing areas; "rod-and-gun clubs", and similar activities that are conducted out-of-doors.
- C. Radio, television, or cellular telephone tower, under the following conditions:
1. Tower and guy wires shall be enclosed in a security fence at least 8 feet high.
 2. Fenced area shall be screened with vegetation as approved by the Township.
 3. Plans and drawings for the structure shall be prepared by a Professional Engineer, registered in the Commonwealth of Pennsylvania.
 4. Tower and associated equipment shall be automated and unattended except for periodic inspection and maintenance.
 5. Applicant shall demonstrate both the need for the facility and that it is the minimum height required for the proposed service.
 6. Applicant shall demonstrate that the facility complies with all Commonwealth and federal laws and regulations with respect to public safety and aviation safety.
 7. Tower shall be set back from the property line a distance equal to 110 percent of its height, and may not in any case be closer than 200 feet from any residence or building accessible to the general public existing at the time of construction.
 8. Applicant shall demonstrate that he has made a good-faith effort to obtain permission to mount the antenna(s) on or in an existing building, structure or tower, by contacting all owners of potentially suitable buildings or structures within one mile of the proposed site, and that one or more of the following reasons, supported by engineering or other related data, preclude using the other building(s) or structure(s):
 - a. Proposed antenna(s) would exceed the structural capacity of the alternative site, and reinforcement cannot reasonably be achieved.
 - b. The alternative site does not have adequate space, height, or access to perform its intended function.
 - c. The use of the alternative site would result in a threat to public safety, or would cause radio frequency interference with other equipment at the same site, which cannot reasonably be prevented or corrected.
 - d. A commercially reasonable agreement could not be reached with the Owner of the alternative site.
 9. A sign, not exceeding 2 feet square, shall be affixed to the entry gate of the facility with contact information for the owner.
 10. Structure shall not protrude above the average height of existing trees on the site by more than 50 feet, and shall, if required, be concealed by structure or materials designed to simulate existing tree branches and vegetation.
 11. Any antenna(s) to be affixed to any existing structure shall be either enclosed within the existing building or structure, or shall be fully-screened from view in an approved manner. The antenna(s) and screening shall not exceed the overall building height limitations of the District.

SECTION 1003. Application Procedures. Uses permitted as Conditional Uses under Subsections 1002.A or B, above, are of a type requiring approval as a Land Development under the Township Subdivision and Land Development Ordinance all such applications shall be submitted simultaneously as a Conditional Use application as provided below; and as an application for the Preliminary Plan of Land Development to the Planning Commission as provided in the Township Subdivision and Land Development Ordinance. The two applications will be considered jointly, and no approval for land development shall be granted unless Conditional Use approval is granted simultaneously. Other Conditional Uses enumerated in Section 1002 require only a Conditional Use Application.

Any person desiring to use a tract of land for a use specified in Section 1002 shall make application in writing to the Township Board of Supervisors. Such applications shall include, as a minimum a Preliminary Plan indicating basically how the applicant intends to develop the property, and sufficient data to document compliance with the standards specified in Section 1004. The governing body shall schedule a public hearing on said application within 60 days, unless the applicant waives this time limit.

- A. Public Hearing. Prior to deciding to approve or deny the use of a tract for Conditional Use, the governing body shall hold a public hearing thereon pursuant to public notice. At least 45 days prior to the date of the hearing, one copy of the development proposal and all additional submitted information shall be transmitted to the Montgomery County Planning Commission together with a request that this agency submit recommendations regarding said use.
- B. Development Plan. In the case of uses under Subsections 1002 A and B, above, no final action shall be taken by the Board of Supervisors until after receipt of Township Planning Commission recommendations on the concurrent Preliminary Plan of Land Development, as detailed in the Subdivision and Land Development Ordinance.

SECTION 1004. Standards and Criteria for Conditional Uses. The uses listed in Section 1002 may be allowed by the Township Board of Supervisors provided the proposed use is found to be consistent with the intent of the RC Rural Conservation District as expressed in Section 1000, and the following criteria are met. The burden of proving compliance with these criteria shall be on the applicant.

- A. Function of Proposed Facility. The proposed use shall be one for which there is a demonstrated need, and not one which would be more logically located elsewhere, such as in a more open or level area. Furthermore, the proposed use shall not be one that adversely affects its neighboring uses with excessive noise, glare, odor, dust, or similar problems.
- B. Scale. The proposed use shall not impose upon its neighbors through either functional or visual means, but rather blend with or transition to them in a quiet and unobtrusive manner to complement those in the surrounding area.
- C. Rural Character. The buildings and/or uses shall preserve to the maximum extent possible all floodplains, stream valleys, steep slopes, wooded areas, prime agricultural soils and similar environmentally sensitive areas and shall be planned to minimize the perceived density of intensity of development; after development the site shall retain a basically open or rural character.
- D. Traffic. The existing road system must be able to accommodate the peak traffic generated by the facility in a safe and efficient manner, without degrading or destroying the rural character. Existing residential areas shall not be infringed upon by significant volumes of nonresidential traffic

- E. Water Supply. Sufficient water must be available to accommodate all the needs of the proposed facility, without adversely affecting existing water supply systems in the area or depleting the water supplies faster than they can naturally be replenished. Certification of adequacy may be required in accordance with the Township Subdivision and Land Development Ordinance.
- F. Sewage Disposal. Sewage from the proposed facility must be processed and the effluent discharged in an environmentally safe manner, which does not adversely affect any abutting land.
- G. Visual. The proposed facility must be hidden or visually blend into the surrounding rural environment, or alternately, adequate buffering must be provided to accomplish this.

SECTION 1005. Height Regulation. The maximum height of buildings and other structures erected or enlarged in this District shall be:

- A. For any dwelling, 35 feet, not exceeding 2½ stories.
- B. For any building accessory to any dwelling use, 18 feet, not exceeding one story.
- C. For any other non-dwelling building or other structure, 35 feet, except as provided by Section 808B.6. of Article 8, or that, when approved by the Zoning Hearing Board as a Special Exception, such height may be increased to a maximum of 60 feet or such increased height as may be warranted for such structures as water towers, barns, silos, chimneys, stacks, radio antenna, and transmission towers, provided that for every foot of height in excess of 35 feet there shall be added to each yard requirement one corresponding foot of width or depth.

SECTION 1006. Area, Width, and Yard Regulations.

- A. Minimum Lot Area and Width. A lot of not less than 2 developable acres (87,120 square feet), as defined in the Section 903 of this Ordinance, and a lot width of not less than 350 feet at the building line shall be provided for every principal building or structure erected.
- B. Front Yard. There shall be a front yard for every building that shall be not less than 75 feet in depth from the ultimate right-of-way. Front yard for each recreational building shall not be less than 100 feet in depth from the ultimate right-of-way.
- C. Side Yards.
 - 1. On each corner lot there shall be 2 side yards, the side yard abutting the street having a width of not less than 75 feet from the ultimate right-of-way for each residential building, or 100 feet from the ultimate right-of-way for each recreational building; and the side yard not abutting the street having a width of not less than 50 feet.
 - 2. On each lot other than a corner lot, there shall be 2 side yards having an aggregate width of not less than 150 feet, neither side yard having a width of less than 50 feet.
 - 3. No accessory building shall be erected nearer than 10 feet to a side lot line.
- D. Rear Yard. There shall be a rear yard on each lot the depth of which shall not be less than 75 feet except that an accessory use structure may be erected within the rear yard not closer to the rear property line than 30 feet.

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- E. No farm building or other structure for the keeping or raising of livestock or poultry shall be erected or used nearer to any lot line than 100 feet.
 - F. Building Coverage. Not more than 10 percent of the area of any lot shall be occupied by buildings.
 - G. Area for Livestock or Poultry. The keeping and raising of livestock or poultry is limited to lots 1 (one) acre or greater in lot area. On lots of less than 10 acres, livestock is limited to the per acre rate of: 1 head of large livestock (e.g., horses, cows, steers); 5 head of medium-sized livestock (e.g., sheep, swine, goats); or 100 fowl (1,000 if confined to buildings).
 - 1. For livestock not included above, densities shall be in accordance with recommendations of the Montgomery County Cooperative Extension Service.

SECTION 1007. Reversion of Conditional Use. Should any Conditional Use (whether developed in conformity with this Article or a pre-existing non-conforming Conditional Use) be discontinued, the zoning requirements for such land shall revert to the basic zoning requirements specified in this Article. Such land shall be developed in complete conformity with the all-underlying basic requirements of this Article, notwithstanding any existing facilities arrangements, structures, or other features that may have existed prior to such reversion.

ARTICLE 11

RA RESIDENTIAL AGRICULTURAL DISTRICT

In RA Residential Agricultural District, the following regulations shall apply:

SECTION 1100. Use Regulations. A building may be erected, altered or used, and a lot may be used or occupied, for any of the following purposes, and no other:

- A. Single-family detached dwelling.
- B. Single-family detached dwelling converted for multiple occupancy when authorized as a Special Exception, subject to the provisions of Article 8, Section 809 - Conversions.
- C. Natural open space uses primarily of a passive nature and conducted out-of-doors, including wildlife sanctuary; forest preserves; nature center; arboretum; outdoor education center and similar uses.
- D. Game farm; fish hatchery; hunting or fishing preserve; or similar uses designed for the protection or propagation of wildlife.
- E. Parks and recreation areas providing facilities primarily of a non-intensive nature, including hiking, bicycle, or bridle trails; picnic areas; fishing areas; playing fields; and similar activities which are conducted out-of-doors.
- F. Agricultural activities of the following types provided they are conducted in accordance with recognized sound soil conservation practices:
 - 1. The cultivation, harvesting and sale of crops and related farm products.
 - 2. The raising and sale of livestock or fowl, along with associated pasture and grazing land.
 - 2. Orchards, nurseries, greenhouses and related horticultural uses, but not including retail sales.
- G. Accessory uses on the same lot with and customarily incidental to any permitted use.
- H. Tree harvesting in accordance with the requirements of Article 20 (Section 2000 and following.)
- I. Home occupations.
- J. Municipal building or other municipal uses.
- K. Any of the following as a Special Exception:
 - 1. Stable or horseback riding academy.
 - 2. Animal hospital, including kennel.
 - 3. Garden supply.
 - 4. Day care center.
 - 5. Religious use.

SECTION 1101. Height Regulation. The maximum height of buildings and other structures erected or enlarged in this District shall be:

- A. For any dwelling, 35 feet, not exceeding 2½ stories.
- B. For any building accessory to any dwelling use, 18 feet, not exceeding one story.
- C. For any other non-dwelling building or other structure, 35 feet, except that such height may be increased to a maximum of 60 feet or such increased height as may be warranted when approved by the Zoning Hearing Board as a Special Exception for such structures as water towers, barns, silos, chimneys, stacks, radio antenna and transmission towers, provided that for every foot of height in excess of 35 feet there shall be added to each yard requirement one corresponding foot of width or depth.

SECTION 1102. Area, Width and Yard Regulations.

- A. Minimum Lot Area and Width. A lot of not less than 2 developable acres (87,120 square feet) as defined in Article 903 of this Ordinance, and a lot width of not less than 225 feet at the building line shall be provided for every building or other structure erected.
- B. Front Yard. There shall be a front yard for each building that shall not be less than 75 feet in depth from the ultimate right-of-way.
- C. Side Yards.
 - 1. On each corner lot there shall be 2 side yards, the side yard abutting the street having a width of not less than 75 feet from the ultimate right-of-way for each residential building, or 100 feet from the ultimate right-of-way for each recreational building; and the side yard not abutting the street having a width of not less than 50 feet.
 - 2. On each lot other than a corner lot, there shall be 2 side yards having an aggregate width of not less than 150 feet neither side yard having a width of less than 50 feet.
 - 3. No accessory building shall be erected nearer than 10 feet of a side lot line.
- D. Rear Yard. There shall be a rear yard on each lot the depth of which shall be not less than 75 feet except that an accessory use structure may be erected within the rear yard not closer to the rear property line than 30 feet.
- E. No farm building or other structure for the keeping or raising of livestock or poultry shall be erected or used nearer to any lot line than 100 feet.
- F. Building Coverage. Not more than 10 percent of the area of any lot shall be occupied by buildings.
- G. Area for Livestock, Horses or Poultry. Shall be as specified in Subsection 1006.G, herein.

ARTICLE 12

RR RURAL RESIDENTIAL DISTRICT

In RR Rural Residential District, the following regulations shall apply:

SECTION 1200. Use Regulations. A building may be erected, altered or used, and a lot may be used or occupied, for any of the following purposes, and no other:

- A. Single-family detached dwelling.
- B. Single-family detached dwelling converted for multiple occupancy when authorized as a Special Exception, subject to the provisions of Article 8, Section 809 - Conversions.
- C. Natural open space uses primarily of a passive nature and conducted out-of-doors, including wildlife sanctuary; forest preserve; nature center; arboretum; outdoor education center; and similar uses.
- D. Game farm; fish hatchery; hunting or fishing preserve; or similar uses designed for the protection or propagation of wildlife.
- E. Parks and recreation areas providing facilities primarily of a non-intensive nature, including hiking, bicycle, or bridle trails; picnic areas; fishing areas; playing fields; and similar activities which are conducted out-of-doors.
- F. Agricultural activities of the following types provided they are conducted in accordance with recognized sound soil conservation practices:
 - 1. The cultivation, harvesting and sale of crops and related farm products.
 - 2. The raising and sale of livestock or fowl, along with associated pasture and grazing land.
 - 3. Orchards, nurseries, greenhouses and related horticultural uses, not including retail sales.
- G. Accessory uses on the same lot with and customarily incidental to any permitted use.
- H. Tree harvesting in accordance with the requirements of Article 20 (Section 2000 and following).
- I. Home occupations.
- J. Fire station.
- K. Community center.
- L. Athletic field or other such recreational use.
- M. Municipal building or other municipal uses.
- N. Any of the following as a Special Exception:

1. Stable or horseback riding academy.
2. Animal hospital, including kennel.
3. Garden supply.
4. Day care center.
5. Billboards.
6. Religious use.
7. Private school.

SECTION 1201. Conditional Uses. The following uses may be allowed in the RR District by the Township Board of Supervisors after recommendation by the Township Planning Commission, provided they meet the Applicable standards and criteria set forth in Section 1004. Procedures for Application for Conditional Use shall be as described in Section 1003.

- A. Cemetery, upon a minimum lot size of 10 acres.
- B. Radio, television, or cellular telephone towers, under the conditions of Subsection 1002C, above.

SECTION 1202. Height Regulation. The maximum height of buildings and other structures erected or enlarged in this district shall be:

- A. For any dwelling, 35 feet, not exceeding 2½ stories.
- B. For any building accessory to any dwelling use, 18 feet, not exceeding one story.
- C. For any other non-dwelling building or other structure, 35 feet, except that such height may be increased to a maximum of 60 feet or such increased height as may be warranted when approved by the Zoning Hearing Board as a Special Exception for such structures as water towers, barns, silos, chimneys, stacks, radio antenna and transmission towers, provided that for every foot of height in excess of 35 feet there shall be added to each yard requirement one corresponding foot of width or depth.

SECTION 1203. Area Width and Yard Regulations.

- A. Minimum Lot Area and Width. A lot of not less than 2 developable acres (87,120 square feet), as defined in Article 903 of this Ordinance, and a lot width of not less than 225 feet at the building line shall be provided for each principal building or structure erected.
- B. Front Yard. There shall be a front yard for each building which shall not be less than 75 feet in depth from the ultimate right-of-way.
- C. Side Yards.
 1. On each corner lot there shall be 2 side yards, the side yard abutting the street having a width of not less than 75 feet from the ultimate right-of-way for each residential building, or 100 feet from the ultimate right-of-way for each recreational building; and the side yard not abutting the street having a width of not less than 50 feet.

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2. On each lot other than a corner lot, there shall be 2 side yards having an aggregate width of not less than 150 feet neither side yard having a width of less than 50 feet.
 3. No accessory building shall be erected nearer than 10 feet of a side lot line.
- D. Rear Yard. There shall be a rear yard on each lot the depth of which shall be not less than 75 feet except that an accessory use structure may be erected within the rear yard not closer to the rear property line than 30 feet.
 - E. No farm building or other structure for the keeping or raising of livestock or poultry shall be erected or used nearer to any lot line than 100 feet.
 - F. Building Coverage. Not more than 10 percent of the area of any lot shall be occupied by buildings.
 - G. Area for livestock, horses or poultry shall be as specified in Subsection 1006.G, herein.

ARTICLE 13 VR VILLAGE RESIDENTIAL DISTRICT

SECTION 1300. Declaration of Legislative Intent. In expansion of the Declaration of Legislative Intent found in Article 1, Section 101 of this Ordinance, the specific intent of the VR Village Residential District shall be to provide the opportunity for moderate density single-family detached lots within the Tylersport Village area, provided public or central sanitary sewer and water facilities are provided.

SECTION 1301. Height Regulations. The maximum height of buildings and other structures erected or enlarged in this District shall be as prescribed in Section 1005 of Article 10, herein, insofar as applicable to uses permitted in this District.

SECTION 1302. Use Regulations. A building may be erected, altered, or used, and a lot may be used or occupied, for any of the following purposes and no other.

- A. Single-family detached dwelling provided public or central sanitary sewer and water facilities are provided.
- B. Accessory uses on the same lot with, and customarily incidental to, any permitted use.
- C. Home Occupations.
- D. Municipal park or municipal athletic field, provided that the playing fields or courts are not illuminated for night-time use.

SECTION 1303. Area, Width and Yard Regulations.

- A. Minimum Lot Area and Width. A lot area of not less than 40,000 square feet, and a lot width of not less than 140 feet at the building line shall be provided for every building or other structure erected, or used for any use permitted in this district
- B. Front Yard. There shall be a front yard on each lot which shall be not less than 45 feet in depth from the ultimate right-of-way.
- C. Side Yards.
 - 1. On each lot other than a corner lot, there shall be 2 side yards having an aggregate width of 60 feet, neither side yard having a width of less than 20 feet.
 - 2. On each corner lot there shall be 2 side yards, the side yard abutting the street having a width of not less than 45 feet from the ultimate right-of-way, and the side yard not abutting the street having a width of not less than 20 feet.
 - 3. No accessory building shall be erected nearer than 10 feet to a side lot line.
- D. Rear Yard. There shall be a rear yard on each lot the depth of which shall be not less than 60 feet, except that an accessory use structure may be erected within the rear yard not closer to the rear property line than 20 feet.

E. Building Coverage. No more than 15 percent of the area of any lot shall be occupied by buildings.

SECTION 1304. Buffering. There shall be a 20-foot planting buffer of Type B as defined in the Salford Township Subdivision and Land Development Ordinance surrounding the VR District at its boundary with any other single-family district.

SECTION 1305. Height Regulations. The maximum height of buildings and other structures erected or enlarged in this District shall be as prescribed in Section 1005 of Article 10, herein, insofar as applicable to uses permitted in this District.

ARTICLE 14

VCR VILLAGE COMMERCIAL RESIDENTIAL DISTRICT

SECTION 1400. Declaration of Legislative Intent. In expansion of the Declaration of Legislative Intent and Interpretation contained in Article 1, Sections 101 and 102, respectively, of this Ordinance and in furtherance of the goals of the adopted Indian Valley Regional Comprehensive Plan, it is hereby declared to be the intent of this Article with respect to the VCR Village Commercial Residential District to encourage the maintenance and enhancement of the existing visual character and residential lifestyle of the defined Tylersport Village area of Salford Township which exhibits a mixture of single-family detached, single-family semi-detached, and converted multifamily dwellings, as well as scattered commercial uses and home occupations, on smaller lot sizes than those generally found throughout the Township.

Furthermore, it is the intent, of this District to guide the preservation and future development or redevelopment of the defined Tylersport Village area by providing strict controls and guidelines for both residential and non-residential conversions; home occupations; and the selective introduction of neighborhood-scale office and retail commercial enterprises; in order to prevent the introduction and spread of incompatible uses or activities within the boundaries of the VCR District.

Finally, it is the intent of the VCR District to provide for the evaluation of all subdivision and development activity proposed to be located within the defined VCR District to insure that such development, will, to the greatest extent feasible, be compatible with the existing character of the defined Tylersport Village area, the goals of the Salford Township Comprehensive Plan; and the goals of the Tylersport Village Preservation District Study; and will not lead to rapid deterioration or transition of the defined Tylersport Village area to the detriment of the general welfare of village residents or the residents of Salford Township. This section therefore puts forth the following objectives:

- A. Retain and enhance the desirable village characteristics of the Tylersport Village to the greatest extent possible, including its buildings, mature trees, and landscaped spaces in front of and between existing buildings.
- B. Allow building conservation and multiple uses that maintain the architectural scale and character of existing development, to encourage retention of existing buildings.
- C. Permit a variety of uses that can be accommodated by existing structural types, lot sizes, and other physical and visual attributes of properties in the district.
- D. Permit uses that do not attract large volumes of traffic or frequent customer turnover.
- E. Prohibit strip-type and highway-oriented commercial appearance, incongruous architectural styles, excessive building or impervious coverage, and nonessential curb cuts.
- F. Encourage shared use of access driveways to reduce the total number of driveways, minimize the number of new driveways, and provide more efficient access and traffic flow.
- G. Encourage parking in side or rear yard areas, and encourage adjoining properties to share parking.
- H. Encourage sufficient pedestrian access from the street and parking areas to the various permitted uses.
- I. Minimize visual and functional conflicts between residential and nonresidential uses within the district, and protect abutting residential districts from adverse impacts.

SECTION 1401. Use Regulation. In the VCR District, a building may be erected, altered or used and a lot may be used or occupied for any of the following uses and no other:

- A. Single-family detached dwellings.
- B. Municipal uses, including municipal building, municipal parking lot or parking garage, fire house and active and passive open space and recreation areas.
- C. Home occupations.
- D. Agriculture, under the conditions of Subsection 1401.D.
- E. Conversion of existing residential or non-residential use to any of the following uses, when permitted by Special Exception:
 - 1. Small Business uses, including:
 - a. Business or professional office.
 - b. Restaurant, café, bakery or bar.
 - c. Personal service shop.
 - d. Tailor, dress-making, drapery shop, shoe or luggage repair.
 - e. Repair shop for furniture or appliances.
 - f. Day care center, owner-occupied.
 - g. Bed and breakfast, owner-occupied.
 - 2. Small-scale retail establishment intended primarily to serve the surrounding area.
 - 3. Other establishments, similar to those in E.1. and 2. above.
- F. Accessory uses located on the same lot with and customarily incidental to the permitted and conditional uses specified in this Section.
- G. The following uses, when authorized as a Conditional Use by the Salford Township Board of Supervisors:
 - 1. Conversion of a permitted residential or non-residential use to a multi-family use. Building shall be a minimum of 4,000 square feet, excluding basements, and no individual unit shall be less than 1,000 square feet.
 - 2. Conversion of an existing use, or construction of a new building, for any of the uses specified in subsection G.2.a, b, or c below.
 - a. Community Center.
 - b. Religious Use.

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- c. Garden Supply.
 - D. Animal Hospital, with or without kennel.
 - 3. Construction of a new building for use as an indoor theater for live performance, music or film presentation, limited to 75 seats maximum, and provided all parking is accommodated on-site.
- H. Signs, subject to the provisions of Article 18.
- I. Prohibited Uses. In support of the legislative intent of this Article, the following uses are specifically prohibited:
- 1. Outdoor display, sales or storage of materials or equipment, except for garden shops/nursery stock, when placed to the rear or side of buildings.
 - 2. Manufacturing.
 - 3. Gasoline or liquid or gaseous fuel stations of any kind.
 - 4. Indoor and outdoor places of amusement, such as, but not limited to arcades and miniature golf.
 - 5. Automobile or other vehicle sales, service, storage, and/or repair agencies for new, used or junk vehicles.
 - 6. Convenience food stores.
 - 7. Beverage distributors.
 - 8. Car washes.
 - 9. Building supplies; bulk storage.
 - 10. Warehouses, mini-warehouses.
 - 11. Adult uses.
 - 12. Industrial uses.
 - 13. All uses not listed in Sections 1401, A through H, above, and uses determined by the Board of Supervisors to be of similar nature to any of the prohibited uses listed in this Section.

SECTION 1402. General Requirements.

- A. The proprietor of any business shall be allowed to use a portion of the property as his principal residence.
- B. Any residential occupancy included in any non-residential use must be occupied by the proprietor of one of the businesses included in the property, and may not be rented or leased to a third party.
- C. The architectural characteristics of all buildings shall reflect the multi-story residential characteristics of existing buildings in the village, including scale and proportions. Building shall include multiple

window and door openings, façade variations, porches, and rooflines. There shall be no single-story buildings with flat roofs

- D. Building entrances for everyday use shall be visible and accessible from a network of sidewalks along parking areas, and walkways or courtyards between buildings.
- E. Any new construction, whether "by-right", by Special Exception, or by Conditional Use, shall be a maximum of 10,000 square feet in floor area, and shall have a maximum of 4,000 square feet per floor.
- F. All uses permitted under Section 1401.E. through 1401.G, above may only be permitted if the Village is served by public sewers, and if the capacity for the proposed use is available in the existing sewage plant or system.
- G. All requirements for parking, lighting, signage, paving, buffer planting and other pertinent items set forth elsewhere in this Ordinance or in the Salford Township Subdivision and Land Development Ordinance shall be adhered to for any use in the VCR District which is permitted by Special Exception or by Conditional Use.

SECTION 1403. Height Regulations. The maximum height of buildings and other structures erected or enlarged in this district shall be as prescribed in Section 1005 of Article 10, herein, insofar as applicable to uses permitted in this district.

SECTION 1404. Area, Width and Yard Regulations.

- A. Minimum Lot Area and Width. A lot area of not less than 25,000 square feet, and a lot width of not less than 100 feet at the building line shall be provided for every building or other structure erected, or used for any use permitted in this district.
- B. Front Yard. There shall be a front yard on each lot which shall be not less than 25 feet in depth from the ultimate right-of-way.
- C. Side Yards.
 - 1. On each lot other than a corner lot, there shall be 2 side yards having an aggregate width of 50 feet, neither side yard having a width of less than 15 feet.
 - 2. On each corner lot there shall be 2 side yards, the side yard abutting the street having a width of not less than 25 feet from the ultimate right-of-way, and the side yard not abutting the street having a width not less than 15 feet.
 - 3. No accessory building shall be erected nearer than 10 feet to a side lot line
- D. Rear Yard. There shall be a rear yard on each lot the depth of which shall not be less than 60 feet, except that an accessory use structure may be erected within the rear yard not closer to the rear property line than 20 feet.
- E. Building coverage. No more than 15 percent of the area of any lot shall be occupied by building. Accessory Use Buildings of 100 square feet or less shall not be counted toward Building Coverage.
- F. Maximum impervious cover shall be 30 percent of the total property area. In this respect, see requirements for porous paving in the Salford Township Subdivision and Land Development Ordinance.

SECTION 1405. Standards and Criteria for Conditional Use and Special Exception Review.

- A. The following criteria shall be applied to the review of any Application for Conditional Use. The same criteria shall also be applied to the review of any Application for Special Exception, in addition to the general review criteria specified in Section 402 of this Ordinance for Zoning Hearing Board action.
- B. Conditional Use Application: All conditional use applications shall be filed and processed in compliance with Section 1406 of this Ordinance, Application Procedures for Conditional Use.
- C. Retention and Use of Existing Principal Building:
1. The proposed use shall retain and use the existing principal building(s) on the lot, and shall retain the general appearance, character, and types of building materials of the front and side facades of the existing building, existing front and side porches, and window openings.
 2. Expansion shall be permitted only to the sides and rear of the existing principal building.
 - a. Expansion to the side shall conform in general appearance, scale, and building materials to the front facade of the existing building, if existing building does not meet minimum setback requirements; and shall be set back a minimum of 10 feet from the front facade of the existing building., or to minimum setback distance for the District, whichever is the lesser distance.
 - b. Expansion to the rear shall conform in scale to the existing building; and
 - c. Rooflines shall be similar or complementary to those of the existing building.
 3. An existing principal building that faces the street shall not be expanded toward the street, except to permit an open front porch consistent with the architectural of the building. An existing principal building located behind a principal building that faces the street may be expanded toward the street.
 4. The applicant shall submit architectural drawings for evaluation of the proposed principal building expansion, including building elevations and colored renderings. The Board of Supervisors may approve expansion different from the existing building, provided that it complements or enhances the existing building, conforms to the character of the village, or does not detract from the intent of this Code to preserve such village character. In approving such difference, The Board shall specifically refer to paragraph C of Section 102.C of this Ordinance, and also to Section 101 of Article 1, Declaration of Legislative Intent.
 5. Existing, healthy trees shall be preserved in the front and side yards unless they must be removed to provide vehicular access appropriate for the proposed use, and Applicant has demonstrated that no feasible alternative exists.
 6. The Applicant shall demonstrate that the existing sewage system, including the sewage plant and collection system proposed to serve the building(s) has adequate capacity for the use.
 7. The Zoning Hearing Board or Board of Supervisors may require a traffic impact study for any property on which the combined uses (or combined buildings) will generate more than 50 vehicular trips per day (that is, more than 50 vehicles per day will enter and leave the property).

D. Removal of Existing Principal Buildings.

1. An applicant shall not remove an existing principal building unless the Board of Supervisors is satisfied that the Applicant has demonstrated that the building is not suitable for use according to the following criteria.
 - a. Building is structurally unsound.
 - b. Building cannot reasonably be modified to accommodate access for handicapped individuals.
 - c. Building constitutes a hazard to the public health, safety, or welfare.
 - d. In satisfying the criteria of a., b., or c. above, the Applicant must demonstrate to the satisfaction of the Board that repair or remediation of the unsuitable condition is not economically feasible, and that such repair or remediation would constitute an unnecessary hardship.
 2. An applicant shall not remove an existing principal building until the Board of Supervisors has approved a land development plan for conditional use of the property from which the applicant would remove the building.
 - a. The location of the building proposed for removal shall not be used for parking, but shall be used for a new building or landscaping unless it has been determined that such plan results in a more logical use of the property, or promotes the general welfare and enhances the overall character of the Village.
 - b. Where adjoining properties are combined for use, or share vehicular access, the location of a removed building may be used for the vehicular access.
 - c. Replacement buildings shall be similar in general appearance, size, scale, bulk and building materials to the removed principal building and/or nearby buildings or structures. The applicant shall submit architectural drawings for evaluation of the proposed building, including building elevations and colored renderings. The Board of Supervisors may approve a replacement building different from the removed principal building, provided that it conforms to the character of the village and does not detract from the intent of this Ordinance to preserve the village appearance.
 3. Documented historic principal buildings shall not be removed and any expansion shall be consistent with or complementary of the historic architecture.
- D. New Principal Buildings: New principal buildings may be constructed on vacant properties or to the rear of existing principal buildings, provided that they shall be similar in size, scale, general appearance, and building materials to one or more buildings on adjoining lots, or to an existing historic building. The applicant shall submit architectural drawings for evaluation of the proposed principal buildings, including building elevations and colored renderings. The Board of Supervisors may approve a new building different from surrounding buildings, provided that it conforms to the character of the village and does not detract from the intent of this Code to preserve the village appearance.

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- E. Number of Driveway Entries: Each lot shall have not more than one driveway entry per street frontage for a two-way driveway for vehicular access. If sufficient room is not available for one two-way driveway, Board of Supervisors may approve two driveway entries for 2 one-way driveways, subject to approval by the Pennsylvania Department of Transportation (PENNDOT), where applicable.
 - F. Shared Access: Applicants shall endeavor to seek agreements for shared vehicular access as the preferred means of reducing the total number of driveway entries within the district, for traffic safety and congestion reasons.
 - 1. When two or more abutting lots share an access driveway, that driveway should be designed as the main access to those lots, and one or more existing access driveways shall then be closed.
 - 2. Shared access may be located entirely on one lot or be split along a common lot line.
 - 3. Access easements and maintenance agreements or other suitable legal mechanisms shall be provided, acceptable to the Board of Supervisors in consultation with the Township Solicitor. The Board may specifically require the deposit of escrow funds or similar financial guarantees for this purpose.
 - 4. Liability safeguards for all property owners and lessees served by the shared access, as well as the Township, shall be guaranteed to the satisfaction of the Board of Supervisors in consultation with the Township Solicitor. Liability Insurance may be required to satisfy this requirement.

SECTION 1406. Application Procedures for Conditional Use. All applications for Conditional Use in the Village Commercial Residential District shall be submitted simultaneously as a Conditional Use Application to the Township Board of Supervisors and as a Land Development Application to the Township Planning Commission as provided in the Township Subdivision and Land Development Ordinance. The two applications will be considered jointly, and no approval for Conditional Use will be granted unless Land Development approval is granted simultaneously.

- A. Sufficient documentation shall be provided to establish compliance with all conditions of this Article of the Ordinance; the Board of Supervisors and/or the Planning Commission shall be the sole judges of the adequacy of the documentation received, and shall have the authority to stipulate any additional material required.
 - 1. The application shall contain a narrative description of the proposed action, which shall set forth, as a minimum, the information described in 2 through 6, below.
 - 2. The relationship of the proposed action to the Declaration of Legislative Intent of this Article.
 - 3. The applicant's compliance with or request for waiver(s) from the specific requirements of the VCR District with respect to the proposed actions.
 - 4. A general description of the architectural features of the proposed building(s) or structure(s), when pertinent, and the relationship of these features to the overall architectural character of the defined Tylersport Village area.
 - 5. A general description of the alternatives considered by the applicant, prior to selecting the proposed course(s) of action and request(s) for waivers, if any.
 - 6. A set of plans of sufficient detail to establish the construction work to be done, if any.

B. Review and Action on Conditional Use. The Board of Supervisors shall schedule a public hearing on the application within 60 days following receipt of all required documentation, unless this time limit is waived by the applicant.

1. Public Hearing. Prior to deciding to approve or deny a Conditional Use, in the Village Commercial-Residential District, the governing body shall hold a public hearing thereon pursuant to public notice. At least 45 days prior to the date of the hearing, one copy of the development proposal and all additional submitted information shall be transmitted to the Montgomery County Planning Commission together with a request that these agencies submit recommendations regarding said use.
2. Development Plan. No final action shall be taken by the Board of Supervisors until after receipt of Township Planning Commission's recommendations on the concurrent Preliminary Plan of Land Development, (if applicable) as detailed in the Subdivision and Land Development Ordinance.
3. In rendering a negative decision against any proposed action within the VCR District, the Board of Supervisors shall clearly set forth the reasons for their decision and any ameliorative steps that the applicant could take to address the problems raised by the present submission.

SECTION 1407. Plan Modifications. In order to promote maximum flexibility and diversity of character among the uses and buildings in the Village of Tylersport, the Board of Supervisors shall interpret the requirements of this Article in the broadest possible manner, if, in their opinion and with the concurring advice of the Township Planning Commission, and other pertinent agencies, the proposal will result in furthering the Declaration of Legislative Intent of this Article.

ARTICLE 15

MF MULTI-FAMILY RESIDENTIAL DISTRICT

SECTION 1500. Use Regulations. A building may be erected or used, and a lot may be used or occupied for the following purposes, and no other.

- A. Permitted Uses. The following are the permitted uses in a MF Multi-Family Residential District.
1. Parks, tot lots and open spaces.
 2. Townhouse or Groups of Townhouses. The land may be subdivided into individual lots, subject to the regulations of the Subdivision and Land Development Ordinance, and providing that the aggregate area of buildings and site set forth in Section 1501 below and all other regulations of Section 1501 shall be complied with.
 3. Parking for Permitted Uses. Off-street automobile parking and off-street delivery-collection facilities shall be required. Such parking area shall not be leased but shall be for the sole use of the occupants of such buildings and the visitors thereto.
 4. As a Conditional Use, mobile home development., as described and defined in Section 903 to 909.
- B. If there exists in the area zoned for multi-family residential use, any use which would be non-conforming under the terms of this Section, the developer shall guarantee the removal or discontinuance of the non-conforming use.

SECTION 1501. Area Regulations.

- A. Area of Tract. Not less than 10 acres shall be provided for every tract to be used for a Townhouse Development.
- B. Building Area. Not more than 25 percent of the tract area of each townhouse development may be occupied by buildings.
- C. Setback from Streets. There shall be a setback from the ultimate right-of-way of each public street on which the Townhouse Development abuts, which shall be not less than 50 feet in depth.
- D. Setback from Property Lines. There shall be a setback from any property line, which the townhouse development abuts, of not less than 50 feet.
- E. Distance between Buildings. The horizontal distance between parallel elements of buildings forming courts and courtyards shall not be less than twice the height of the taller buildings, or a minimum of 50 feet.
- F. Parking. Parking shall be provided per Article 19 and in accord with provisions of the Subdivision and Land Development Ordinance. Such parking area shall be placed so as not to interfere with any recreation or service area, and shall be not less than 25 feet from property line or ultimate right-of-way lines.
- G. Dwelling Units per Acre. There shall be no more than five dwelling units per acre.

- H. Height of Building. No building or other structure shall exceed the heights of 35 feet or three inhabited stories.
- I. Service. Areas for loading and unloading of delivery, trucks and other vehicles and for the servicing of refuse collections, fuel, and other services shall be so arranged that they may be used without blockage or interference with the use of access ways, automobile parking facilities, or recreation areas.

SECTION 1502. Review and Approval. Any of the uses enumerated in Section 1500, above, shall be subject to the review and approval of the Board of Supervisors, with the advice of the Planning Commission, in accordance with the Salford Township Subdivision and Land Development Ordinance.

SECTION 1503. MOBILE HOME DEVELOPMENT CONDITIONAL USE. Mobile home Developments are allowed only as a Conditional Use in the MF Multi-Family District, and provided the tract to be used as a Mobile Home Development meets the criteria specified in Section 1506 of this Article. The uses which are permissible in a Mobile Home Development are as follows:

A. Residential Uses. A mobile home development may include mobile homes of single or multiple widths, or both, but shall not include travel trailers or motor homes.

B. Areas for Non-Residential Uses.

1. No part of any mobile home development shall be used for nonresidential purposes, except such uses that are required for the direct servicing, recreation, and well being of the residents and for the management and maintenance of the development, and are not otherwise prohibited by any provision of this Article.

2. Nothing in this Article shall be deemed as prohibiting the rental, sale or resale of a mobile home located on a mobile home stand and connected to the pertinent utilities. Similarly, a model or display area is permissible on a temporary basis provided these models are developed in accordance with all applicable regulations of this Article, and other applicable Ordinances and use of the models for sales or rental promotion ceases when the project is fully developed.

C. Accessory Uses.

1. Accessory uses and structures customarily incidental to the maintenance, servicing and well being of mobile home development residents shall be permitted only as part of an approved development plan for the site.

2. Accessory uses on individual mobile home lots, customarily incidental to mobile homes, or other dwellings, such as storage sheds, shall be permitted on the individual home lots provided the provisions of Section 908 and other applicable ordinances are complied with.

3. Added rooms specifically designed by the mobile home manufacturers for enlargement of mobile homes and other additions architecturally compatible with the unit may be joined into a mobile home provided all requirements of Section 908 and other applicable ordinances are met.

SECTION 1504. GENERAL PROVISIONS.

A. Individual mobile homes are considered single-family detached dwellings, and accordingly, a single mobile home is allowed on a lot in any zoning district in which single family detached dwellings are a permitted use, provided the installation meets all applicable requirements of the zoning district in which the dwelling is located; further provided that the wheels and drawbar are removed, that the mobile home is attached to a permanent, enclosing foundation and home is attached to a permanent, enclosing foundation and is connected to a permanent sewer, water, electric, and other utility lines. In addition, in the 'MF' Multi-Family District, on tracts of (15) acres or greater in size, mobile homes may be grouped in a planned mobile home development, provided compliance is made with all requirements of this ordinance and all regulations specified in the Township Subdivision and Land Development Ordinance.

B. The following definitions, which apply to mobile home development, are in addition to other definitions in this Ordinance.

1. Common Open Space. Any area of land and/or water designed for joint use and recreation enjoyment of tenants and/or owners occupying a development, excluding common parking areas, roadways, storage buildings, and similar facilities not primarily intended for recreational benefit. The common open space shall be essentially free of buildings.

2. Drawbar. A device which is part of the frame or attaches to the frame of a mobile home and connects it to a power source for the purpose of transporting the unit.

3. Mobile Home Development. A parcel of land under single ownership which has been planned and improved in compliance with the requirements of these Mobile Home Development Conditional Use Regulations for the placement of mobile homes for non-transient use; consisting of two (2) or more mobile home lots and fifteen (15) acres or greater in size. To be deemed a Mobile Home Development the mobile home lots shall be intended for lease or rental. In the case of mobile home lots offered for sale in fee simple, Uniform Condominium Act of 1980, and any subsequent amendments thereto, such tracts shall be developed in accordance with the requirements of this Ordinance for single-family detached dwellings, and are permitted in other Districts enumerated in this Ordinance, but are not permitted in the MF District.

4. Mobile Home Lot. A parcel of land in a mobile home development, provided with the necessary utility connections, patio, and other appurtenances necessary for the erection thereon of a single mobile home, and the exclusive use of its occupants.

5. Mobile Home Stand. That part of an individual lot which has been reserved and prepared for the placement of the mobile home.

6. Motor Home. A structure designed and built or mounted upon a motor vehicle chassis, so that the assembly is self-propelled, and the living space portion of which is primarily or customarily used for recreational living, travel, camping, and the like.

7. Travel Trailer. Any trailer or mobile home which is designed for, and customarily used for recreational living, camping, or the like, and is not suitable for permanent residency by reason of not having distinct special divisions for living room, kitchen, bath and sleeping rooms; any mobile home containing less than five hundred (500) square feet in floor space.

SECTION 1505. APPLICATION PROCEDURES. All applications for Mobile Home Development shall be submitted simultaneously as a Conditional Use application as provided below, and as an application for Preliminary Plan of Land Development to the Planning Commission as provided in the Township Subdivision & Land Development Ordinance. The two (2) applications will be considered jointly, and no approval for Land Development shall be granted unless Conditional Use approval is granted simultaneously. Any person desiring to use a tract of land for a Mobile Home Development shall make application in writing to the Township Board of Supervisors. Such applications shall include, as a minimum, a Preliminary Plan indicating basically how the applicant intends to develop the property, and sufficient data to document compliance with the standards specified in Section 1506. The governing body shall schedule a public hearing on said application within sixty (60) days, unless the applicant waives this time limit.

- A. Public Hearing. Prior to deciding to approve or deny the use of a tract for a mobile home development, the governing body shall hold a public hearing thereon pursuant to public notice. At least forty-five (45) days prior to the date of the hearing, one copy of the development proposal and all additional submitted information shall be transmitted to the Montgomery County Planning Commission together with a request that this agency submit recommendations regarding said use.
- B. Development Plan. No final action shall be taken by the Board of Supervisors until after receipt of Township Planning Commission's recommendations on the concurrent Preliminary Plan of Land Development, as detailed in the Subdivision and Land Development Ordinance.

SECTION 1506. CONDITIONAL USE CRITERIA. A Mobile Home Development may be allowed by the governing body as a Conditional Use in the 'MF' Multi-Family District only, pursuant to the procedure specified in Section 1505 above, and in the Township Subdivision & Land Development Ordinance; and subject to the following standards. The burden of proving compliance with these standards shall be on the applicant.

- A. The tract of land to be developed shall be in one ownership, or shall be the subject of an application filed by the owners of the entire tract, and it shall be agreed that the tract shall be developed under single direction and in the manner approved.
- B. Any parcel to be used as a Mobile Home Development must have a minimum tract area of fifteen (15) contiguous acres of land.
- C. At least seventy-five (75%) percent of the site must be composed of developable land as defined in the Township Subdivision & Land Development Ordinance.
- D. Any site proposed for a Mobile Home Development shall not be subject to adverse environmental influence, such as swamps, marshes, garbage or rubbish disposal areas or other potential breeding places for insects or rodents; or shall not be in either a Steep Slope or Flood Plain Conservation District.
- E. The location of all mobile home developments shall be protected by screening or other appropriate means against any off-site views or any adverse influence (such as heavy commercial or industrial use, heavy traffic, or brightly lighted activities) from adjacent streets and areas. See Landscaping Provisions of Subdivision & Land Development Ordinance.

- F. Mobile Home Developments shall not be located directly abutting single-family detached housing of significantly different unit value and density than the proposed mobile homes, except where extensive natural buffering exists and will be retained, or can be created, so as to functionally and visually separate the two sites. See Landscaping Provisions of Subdivision and Land Development Ordinance.
- G. Any site proposed for a Mobile Home Development shall, in the opinion of the governing body, be easily accessible to essential community facilities.
- H. Every area to be used as a Mobile Home Development must be served exclusively by the municipal sanitary waste disposal system, if such system is available, and if the system is found to contain the available capacity to serve the proposed development, and to a centralized water supply system. Alternately, the area to be used as a Mobile Home Development must, if it cannot connect to the municipal sanitary sewer system be served by a common single sanitary sewer system and sewage treatment plant serving all dwelling units and other structures in the development. Both sewer and water systems must have the approval of the Pennsylvania Department of Environmental Protection. Furthermore, on-site sewage facilities must, when constructed, meet the following criteria.
1. The system shall be designed and constructed as a "satellite system", i.e., a coordinated system with a single point of discharge for treated effluent arranged in a manner that will permit adequate connection to the effluent discharge line(s) of a centralized or public system in the future.
 2. The administrative structure for the satellite system shall be organized in a manner that will facilitate easy interconnection of the two systems.
 3. The developer shall be required to show proof that the satellite system intended to serve the proposed development will not interfere with any existing water supplies, as required by the Township Subdivision & Land Development Ordinance.
 4. If and when a centralized or public system is available within one-half (1/2) mile of the development site, connection to it shall be mandatory, and the cost of the eventual interconnection shall be borne by the developer, or the organization that is set up to own and operate the satellite system.
 5. If, after development occurs, the satellite system is deemed to be the cause of interference with existing water supplies, or is deemed to be the cause of any pollution, extension of a centralized or public system or other corrective measures may be required at that time. The cost of the extension and hook-up, or of the corrective measures required, shall be borne by the developer or organization owning and operating the satellite system.
- I. Plans evidencing provision for safe and efficient ingress and egress to and from the public streets and highways servicing the mobile home development district, without causing undue confusion or interference with the normal traffic flow, shall be submitted to the township governing body and must be approved by the Township which shall make the determination based on the adequacy of the thoroughfare to carry the additional traffic generated by the mobile home development.
- J. The applicant shall demonstrate to the satisfaction of the municipal governing body that he has complied with or will comply with all requirements of Chapter 179 of Title 25, Part I, Sub-part D, Article II of the Rules and Regulations of the Pennsylvania Dept. of Environmental Protection, and with all other pertinent regulations of the Commonwealth of Pennsylvania which are applicable to mobile home parks.

SECTION 1507. DENSITY. The total number of lots in a mobile home development shall not exceed a maximum density of four (4) per acre. If for any reason this maximum density is not attainable on a particular tract due to the need to conform to the requirements of Sections 908 and 909, the maximum permissible density shall be reduced accordingly.

SECTION 1508. SITE DESIGN: MOBILE HOMES

A. Setback from Tract Boundary. No mobile home or other primary building may be located closer than forty (40) feet to any boundary of a mobile home development regardless of whether that boundary abuts a lot, water body, road, or other right-of-way.

B. Setback from Streets. In no case shall the long side of a mobile home, or any side of another primary building or accessory use, to be located closer than forty-five (45) feet to the ultimate right-of-way line of any public street, or to the edge of the cartway, or twenty-five (25) feet from the equivalent right-of-way line if applicable, of private interior roadways, or to the edge of any common pedestrian walkway, within a mobile home development; provided, however, that the short side of a mobile home may be located no closer to an equivalent right-of-way than fifteen (15) feet. No more than four (4) homes in a row shall have the same setback; where varied setbacks are utilized, the difference shall be at least four (4) feet.

C. Setback from Common Parking Facilities. No mobile home or accessory use shall be located within twenty-five (25) feet of any common parking area.

D. Lot Size. All mobile home lots in a mobile home development shall have a minimum lot size of five thousand (5,000) square feet, when on-lot parking is provided.

E. Lot Width. No individual mobile home lot shall be less than fifty-five (55) feet in width at the building setback line, although this may be reduced to forty-five (45) feet where roofed additions are prohibited or where the applicant can demonstrate that roofed additions can be added without violating the provisions of Items F and H below. No individual mobile home lot shall be less than twenty-five (25) feet in width at the right-of-way line of a public street or the equivalent right-of-way line or the edge of the pavement of a private street, as applicable.

F. Side and Rear Setbacks. No mobile home or accessory building may be located closer than four (4) feet to any side or rear lot line of an individual mobile home lot, provided, however, that all minimum requirements of Item H below, must be met.

G. Unit Location on Individual Lots. Mobile homes placed on individual lots are encourage to utilize the minimal set backs specified in Item F above, and to be place off-center on the lots so as to provide a large usable open yard space and outdoor living area in one section of the lot.

H. Distance Between Structures. Mobile homes and roofed structures of areas attached thereto shall be separated from each other, and from other buildings and structures, other than accessory structures, at their closest points by a minimum of twenty (20) feet, provided, however, that whenever two mobile homes have their longer sides parallel or essentially parallel to each other for more than twenty five (25%) percent of the length of either, the minimum distance between the two mobile homes shall be thirty (30) feet. The sides shall be considered essentially parallel if they form an angle of less than forty-five (45) degrees when extended to intersect.

I. Lot Coverage. The maximum coverage of any individual mobile home lot by all primary and accessory buildings and structures, including covered patios or decks, shall be no greater than twenty-five (25%) percent.

J. Height. No structure built in a Mobile Home Development District shall exceed a height of two stories or a maximum of thirty-five (35) feet.

K. Preservation of Natural Features. No mobile home or other structure shall be located within an area defined as flood plain by this Ordinance, nor shall any mobile home be placed on steep slope land as defined by this Ordinance, nor shall said steep slope land be graded to a lesser percentage slope for the purpose of accommodating a mobile home.

L. Design Alternative. In order to allow clustering of lots designed to encourage flexibility in site design, preservation of natural features, and to maximize creation of accessibility of recreation areas, distance between structures, minimum lot width and minimum lot size may be reduced up to a maximum of ten percent (10%) upon approval of the governing body, provided at least fifty percent (50%) of all lots so reduced shall directly abut a part of the common open space for a distance of at least twenty (20) feet. An area equal to that by which each lot is reduced shall be added to the minimum common open space specified in Section 1509. All other regulations remain as stated herein.

SECTION 1509. COMMON OPEN SPACE. At least twenty percent (20%) of the site area of the mobile home development must be in common open space as defined herein; no more than one-third (1/3) of which may be required buffer area. The configuration and location of the common open space must be consistent with the requirements of the Township Subdivision and Land Development Ordinance.

ARTICLE 16

FPC FLOOD PLAIN CONSERVATION DISTRICT

SECTION 1600. Declaration of Legislative Intent. In addition to the goals and objectives stated in the Declaration of Legislative Intent found in Article 1, Section 101 of this Ordinance, the specific intent of this Article with respect to FPC Flood Plain Conservation Districts shall be to protect areas of floodplain subject to and necessary for the containment of flood waters, and to permit and encourage the retention of open space land uses which will be so located and utilized as to constitute a harmonious and appropriate aspect of the continuing physical development of Salford Township. In advancing these principles and the general purposes of the Zoning Ordinance and Comprehensive Plan, the following shall be the specific objectives of the FPC District:

- A. To combine with present zoning requirements, certain restrictions made necessary for flood prone areas to promote the general health, welfare and safety of the Township.
- B. To minimize danger to public health by protecting the quality and quantity of surface and subsurface water supplies adjacent to the underlying flood hazard areas and promoting safe and sanitary drainage.
- C. To protect the entire Township from individual uses of land which may have an effect upon subsequent expenditures for public works and disaster relief, and adversely affect the economic well being of the Township.
- D. To prevent the erection of structures in areas unfit for human usage by reason of danger from flooding.
- E. To permit only those uses which can be appropriately located in the floodplain as herein defined and which will not impede the flow or storage of floodwaters, or otherwise cause danger to life and property at, above, or below their locations along the floodplains.
- F. To require that uses vulnerable to floods, including public facilities be constructed so as to be protected from flood damage in accordance with the purpose and requirements of the Flood Insurance Program, P.L. 93-234, and the National Flood Insurance Act of 1968, Ordinance No. 110.
- G. To provide retention areas for the temporary storage of floodwaters.
- H. To maintain undisturbed the ecological balances between those natural systems elements, including wildlife, vegetation and marine life, dependent upon watercourses and water areas.
- I. To provide sufficient drainage courses to carry abnormal flows or stormwater in periods of heavy precipitation.
- J. To protect adjacent landowners and those both upstream and downstream from damages resulting from development within a floodplain and the consequent obstruction or increase in flow of floodwaters.
- K. To protect other municipalities within the same watershed from the impact of improper development and the consequent increased potential for flooding.

SECTION 1601. Boundaries of the Flood Plain Conservation District. The Flood Plain Conservation District is defined and established to include the following:

- A. Those areas subject to a 100-year recurrent interval flood as delineated on the Flood Insurance Rate Map (FIRM), which forms a part of the "Flood Insurance Study" prepared for Salford Township by the Federal Emergency Management Agency and dated December 19, 1996, or the most recent revision thereof. The 100-year flood boundary is designed as Zones A and AE on the FIRM, and consists of the Floodway, Floodway Fringe, and Approximated (General) floodplain.
- B. Any low area adjoining and including any water, or course or body of water subject to periodic flooding or overflow. Such areas are normally delineated as alluvial soils or local alluvium by the Soil Conservation Service, United States Department of Agriculture in the Soil Survey of Montgomery County, 1967. In order to have such an area declared not to be floodplain, applicant shall establish to the Township's satisfaction that said area is free of the hazard of flood damage.
- C. Studies used to establish the boundaries shall be available in the Township Municipal Building for, reference including those areas designated as special flood hazard areas on the Flood Insurance Rate Map of the Township of Salford prepared by the Federal Emergency Management Agency.

SECTION 1602. Overlay Concept. The FPC District shall be deemed an overlay on any zoning district now or hereafter applicable to any lot.

- A. Should the FPC District be declared inapplicable by legislative or administrative actions or judicial decision, the zoning applicable to such lot shall be deemed to be the District in which it is located without consideration of this Article.
- B. Should the zoning of any parcel or any part thereof in which the FPC District is located be changed through any legislative or administrative actions or judicial decision, such change shall have no effect on the FPC District unless such change was included as part of the original application.
- C. In any zoning district, the minimum setback of all structures from the centerline of all watercourses shall be determined by the maximum front, rear or side yard requirements in the applicable section of the zoning ordinance, except where such conditions as defined in Section 1201 herein prescribe a greater setback.

SECTION 1603. Boundary Interpretations and Appeals Procedure. Should a dispute concerning the FPC District boundaries arise, an initial determination shall be made by the Zoning Officer.

- A. Any party aggrieved by this decision, claiming the criteria used for delineating the boundary as defined in Section 1601 herein, is or has become incorrect because of changes due to natural or other causes may appeal to the Zoning Hearing Board as provided in this Ordinance.
- B. The burden of proof with respect to going forward with the evidence and with respect to the burden of persuasion shall be on the appellant.
- C. Should the appeal ask that the Zoning Hearing Board grant a change to the Floodplain Boundary as defined in Section 1601, above, the Zoning Hearing Board shall refer such appeal to the Federal Emergency Management Agency and shall take no action on the appeal until that Agency's recommendation is been received.

SECTION 1604. Uses Permitted in a FPC District. The following uses and no other shall be permitted in the FPC District provided that the use if located within the floodway will not cause any increase in the 100-year flood elevation.

- A. Cultivation and harvesting crops according to recognized soil conservation practices.
- B. Pasture and grazing of animals according to recognized soil conservation practices.
- C. Outdoor plant nursery or orchard according to recognized soil conservation practices.
- D. Wildlife sanctuary, woodland preserve, arboretum and passive recreation or parks, including hiking, bicycle and bridle trails, but including no facilities subject to damage by flooding.
- E. Game farms, fish hatchery, or hunting and fishing reserve for the protection and propagation of wildlife, but permitting no structures.
- F. Front, side and rear yards and required lot area in any district, provided such yards are not to be used for on-site sewage disposal systems.
- G. Normal accessory uses (excepting enclosed structures, fences and swimming pools) permitted under the usual zoning in residential, commercial and industrial districts.

SECTION 1605. Prohibited Uses. The following uses shall not be permitted in the FPC District:

- A. All freestanding structures and buildings and retaining walls, with the exception of flood retention dams, culverts and bridges as approved by the Pennsylvania Department of Environmental Resources, and as permitted by Special Exception under the provisions of Section 1606.
- B. The filling of or removal of topsoil from all floodplain lands as defined in Section 1601, herein, except as approved by Special Exception under the provisions of Section 1606.
- C. The relocation of any watercourse. See related provisions in Salford Township Subdivision and Land Development Ordinance.
- D. Sanitary landfills, dumps, junkyards, outdoor storage of vehicles and materials.
- E. On-site sewage disposal systems.
- F. Sewage treatment plant.
- G. Private or a public water supply well.

SECTION 1606. Uses Permitted By Special Exception. The following uses may be permitted by Special Exception from the Zoning Hearing Board and upon the condition that no use permitted as a Special Exception shall increase the elevation of the 100-year frequency recurrent interval flood by more than one foot at any point and that no use permitted as a Special Exception in any area designated as a Floodway by the Salford Township Flood Insurance Study and accompanying Flood Insurance Rate Map shall cause any increase in the 100-year flood elevation.

- A. Recreational use, whether open to the public or restricted to private membership, such as parks, camps, picnic areas, golf courses, fishing areas, sport or boating clubs, not to include enclosed structures or toilet facilities, but permitting structures such as piers, docks or floats usually found in waterfront recreational areas.
- B. Dams, culverts and bridges with the approval of appropriate, authorities with jurisdiction such as the Commonwealth of Pennsylvania, Department of Environmental Resources.
- C. Storm sewers and impoundment basins, with the approval of the Township Engineer and the Pennsylvania Department of Environmental Resources.
- D. Roads, driveways and parking facilities.
 - 1. In the case of roads and driveways no such facilities shall be permitted as a Special Exception if viable alternative alignments are feasible. In any case, pervious rather than impervious materials shall be utilized in the construction of any road or driveway situated within a floodplain.
 - 2. In the case of parking facilities, no such facility shall be permitted as a Special Exception unless satisfactory evidence is submitted that such parking will not be utilized during periods of flood flow, thus posing no threat to the safety of the vehicles, their users and/or to downstream properties. Temporary parking for periods not to exceed one hour, and/or parking for recreation uses would be examples of such exceptions. In any case, pervious rather than impervious materials shall be utilized in the construction of any parking facility situated within a flood plain.
 - 3. Hard surfaced pervious paving shall meet the requirements of "Porous Paving" of the Township Subdivision and Land Development Ordinance.
- E. Grading or regrading of lands, only in connection with an otherwise permitted use, or other use permitted by Special Exception, including the deposit of top soils and the grading thereof. The application for a Special Exception for such a use shall be accompanied by the following:
 - 1. Detailed engineering studies indicating the effects on drainage and streams on all adjacent properties as well as the property in question, including the necessary data to determine whether the boundaries of the Flood Plain Conservation District would be affected if the application were granted.
 - 2. An application for amending the boundaries of the FPC District if the boundaries are affected by the grading or regrading of land.
 - 3. A plan indicating the deposition of any fill or materials proposed to be deposited by the grading or regrading of land and the method of protection against erosion. Such fill or other materials shall be protected against erosion by riprap, vegetative cover or other approved method.
- F. Utility transmission lines.

Similar uses to the above which are in compliance with the intent of this Article.

SECTION 1607. Application Procedure. For any use of land in the FPC District, excepting uses existing as of the date of the enactment of this Ordinance, an application for a floodplain use permit shall be filed with the Zoning Officer who shall make an initial determination on the application.

- A. For a use other than those permitted in Section 1604, an application seeking approval by Special Exception or Variance shall be forwarded to the Zoning Hearing Board along with required studies or information and the findings of the Zoning Officer.
- B. Any application involving the use of fill, the construction of structures, or storage of materials shall be accompanied by the following:
 - 1. A plan certified by a Registered Professional Engineer which accurately locates the floodplain proposal with respect to the floodplain district limits, channel or stream, existing floodplain developments, together with all pertinent information such as the nature of the proposal, legal description of the property fill limits and elevations and flood proofing measures including those required by the provision of this Article.
 - 2. Additional information as deemed necessary by either the Zoning Officer or the Zoning Hearing Board for the evaluation of effects of the proposal upon flood flows and flood water storage and to render a decision on the proposed floodplain use, including, but not limited to, the following:
 - a. A typical valley cross-section showing the channel of the stream, the floodplain adjoining each side of the channel, cross-sectional area to be occupied by the proposed development and high water information.
 - b. Plan surface view showing evaluation or contours of the ground; pertinent structure, fill or storage elevations; size, location and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply, sanitary facilities and soil, types and other pertinent information.
 - c. Profile showing the slope of the bottom of the channel of flow line of the stream.
 - d. Specifications for building construction and materials, "flood proofing", filling, grading, storage of materials, water supply, and sanitary facilities.
 - e. A plan or document certified by a Registered Professional Engineer that the flood proofing measures are consistent with requirements for the flood protection elevation for the particular area.

SECTION 1608. Procedures for Consideration of a Special Exception or Variance. In addition to the procedures specified in Article 4 of this Ordinance, the following procedures outlined below shall apply to all Variance or Special Exception reviews under this Article:

- A. The Zoning Hearing Board shall request the review and recommendations of the Soil Conservation Service, U.S. Department of Agriculture and the U.S. Army Corps of Engineers, at least 30 days prior to the public hearing.
- B. The Zoning Hearing Board shall request, at least 30 days prior to the public hearing, the review and recommendations of the Salford Township Planning Commission.

- C. The Zoning Hearing Board shall request, at least 30 days prior to the public hearing, the review and recommendations of technical agencies such as the Montgomery County Planning Commission, or other planning agencies to assist in determining the environmental impact of the proposed use(s).
- D. In rendering a decision, the Zoning Hearing Board may impose special measures or conditions as deemed reasonably necessary and appropriate for the proposed use(s) to conform with the intent of this Article.

SECTION 1609. Standards for Approval of Uses by Special Exception. The Zoning Hearing Board shall exercise discretion allowing only those uses which are substantially in accord with the stated objectives in Section 1600 herein. In considering a use as a Special Exception, the Zoning Hearing Board shall consider as a minimum, the following:

- A. The effect of the use shall not substantially alter the cross-sectional profile of the streams and floodplains at the location of the proposed use.
- B. Lands abutting the waterway, both upstream and downstream shall not be unreasonably affected by the proposed use.
- C. The general welfare or public interest of Salford Township or of other municipalities in the same watershed shall not be adversely affected.

SECTION 1610. Standards for Approval of Uses by Variance. A property owner of a lot of record, as of the date of the enactment of this Article, who is able to prove that the strict enforcement of this Article would create undue hardship by denying a reasonable use of an existing lot which is situated either wholly or partially in the FPC District, may seek relief by applying for a Variance from the Zoning Hearing Board.

- A. The Zoning Hearing Board, after deciding upon the merits of the application, may permit the applicant to make some reasonable use of the property in question, while ensuring that such use will not violate the basic objectives of this Article, as specified in Section 1200, herein.
- B. In considering a use as a Variance, the Zoning Hearing Board shall consider those standards outlined in Section 1609, herein.
- C. Any structure permitted by Variance shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water, and shall be designed to have a minimum effect upon the flow and height of flood water. The lowest floor including basement of all structures shall be at or above the 100-year flood elevation and anchored to resist flotation, collapse, or lateral movement. Areas below the lowest floor which are used solely for vehicle parking, building access, or storage and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters. Designs for meeting this shall be certified by a registered Professional Engineer or Architect.
- D. No structure shall be permitted by variance in a floodplain, which is to be used as the principal use of the property.
- E. Any structure permitted by variance as an accessory use need not be elevated or flood-proofed to remain dry, but shall comply, at a minimum, with the following requirements:

1. The structure shall not be designed or used for human habitation, or for any business or similar use, but shall be limited to the parking of vehicles, or to the storage of tools, material, or equipment related to the principal use. The structure shall not be occupied or used, as a jail or prison, nursing home, or hospital.
 2. Floor area shall not exceed 600 square feet.
 3. The structure shall have a low potential to be damaged.
 4. The structure shall be located on the site so as to cause the least possible obstruction of floodwaters.
 5. Any power lines, wiring and outlets shall be at least 18 inches above the 100-year flood.
 6. There shall be no permanently affixed utility equipment or appliances such as heaters, washers, dryers, etc.
 7. Sanitary facilities are prohibited.
 8. The structure shall be adequately anchored to prevent flotation or movement, and shall be designed to automatically provide for the entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on the walls. Designs to meet these requirements shall be certified by a Professional Engineer or Architect registered in the Commonwealth.
 9. No radioactive material or material considered dangerous to human life may be stored in any structure for which a variance is given under this section. Such materials include:
 - Acetone
 - Ammonia
 - Benzene
 - Calcium carbide
 - Carbon disulfide
 - Celluloid
 - Chlorine
 - Hydrochloric acid
 - Hydrocyanic acid
 - Magnesium
 - Nitric acid and oxides of nitrogen
 - Petroleum products (gasoline, fuel oil, etc.)
 - Phosphorus
 - Potassium
 - Sodium
 - Sulfur and sulfur products
 - Pesticides, including insecticides, fungicides, and rodenticides.
- F. No variance shall be granted for any construction, use or activity within any floodway that would cause any increase in the 100-year recurrent interval flood, flood elevation.
- G. Whenever a variance is granted pursuant to the provisions of this section, the Zoning Hearing Board shall include in its ruling a notification to the applicant that (a) the granting of the Variance may result in increased premiums for flood insurance, and (b) such Variance may increase the risk to life and property.

- H. A report of all variances granted within this District shall be included in the Township's yearly report to the Federal Insurance Administration.

SECTION 1611. Uses and/or Structures Rendered Non-Conforming by the Adoption of this District. Following the adoption of this Article, any use or structure which is situated within the boundaries of the FPC District and which does not conform to the permitted uses specified in Section 1604, herein, shall become a non-conforming use or structure, regardless of its conformance to the District in which it is located without consideration of this Article. Notwithstanding other provisions to the contrary elsewhere in this Ordinance, no nonconforming use in the FPC District may be expanded except by Variance. Any existing residential structure which is to be substantially improved or any existing accessory structure which has sustained substantial damage and requires repair as a result shall meet the requirements of Section 1610, Paragraph C.

SECTION 1612. Certificate of Compliance. No vacant land shall be occupied or used and no building hereafter erected, altered or moved on the floodplain of any river or stream shall be occupied until a certificate of compliance shall have been issued by the Zoning Officer. The Zoning Officer shall request the applicant to submit a certification by a Registered Professional Engineer that the finished fill and building floor elevations, flood proofing measures, or other flood protection factors were accomplished in compliance with the provisions of this Ordinance. The Zoning Officer shall issue a certification of compliance only if the building or premises and the proposed use thereof conform to all the requirements of this Ordinance.

SECTION 1613. Other Reviews. Nothing contained in the provisions of this Article shall exempt an applicant, landowner, or developer from any requirements for review and approval of the proposal stated in the Township's Subdivision and Land Development Ordinance.

SECTION 1614. Municipal Liability. The granting of a zoning permit or approval of a subdivision or land development plan in or near the FPC District shall not constitute a representation, guarantee or warranty of any kind by the municipality, or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon Salford Township, its officials, or employees. The degree of flood protection intended to be provided by this Ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. This Ordinance does not imply that areas outside FPC District boundaries or land uses permitted within such districts will always be totally free from flooding or flood damages.

ARTICLE 17

SSC STEEP SLOPE CONSERVATION DISTRICT

SECTION 1700. Declaration of Legislative Intent. In expansion of the Declaration of Legislative Intent found in Article 1, Section 101 of this Ordinance, the specific intent of the SSC Steep Slope Conservation District shall be to conserve and protect those areas having steep slopes, as defined herein, from inappropriate development and excessive grading, as well as to permit and encourage the use of said areas for open space purposes, so as to constitute a harmonious aspect of the continuing physical development of Salford Township. In implementing these principles and the general purposes of the Comprehensive Plan and Zoning Ordinance, the following specific objectives are intended to be accomplished by the adoption of the SSC District.

- A. To combine with other zoning requirements as an overlay, certain restrictions for steep slope areas to promote the general health, safety, and welfare of the residents of Salford Township.
- B. To prevent inappropriate development of steep slope areas in order to avoid potential dangers for human usage caused by erosion, stream siltation, soil failure leading to structural collapse or damage or unsanitary conditions and associated hazards.
- C. To minimize danger to public health and safety by promoting safe and sanitary drainage.
- D. To permit only those uses that are compatible with development of steep slope areas in order to avoid accelerated erosion, soil failure, accelerated seepage or other conditions that may create a danger to life or property.
- E. To permit only those uses in steep slope areas that is compatible with the preservation of existing natural features, including vegetative cover, by restricting the grading of steep slope area.
- F. To promote the ecological balance among those natural system elements (such as wildlife, vegetation and aquatic life) that could be adversely affected by inappropriate development of steep slope area.
- G. To prevent development that would cause excessive erosion and a resultant reduction in the water-carrying capacity of the watercourses that flow through or around the Township with the consequences of increased flood crests and flood hazards within the Township and to both upstream and downstream municipalities.
- H. To protect individuals and adjacent landowners in the Township or other municipalities from the possible harmful effects of inappropriate grading and development on steep slope areas.
- I. To protect the entire Township from inappropriate development of steep slope areas, which could have an effect upon subsequent expenditures for public works and disaster relief and thus, adversely affect the economic well being of the Township.
- J. To promote the provision of safe and reliable access-ways, parking areas and utility systems serving development on or around steep slope areas, where more sensitive grading and silting is essential.

- K. To assist in the implementation of pertinent state laws concerning erosion and sediment control practices, specifically Chapter 102, Erosion Control, of the Clean Streams Law, P.L. 1987, and any subsequent amendments thereto, as administered by the Pennsylvania Department of Environmental Resources and the Montgomery County Conservation District.

SECTION 1701. Boundary Definition of the Steep Slope Conservation District. The SSC District is defined and established at follows:

- A. Those areas having 15 percent or greater as delineated on the maps prepared by the Soil Conservation Service, United States Department of Agriculture, in the Soil Survey of Montgomery County, 1967. The actual area of steep slope shall be determined in conjunction with U.S.G.S. topography maps. These maps and data are hereby incorporated into this Ordinance by reference
- B. Whenever there is a difference between the maps and data contained in the Soil Survey of Montgomery County and the U.S.G.S. topography maps, a topographic plot of the site by a Registered Engineer or Registered Land Surveyor shall determine the boundaries of the Steep Slope Conservation District.
- C. All subsequent changes in the boundaries of the SSC District shall be incorporated into the Zoning Map as amendments thereto.

SECTION 1702. SSC District Overlay Concept. The SSC District shall be deemed to be an overlay on any zoning district(s) now or hereafter enacted to regulate the use of land in Salford Township.

- A. The SSC District shall have no effect on the permitted uses in the underlying zoning district, except where said uses intended to be located within the boundaries of the SSC District, as defined herein, are in conflict with the permitted uses set forth in this Article.
- B. In those areas of the Township where the SSC District applies, the requirements of the SSC District shall supersede the requirements of the underlying zoning district(s).
- C. Should the SSC District boundaries be revised as a result of legislative or administrative actions or judicial decision, the zoning requirements applicable to the area in question shall revert to the requirements of the underlying zoning district(s) without consideration of this Article.
- D. Should the zoning classification(s) of any parcel or any part thereof on which the SSC District is an overlay be changed, as a result of legislative or administrative actions or judicial decision, such change(s) in classification shall have no effect on the boundaries of the SSC District, unless an amendment to said boundaries was included as part of the proceedings from which the subsequent change(s) originated.

SECTION 1703. Boundary Interpretation and Appeals Procedure. An initial determination as to whether or not the Steep Slope Conservation District applies to a given parcel shall be made by the Zoning Officer.

- A. Any party aggrieved by the decision of the Zoning Officer, either because of an interpretation of the exact location of the SSC District boundary or because the criteria used in delineating the boundary, as set forth in Section 1701, herein, is or has become incorrect because of changes due to natural or other causes, may appeal said decision to the Zoning Hearing Board as provided for in Article 4 of this Ordinance.

- B. The burden of proving the incorrectness of the Zoning Officer's decision shall be on the appellant.

SECTION 1704. Land Use and Development Regulations in the SSC District. In the SSC District the following land use and development regulations shall apply:

- A. On those lands having a slope of 15 percent or more, as defined herein, and including the area within 30 feet of lands with 15 percent slope, the SSC District shall apply and only those uses permitted in Sections 1705 and 1706 of this Article shall be permitted. Furthermore, all applications for development on said areas as permitted in Section 1706 of this Article shall be accompanied by an erosion and sediment control plan, notwithstanding the minimum acreage requirements of Chapter 102, Erosion Control, of the Clean Streams Law, P.L. 1987 and any subsequent amendments thereto. The plan shall comply with the erosion and sediment control practices set forth in the Erosion and Sediment Control Manual of the Pennsylvania Department of Environmental Resources, 1974, as well as other recognized conservation practices.
- B. In evaluating the proposed development plan, the erosion and sediment control plan and any additional information submitted by the applicant in support of the application, the Township Planning Commission, Township Engineer and the Zoning Hearing Board (where appropriate) shall consider, as a minimum, the following factors:
1. The percent of slope on the site.
 2. The extent and proposed disturbance of the existing vegetative cover on the site.
 3. The soil types and underlying geology of the site.
 4. The length or extent of the slope both on the site in question and on adjacent lands within 200 feet of the site.
 5. Evidence that the proposed development, any impervious ground cover and the resultant disturbance to the land and existing vegetative cover will not cause excessive run-off and/or related environmental problems.
- C. In connection with any use permitted, or permitted by Special Exception, or as a Conditional Use, no more than 15 percent of any forested area of any property shall be cleared, and no more than one-half acre in one single cleared area, which must be separated by at least 50 feet from similar clearings.

SECTION 1705. Conservation Uses Permitted Throughout the SSC District. The following uses shall be permitted in the SSC District without the submission of an erosion and sediment control plan:

- A. Wildlife sanctuary, woodland preserve, arboretum and passive recreation areas, including parks but excluding enclosed structures.
- B. Game farm or hunting preserve for the protection and propagation of wildlife but excluding enclosed structures.
- C. Pasture and controlled grazing of animals in accordance with recognized soil conservation practices.

- D. Agricultural activities of the following types provided they are conducted in accordance with recognized sound soil conservation practices.
 - 1. The cultivation, harvesting and sale of crops and related farm products.
 - 2. The raising and sale of livestock or fowl, along with associated pasture and grazing land.
 - 3. Orchards, nurseries, greenhouses and related horticultural uses.
- E. Outdoor plant nursery or orchard in accordance with recognized soil conservation practices.
- F. Cultivation and harvesting of crops in accordance with recognized soil conservation practices.
- G. Non-structural accessory uses (except swimming pools), necessary for the operation and maintenance of the above-permitted uses.
- H. Similar uses to the above which are in compliance with the intent of this article.

SECTION 1706. Uses Permitted By Special Exception. The following uses shall be permitted by Special Exception from the Zoning Hearing Board, upon the submission of Erosion and Sediment Control Plan and supporting evidence as set forth in sub-sections 1704.B and C of this Article.

- A. Front, side and rear yards and required lot area in the underlying zoning district(s) provided such yards are not to be used for an on-site sewage disposal system, unless said system meets the applicable requirements of subsection 1706.D of this Article.
- B. Sanitary or storm sewers and impoundment basins following the approval of the Township Engineer and the Pennsylvania Department of Environmental Resources.
- C. Underground utility transmission lines.
- D. On-site sewage disposal systems, when constructed in compliance with the Act 208 amendments to Act 537, "The Pennsylvania Sewage Facilities Act." or Township ordinances, as applicable.
- E. Roads, access driveways and parking facilities, but only when no viable alternative alignment or locations is feasible, upon the determination of the Township Engineer.
- F. Those principal and accessory uses, except swimming pools, permitted in the underlying zoning district, but only when no viable alternative location is feasible, upon the determination of the Township Engineer. This requirement shall not be construed to prohibit earth-sheltered structures; however, such structures must meet all requirements of Section 1710.

SECTION 1707. Prohibited Uses. The following uses shall be prohibited within the boundaries of the SSC District:

- A. Freestanding structures, buildings and retaining walls, unless no alternative location is feasible, as set forth in Subsections 1706.E and F of this Article.
- B. The filling or removal of top soil except when related to an activity approved by Special Exception, as set forth in Section 1706 of this Article, and pursuant to an approved Plan.

C. Swimming pools.

D. Dumps, junkyards, or other outdoor storage of vehicles and materials.

SECTION 1708. Application Procedure. For any use of land in the SSC District, excepting uses existing as of the date of the enactment of this Ordinance, an application for a steep slope use permit shall be filed with the Zoning Officer who shall make an initial determination on the application.

A. For a use other than those permitted in Section 1705; an application seeking approval by Special Exception shall be forwarded to the Zoning Hearing Board along with required studies or information and the findings of the Zoning Officer.

B. Any application concerning a use permitted by Special Exception in Section 1706 of this Article shall be accompanied by the following information:

1. A plan certified by a Registered Professional Engineer or Registered Surveyor which accurately locates the proposed use with respect to the SSC District boundaries and existing development within 200 feet of the proposed use, together with all pertinent information such as the nature of the proposal, legal description of the property, topographical elevations in 2-foot intervals; and sediment and erosion control measures required by the provisions of this Article.
2. Additional information as deemed necessary by either the Zoning Officer or the Zoning Hearing Board for the evaluation of the impact of the proposed use, including, but not limited to, the following:
 - a. Plan surface view showing elevations or contours of the ground; pertinent structure, grading or fill elevations; size, location and spatial arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply, sanitary facilities, soil types, existing vegetation; and other pertinent information.
 - b. Topographic surveys showing the contours of the property in 2-foot intervals, at a scale of 1-inch equals 100 feet or greater as deemed appropriate by the Township Engineer. In addition, typical tract cross-sections at a vertical and horizontal scale deemed appropriate by the Township Engineer.
 - c. Specifications for building construction and materials including filling, grading, storage of materials, water supply, and sanitary facilities.
 - d. Proposed modifications to the existing topography and vegetative cover, as well as the means of accommodating storm water run-off and preventing erosion.
 - e. Evidence that the proposed construction meets all requirements of the Township Subdivision and Land Development Ordinance.
 - f. Any and all additional engineering and conservation techniques designed to alleviate environmental problems created by the proposed development activities.

SECTION 1709. Procedures for Consideration of a Special Exception or Variance. In addition to the procedures specified in Article 4 of this Ordinance, the following procedures outlined below shall apply to all Variance or Special Exception reviews under this Article:

- A. The Zoning Hearing Board shall request the review and recommendations by the Soil Conservation Service, U.S. Department of Agriculture and the office of the Montgomery County Conservation District, at least 30 days prior to the public hearing.
- B. The Zoning Hearing Board shall request, at least 30 days prior to the public hearing, the review and recommendations of the Salford Township Planning Commission.
- C. The Zoning Hearing Board shall request, at least 30 days prior to the public hearing, the review and recommendations of technical agencies such as the Montgomery County Planning Commission, appropriate watershed associations, or other planning agencies to assist in determining the environmental impact of the proposed use(s).
- D. In rendering a decision, the Zoning Hearing Board may impose special measures or conditions as deemed reasonably necessary and appropriate for the proposed use(s) to conform to the intent of this Article.
- E. In the granting of a Special Exception, the Zoning Hearing Board shall have the power to require the deposit of escrow funds or other means of guaranteeing that all conditions will be fulfilled.

SECTION 1710. Standards for Approval of Uses by Special Exception. In considering a use as a Special Exception the Zoning Hearing Board shall consider, as a minimum, the following:

- A. The relationship of the proposed use to the specific objectives set forth in Section 1700 of this Article.
- B. The standards set forth in Subsections 1704.B and C of this Article.
- C. Abutting property shall not be adversely affected by possible run-off or erosion from the proposed use.
- D. The general welfare, safety, and public interest of Salford Township or adjacent municipalities shall not be adversely affected.
- E. Any structures permitted by Special Exception shall provide evidence that:
 - 1. Proposed buildings (or structures) are of sound engineering design and that footings are designed to extend to stable soil or bedrock. Such evidence shall be in the form of certified structural plans, drawn by a Professional Engineer registered in Pennsylvania.
 - 2. Proposed vehicular facilities (including road, drives, or parking areas) shall be so designed that land clearing or grading will not cause accelerated erosion. Both vertical and horizontal alignments of vehicular facilities shall be so designed that hazardous circulation conditions will not be created.
 - 3. Proposed on-lot sewage disposal facilities shall be properly designed and installed in conformance with all pertinent health regulations.

4. Proposed non-agricultural displacement of soil shall be for causes consistent with the intent of this Ordinance and shall be executed in a manner that will not cause excessive erosion or other unstable conditions.
5. Surface runoff of water will not create unstable conditions, including erosion, and that appropriate storm water drainage facilities or systems will be constructed as deemed necessary.

SECTION 1711. Uses or Structures Rendered Nonconforming by the Adoption of this District. Following the adoption of this Article, any use or structure within the boundaries of the SSC District and which does not conform to the permitted uses specified in Section 1705 of this Article shall become a non-conforming use or structure, regardless of its conformance to the district in which it is located without consideration of this Article. The expansion of said nonconforming use or structure shall be governed by the requirements of Article 7 of this Ordinance. However, the Zoning Hearing Board shall also ensure that the standards contained in Section 1710 of this Article are applied to the expansion of said nonconforming use or structure.

SECTION 1712. Certificate of Compliance. No vacant land shall be occupied or used and no building hereafter erected, altered or used and no steep slope areas shall be occupied until a Certificate of Compliance has been issued by the Zoning Officer. The Zoning Officer shall request the applicant to submit a certification by a Registered Professional Engineer or Registered Land Surveyor that the construction of said building and any necessary grading or filling were accomplished in compliance with the provisions of this Ordinance. The Zoning Officer shall issue a Certification of Compliance only if the building or premises and the proposed use thereof conform to all requirements of this Ordinance.

SECTION 1713. Other Reviews. Nothing contained in the provision of this Article shall exempt an applicant, landowner, or developer from any requirements for review and approval of the proposal stated in the Township Subdivision and Land Development Ordinance.

SECTION 1714. Municipal Liability. The granting of a zoning permit or approval of a subdivision or land development plan on or near the SSC District shall not constitute a representation, guarantee or warranty of any kind by the Township of Salford or by any official or employee thereof of the practicability or safety of the proposed use and shall create no liability upon Salford Township, its officials, or employees. The degree of erosion and sediment control protection intended to be provided by this Ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. This Ordinance does not imply that areas outside the SSC District boundaries or land uses permitted within said district would always be totally free from the adverse effects of erosion.

ARTICLE 18 SIGNS

Any sign erected after the effective date of this Ordinance shall conform to the following regulations:

SECTION 1800. In all districts, the following signs shall be permitted and no other:

- A. Official street and traffic signs and any signs required by law.
- B. Professional, accessory use, home occupation or name signs on the same lot with and indicating the name, profession or activity of the occupant of the dwelling, provided that the area of any one side of any sign shall not exceed 864 square inches, and provided that no more than one such sign shall be erected for each permitted use or dwelling.
- C. Sign for a school, church, or other institution of similar nature, on the same lot therewith, for the purpose of displaying the name of the institution and its activities or services, provided that the area of any one side of such sign shall not exceed 15 square feet, and provided that not more than one such sign shall be erected on any one street frontage of any property in single and separate ownership.
- D. Trespassing signs and signs indicating private ownership of roadways or other property, on the same premises therewith, provided that the total area on any one side of such sign shall not exceed one square foot and shall be spaced at intervals of not less than 100 feet of street frontage.
- E. Real estate signs as follows:
 - 1. For advertising the sale or rental of the premises upon which the sign is erected, provided that the total area on any one side of such sign on any one street frontage of any property in single and separate ownership shall not exceed 6 square feet.
 - 2. For advertising on the premises, the sale or development of homes or lots within a subdivision a recorded plat of which contains less than ten lots, provided that the area of any one side of such signs shall not exceed 15 square feet, and provided that not more than one such sign shall be erected within any such subdivision.
 - 3. For advertising, on the premises, the sale or development of homes or lots within a subdivision the recorded plat of which contains ten or more lots, provided that the area for any one side of such signs shall not exceed 35 square feet, and provided that not more than two such signs shall be erected within any such subdivision.
 - 4. All real estate advertising signs shall be removed not more than 30 days following sale of the property offered.
- F. Signs in connection with identification, or operating of any other utility or municipal activity, on the same lot therewith, provided that the total sign area on any one street frontage of any property and single and separate ownership shall not exceed 15 square feet. Such sign shall be at least 10 feet from the ultimate right-of-way, and no more than 5 feet to top of sign from ground level.

- G. For sale of agricultural products, signs on the same lot therewith indicating the name of the owner or occupant and the products sold or services or activities performed on the premises, provided that the total sign area on any one street frontage, of any property in single and separate ownership shall not exceed 15 square feet.
- H. Directional signs, provided that the area of any one side of such sign shall not exceed 125 square inches, and provided that such signs shall be spaced at intervals of not less than 500 feet along street frontage.
- I. Temporary sign of contractors, mechanics, painters, and artisans erected and maintained on a premises where the work is being performed during the period in which such work is being performed provided that the area of any one side of such sign shall not exceed 15 square feet provided that not more than one such sign is on and erected on any one property in single and separate ownership, and provided that such sign shall be removed on completion of the work.
- J. Temporary sign of real estate or auction sale. Signs shall be erected on the same lot where the sale of real estate or auction is to take place provided that the total of any one side of any such sign on any one street frontage of any property in single and separate ownership shall not exceed 15 square feet.
- K. Signs in connection with Bed and Breakfast on the same lot therewith, provided that the area of any one side of such signs shall not exceed 6 square feet, and provided that not more than one such sign shall be erected on any one street frontage of any property in single and separate ownership.
- L. Sign for business or commercial use on the same lot as the use to which it refers, provided that the total sign area on any one street frontage of any property in single and separate ownership shall not exceed 35 square feet.
- M. In the case of a use involving multiple non-residential tenants on the same property within the VCR District, applicant shall submit a plan for signs and other graphic materials for approval. Size, type and illumination of signs identifying the entire property shall meet the requirements of paragraph L., above. Additional signs for individual occupancies, attached to the buildings, may be permitted by the Township if they are:
 - 1. Not more than 6 square feet in area.
 - 2. If illuminated (internally only) the level may not be greater than allowed in Section 1802 of this Ordinance.
 - 3. Do not project above building roofs or walkway canopies.
 - 4. Are of a consistent size, style, and motif throughout the property.

SECTION 1801. General Sign Regulation for All Districts. In all districts, the following general sign regulations shall apply:

- A. Signs shall not be placed in such a position as to endanger traffic on a street by obscuring a clear view or by confusion with official street signs or signals, by virtue of position, color or illumination.

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- B. Signs other than official street signs shall not be erected or maintained within 10 feet of the cartway.
 - C. Signs shall not project more than 24 inches over public walkways, and the lower edge of such projecting signs shall be not less than 10 feet above the walk level.
 - D. Every sign permitted in this Ordinance shall be constructed of durable materials and shall be maintained in good condition and repair at all times.
 - E. No sign (and its supporting structure) mounted or attached to the ground shall exceed 10 feet in height to top of sign; no sign mounted on a building shall project above the roof of same.
 - F. In any district, the Board of Supervisors may permit by Resolution, the erection and display of signs or banners which do not meet the criteria specified herein, providing:
 - 1. That the sign or banner be for the advertisement of an activity or event designed to raise funds for, or otherwise benefit, a non-profit charitable or community service organization;
 - 2. That the sign or banner be displayed either on a one-time basis, or at periodically stated intervals (e.g. yearly), and for a stated time period;
 - 3. That any and all other permit requirements be satisfied (e.g. road occupancy permit for banner across state highways);
 - 4. That the Board shall determine that the advertising of such activity will benefit the general public;
 - 5. That the Board shall have the right to impose and enforce conditions on the erector of the sign, such as structural strength, insurance requirements, and other such matters as shall secure the general welfare; and
 - 6. That the Board may, at its discretion, waive the fee requirements for such sign, as set forth below.

SECTION 1802. Illumination of Permitted Signs.

- A. In all residential districts, the following permitted signs may be illuminated, and no other:
 - 1. Professional sign of a physician, dentist, healer, Justice of the Peace, and such other persons whose services and emergencies are customarily considered essential to the public health, safety and welfare, provided that the illumination is white light only.
 - 2. Sign of a school, church, home occupation, bed and breakfast, or other institution of similar nature, or municipal building provided that the illumination is white light only.
 - 3. Signs identifying apartment buildings and other similar types of signs as permitted above.
 - 4. Signs for regulation of traffic, marking of hazards, and the like.
- B. In VCR District signs for any non-residential use may be illuminated.

C. Any permitted illumination of signs, building or structures in any district shall be subject to the following regulations:

1. There shall be no illumination of a flashing, intermittent or moving type.
2. Flood lighting shall be so shielded that the source of the light shall not be visible to passing motorists, so that only the sign is directly illuminated.
3. The level of illumination of any sign in any residential district or the VCR District shall be such that the surface luminance of the sign shall not exceed 75 foot-lamberts. In all other permitted districts the surface luminance shall not exceed 150 foot-lamberts.

SECTION 1803. Permits for Signs. A permit shall be obtained from the office of the Zoning Officer for each sign and a fee paid in accordance with a fee schedule adopted by resolution of the Board of Supervisors upon the enactment of this Ordinance, or such schedule as may be amended by resolution of the Board of Supervisors. This provision shall not apply to real estate signs described in Subsection 1800.J.

ARTICLE 19 OFF-STREET PARKING AND LOADING

SECTION 1900. Required Off-Street Facilities. Any building or other structure erected, altered, or used, and any lot used or occupied, for any of the following purposes shall be provided with minimum off-street parking spaces as set forth below, together with adequate passageways, or driveways or other means of circulation and access to and from a street or way:

- A. Dwelling. Two all-weather parking spaces per family or one space per room rented on the same lot therewith or on land adjacent thereto.
- B. Bed and Breakfast. One all-weather parking space for each room for rent on the same lot therewith or on land adjacent thereto, plus two spaces for the owner of the facility.
- C. For any of the following uses the required parking space shall be all-weather and shall be located on the same lot therewith or on land adjacent thereto:
 - 1. Church, school, one parking space for every three seats provided for public assembly.
 - 2. Community center, or other similar place: One parking space for every 800 square feet of floor area in public use.
 - 3. Indoor Theater: One parking space for each one and one-half seats.
- D. For any of the following uses required parking spaces shall be all-weather and such parking spaces shall be located on the same lot therewith except as provided in Section 1901 below:
 - 1. Retail Store or Shop: One parking space for every 50 square feet of store sales floor space.
 - 2. Office Building: One parking space for every 100 square feet of floor space.
 - 3. Restaurant or Cafe: One parking space for every 50 square feet of floor space devoted to patron use.
 - 4. Other Commercial Buildings: One parking space for every 1,000 square feet of floor area, or fraction thereof, except when otherwise authorized as a Special Exception consistent with the requirements set forth herein for comparable establishments.
 - 5. Open Area Used for Commercial Purposes: For every 1,500 square feet of area, or fraction thereof: one parking space for sellers, either as part of a sales space, or separately; two parking spaces for customers
 - 6. Townhouse Development: One and one-half parking spaces per dwelling unit.
- E. For any parking area (except those associated with single-family dwellings) exceeding five vehicle capacity; and in connection with which the combined lot coverage (building plus parking, maneuvering and driving areas) shall exceed 20 percent of the lot area, paving, if desired by the owner or occupant, shall be done with porous paving as defined and specified in the Township Subdivision and Land Development Ordinance.

SECTION 1901. Reduction of Requirements by Special Exception. The parking space(s) required in Section 1900 herein, may be located elsewhere than on the same lot when authorized as a Special Exception, subject to the following conditions:

- A. That the owners of two or more establishments shall submit their application for Special Exception, along with a site plan showing joint use and location of a common off street parking area.

SECTION 1902. Illumination of Parking Areas. Parking areas and parking lots, if illuminated, shall conform to the following:

- F. Fixtures shall be a maximum of 25 feet above finished grade, and within the VCR District shall be a maximum of 14 feet above finished grade.
- G. All fixtures for illuminating parking lots, parking areas, driveways, and other vehicular spaces, shall be of the sharp-cutoff type, with the bottom surface parallel with the ground, and lenses that do not project below the fixture body. They shall emit no visible light above 45 degrees above the vertical axis of the fixture. Fixtures attached to buildings, to illuminate walkways or entrances shall have similar optical characteristics, and shall not have lenses visible above the horizontal.
- H. Average illumination level on any parking or traffic area shall not exceed one foot candle, with a maximum average-to-maximum ratio of 4:1.
- I. No illumination shall exceed 1/10-foot candle beyond the property line of the illuminated property.
- J. All area lighting fixtures within 20 feet of a property line shall have house-side shields.

ARTICLE 20 TIMBER HARVESTING

SECTION 2000. Intent. The intent of this Article is to:

- A. Provide for the regulation of tree harvesting practices and to allow for and encourage proper forest management within the Township in order to ensure:
 - 1. That the right to harvest trees is exercised with due regard for the protection of the physical property of adjacent landowners.
 - 2. That the potential for negative environmental impacts resulting from improper tree harvesting is minimized.
 - 3. That the conditions outlined in and required by the Stormwater Management Act, Act No. 167 of 1978, 32 P.S. P680/1 et seq.; the Clean Streams Act, Act No. 222 of 1932, 35 P.S. P691.1 et seq; and the Dam Safety and Encroachments Act, Act No. 325 of 1978, 32 P.S. P693.1 et seq. and regulations and ordinances promulgated and enacted thereunder are properly adhered to.
 - 4. That Township facilities such as roads and drainage facilities are not damaged, or if damaged, are restored.
- B. Recognize timber harvesting as a legitimate activity within the Township, while placing it in the context of property values, environmental preservation, and community interests.

SECTION 2001. Definitions. As used in the Chapter, the following shall mean:

- A. **FELLING.** The act of cutting a standing tree so that it falls to the ground.
- B. **INTERMITTENT STREAM.** A stream whose water flow normally occurs in the wetter parts of the year (October through April) or following major storm events.
- C. **LANDING.** A place where logs are assembled for transportation in loads.
- D. **LOGGING PLAN.** A written description with a map of a specific logging operation prepared before the operation commences.
- E. **LOPPING.** To cut tops and slash into smaller pieces to allow material to settle close to the ground.
- F. **OPERATOR.** The individual, partnership, company, firm, association, or corporation engaged in the harvesting of timber including his agents, subcontractors or employees.
- G. **LANDOWNER.** The individual, partnership, company, firm, association or corporation which holds legal or equitable title to standing timber, and/or the land on which it is situated, including his agents, subcontractors or employees.
- H. **PERENNIAL STREAM.** A stream whose water flow normally occurs year round.

- I. SKIDDING. Dragging trees on the ground, by any means, from the stump to the landing.
- J. SLASH. Debris left after logging, including logs, chunks, bark, branches, stumps and broken understory trees or brush.
- K. STREAM. Any channel of conveyance of surface water having a defined bed and banks, whether natural or artificial, with perennial or intermittent flow.
- L. TREE HARVESTING OR TIMBER HARVESTING OR LOGGING. The cutting down and removal of trees and logs to be converted to any forest product or for sale to others.
 - 1. This definition shall include FORESTRY as defined in Article 2, and shall have the same exclusions as therein listed.
- M. CLEAR CUT. The felling of substantially all trees on a tract of land, or portion thereof.
- N. DBH. The diameter of a tree at breast height, measured 4.5 from the ground surface.
- O. BASAL AREA. The cross-sectional area of trees calculated in square feet as measured at the DBH.
- P. TOPS. The upper portion of a felled tree not merchantable because of small size, taper, or defect.
- Q. TOWNSHIP ENFORCEMENT OFFICER. The Township Zoning Officer.
- R. ROAD. Public road, either municipality or state owned. Wherever the words road, a public road, Township's road, etc are used herein, they shall be equivalent to the word street, and have the same meaning as the word state, defined in the Township Subdivision and Land Development Ordinance, and Township Zoning Ordinance.
- S. HAUL ROAD, SKID ROAD. Those roads, trails, or other openings upon which trees, logs, equipment, or vehicles are moved within the site of the work.
- T. SELECTIVE THINNING. A method of timber harvesting in which the removal of mature and/or poor quality timber is done at periodic intervals and is repeated indefinitely. This allows existing trees to grow more vigorously, and reseed, thus maintaining an uneven age forest.
- U. SHELTERWOOD CUTTING. The removal of the oldest trees in a forest through a series of cuttings, allowing the near-mature trees to grow more vigorously before their removal; producing eventually an even age forest.

SECTION 2002. Applicability. This Chapter shall apply to all tree-harvesting operations within the Township as defined in 2001.L, above, and in Section 200.M.

SECTION 2003. Responsibility.

- A. It shall be the responsibility of each landowner on whose land tree harvesting is to be carried out to develop or have developed the logging plan and to submit notification as required in this Chapter. It shall be the joint responsibility of the landowner and the operator to see that the provisions of the logging plan are carried out.

SECTION 2004. Regulations. The following regulations shall govern all tree-harvesting operations:

- A. A logging plan shall be prepared for each tree harvesting operation within the Township.
- B. The logging plan shall address and comply with all applicable standards for erosion and sedimentation control and stream crossing regulations under 25 Pennsylvania Code, Chapter 102, Erosion Control Rules and Regulations, issued pursuant to the Clean Streams Law, and 25 Pennsylvania Code, Chapter 105, Dam and Waterway Management Rules and Regulations, issued pursuant to the Dam Safety and Encroachments Act.
- C. The logging plan shall address and comply with all applicable standards for stormwater management as set forth in the Stormwater Management Act, and any regulations, storm water management plans and ordinances issued or enacted pursuant thereto.
- D. At a minimum, the logging plan shall address each of the following:
 - 1. Design of the logging road system.
 - 2. Water control structures.
 - 3. Stream crossings.
 - 4. Log landings.
 - 5. Haul roads, skid roads, and skid trails.
 - 6. Maintenance.
 - 7. Public Road Use.
 - 8. Retirement of logging roads, log landings, stream crossings, structures, etc., and restoration of the same.
 - 9. The general location of the anticipated operation in relation to municipal and state highways.
 - 10. The location of property boundaries for the tract on which the logging will take place.
 - 11. Approximate starting and completion dates for the operation.
- E. The logging plan and any amendments thereto shall be filed with the Township enforcement officer at least 30 days before the beginning of any tree harvesting operations pursuant to the plan or amended plan.
- F. Within 20 days of receipt of any logging plan or amendment thereto, the Township enforcement officer shall either deny, approve or approve with conditions the logging plan or amendment. No tree harvesting operation may commence or continue except in accordance with an approved logging plan or amended logging plan. Any person aggrieved by the decision of the Township enforcement officer may appeal the decision within 30 days to the Township Board of Supervisors.

- G. The fee for the processing of a logging plan shall be as determined by the Board of Supervisors. In the event the Township enforcement officer determines that the logging plan or amendment necessitates the review of the cost of the Township Engineer, the adapted processing fee shall be increased to include the cost of the Township's Engineer's services. No logging plan or amendment shall be approved until all processing fees are paid.
- H. The Township enforcement officer shall be notified at least 7 days before the beginning of all tree-harvesting operations and within 7 days after the date of completion.
- I. The erosion and sediment control and stream crossing requirements addressed in the logging plan shall be followed at all times during the tree harvesting operation.
- J. General operational requirements: The following requirements shall govern all timber harvesting activity:
1. Felling or skidding on or across any public road is prohibited without the express written consent of the Township or the Pennsylvania Department of Transportation; whichever is responsible for maintenance of said road.
 2. No clear cutting of any tract will be permitted. Harvesting shall be done on a selective thinning base or shelter wood cutting practice, leaving a minimum of 60 square feet of basal area of all species, per acre "in situ" on the harvest site. No trees smaller than 2-inch DBH shall be included in figuring the basal area.
 3. No tops or slash shall be left within 25 feet of any public road.
 4. All tops and slash between a distance of 25 feet and 50 feet from a public road shall be lopped to a maximum height of 4 feet above the surface of the ground.
 5. All tops and slash throughout the cutting site shall be lopped to a maximum height of 12 feet above the surface of the ground.
 6. Unless waived in writing by owners of neighboring properties, 25-foot buffer zone shall be maintained between the cutting site and adjacent property boundaries, and between cutting site and legal right-of-way of all public roads. No tracked or wheeled machinery shall be operated within this buffer zone.
 7. Tree harvesting and related activity covered by an approved logging plan shall be conducted only between the hours of 7:00 a.m. and 6:00 p.m. unless these time limits are extended, excused or otherwise modified in writing by the Board of Supervisors or its designee. Operation during other hours is prohibited.
 8. No temporary or permanent living quarters for workmen may be placed upon the worksite, or upon neighboring properties.
 9. No loading or unloading of vehicles, equipment, or timber may take place upon any Township or state road. Such activities shall be conducted entirely within the boundaries of the harvest site.
 10. Daily cleanup: All soil washed or carried on to public streets during the tree harvesting operations shall be cleaned up each day. Temporary driveways or logging road surfaces shall be provided as soon as possible. The landowner shall be responsible to protect and cleanup lower properties of silt and debris which have washed down onto the lower properties as a result of the tree harvesting on the higher property.

- a. Should such neighboring property owners petition the Township, the Township at its sole discretion, may estimate the cost of cleanup upon such properties, and require the posting of a bond or other surety to guarantee the cleanup.
11. Permanent cleanup: Trash and litter resulting from any logging operation shall be cleaned up and removed from the site before it is vacated by the operator. Any roads or grading to facilitate roads necessary for the logging operation shall be completely regraded and reseeded to restore the property to a pre-logging condition and shall otherwise comply with all Township Ordinances. Proper erosion and sedimentation control measures shall be taken on disturbed property to prevent accelerated water run-off.
- a. All reseeded shall be done with approved native species, or with approved grass seed mix or wildflower mix which will prevent erosion of the site until nature can re-establish itself on the disturbed areas.

SECTION 2005. Road Protection.

- A. All entrances from haul and access roads, log landings, and the like, which enter a Township road shall install temporary culverts, interceptor devices, or other such devices for the handling of water in roadway swales as shall be required by the Township enforcement officer. All such devices shall be removed and roadways, bankings and swales restored to original condition upon completion of harvesting.
- B. All logging roadways or access roads entering upon a Township road shall have 20 feet of #4 stone installed as a "tire cleaner".
- C. Township, may, at its sole discretion, require posting of a bond or other surety to guarantee restoration of Township roads. "Restoration" shall mean the repair, regrading, resurfacing, etc., of areas in the vicinity of haul or access roads, and excess damage to other portions of roads used to transport timber or equipment to and from site. If, as a condition of such surety, operator shall agree to use specified Township roads for such transportation, any documented use of roads other than those agreed may be cause for partial or complete forfeiture of surety.
- D. Township enforcement officer, or any Township Supervisor, shall have authority to deny by verbal communication, any use of Township roads during periods of frost, thaw, or other weather conditions during which excessive damage to roads would unavoidably occur due to harvesting operation.

SECTION 2006. Enforcement.

- A. The Township enforcement officer may go upon the site of any tree harvesting operation before, during or after the active logging to review the tree harvesting operation, the logging plan and any amendment thereto and other required documents to ensure that such plans and documents are in compliance with the provisions of this Article and to ensure that the actual operation is proceeding in compliance with the approved logging plan or amended logging plan.
- B. Any logging operation found to be proceeding without a logging plan or to be operating beyond the scope of an approved logging plan or amended logging plan as described in this Article shall immediately cease operations and shall not resume until a logging plan is prepared and submitted to the Township enforcement officer and approved by the officer.

- C. When any operator or landowner is found to be violating any provision of this Article, or of any approved logging plan or amended logging plan, the Township enforcement officer shall provide the operator and landowner with a written statement describing each violation and specifying a date by which corrective action must be taken. Such corrective work shall be completed by the date specified or within 7 calendar days of such written notification, whichever is sooner. If not so corrected by the date specified or within said 7 days, the operator and the landowner shall be subject to the penalties provided in Section 502. Tree harvesting activities shall be suspended immediately upon notification and shall not resume until the corrective work has been completed and approved by the Township.
- D. When the Township enforcement officer finds a condition in a logging operation to be causing an immediate environmental risk, he shall immediately order operations to cease, and contact the Montgomery County Conservation District and request enforcement of the rules and regulations referred to under Section 2004.B of this Article.
- E. If it is necessary for the Township enforcement officer to obtain a survey or surveying services to establish a violation of this Ordinance and if a violation is found to exist, the owner shall also pay to the Township, in addition to other penalties provided for herein, an amount equal to the cost of the survey or said surveying services.
- F. For the purposes of this Section, notification shall be deemed to have taken place if the written or verbal order or statement described has been either delivered to the operator at his place of business; delivered to the landowner; or delivered to the representative of the operator at the site.

SECTION 2007. Penalties. Any landowner or operator who violates any provision of this Article is guilty of a summary offense and upon conviction shall be subject to a fine of not less than \$100 nor more than \$300, plus costs, for each separate offense. Each day of continued violation of any provision of this Article shall constitute a separate offense.