

Chapter 27

Zoning

Part 1 General Provisions

- §27-101. Short Title
- §27-102. Purpose
- §27-103. Community Development Objectives

Part 2 Definitions

- §27-201. Interpretation
- §27-202. Definitions

Part 3 Establishment of Districts

- §27-301. Creation of Districts
- §27-302. Zoning Map
- §27-303. District Boundaries
- §27-304. Interpretation of Boundaries
- §27-305. Effect of Provisions

Part 4 Agricultural Conservation (AC) District

- §27-401. Statement of Legislative Intent
- §27-402. Use Regulations
- §27-403. General Requirements
- §27-404. Agricultural Protection Plan
- §27-405. Adjusted Tract Approach

Part 5 Land Conservation (LC) District

- §27-501. Statement of Legislative Intent
- §27-502. Maximum Permitted Development Densities
- §27-503. Use Regulations
- §27-504. Open Land Uses and Standards
- §27-505. Dimensional Requirements

Part 6 Village (V) District

- §27-601. Statement of Legislative Intent

- §27-602. Uses Permitted by Right
- §27-603. Uses Permitted by Special Exception
- §27-604. Area and Bulk Regulations

Part 7
Moderate Density Residential (R-1) District

- §27-701. Statement of Legislative Intent
- §27-702. Uses Permitted by Right
- §27-703. Uses Permitted by Special Exception
- §27-704. Area and Bulk Requirements

Part 8
Low Density Residential (R-2) District

- §27-801. Statement of Legislative Intent
- §27-802. Uses Permitted by Right
- §27-803. Uses Permitted by Special Exception
- §27-804. Area and Bulk Regulations

Part 9
Low Density Residential (R-2A) District

- §27-901. Statement of Legislative Intent
- §27-902. Uses Permitted by Right
- §27-903. Lot Area, Width, And Yard Requirements

Part 10
Commercial/Industrial (CI) District

- §27-1001. Statement of Legislative Intent
- §27-1002. Permitted Principal Uses
- §27-1003. Uses Permitted by Special Exception
- §27-1004. Uses Permitted by Conditional Use
- §27-1005. Commercial/Industrial Development Design Standards
- §27-1006. Area and Bulk Requirements

Part 11
Sign Regulations

- §27-1101. Statement of Legislative Intent
- §27-1102. General Regulations
- §27-1103. Prohibited Signs
- §27-1104. Signs Permitted Within Agricultural and Residential Districts
- §27-1105. Signs Permitted Within the Village (V) District
- §27-1106. Signs Permitted Within the Commercial/Industrial (CI) District
- §27-1107. Dynamic Display Sign or Billboard

Part 12
Parking and Loading Regulations

- §27-1201. Statement of Legislative Intent
- §27-1202. Required Facilities
- §27-1203. Public Right-of-Way Excluded
- §27-1204. Design Standards
- §27-1205. Off-Street Loading Requirements

Part 13
Regulations Applicable to Specific Uses

- §27-1301. Swimming Pools
- §27-1302. Fences
- §27-1303. No-Impact Home-Based Businesses
- §27-1304. Farm-Related Businesses
- §27-1305. Special Setback Requirements for Nonconforming Residential Lots
- §27-1306. Home Occupations
- §27-1307. Bed-and-Breakfast Operations
- §27-1308. Accessory Dwelling Unit
- §27-1309. Kennel
- §27-1310. Storage
- §27-1311. Wireless Communications Towers
- §27-1312. Junkyard
- §27-1313. Airport/Heliport
- §27-1314. Landfill
- §27-1315. Farm Market

Part 14
Nonconforming Uses

- §27-1401. General
- §27-1402. Alterations and Reconstruction
- §27-1403. Extensions, Expansions, and Enlargement
- §27-1404. Change of Use
- §27-1405. Abandonment and Discontinuance
- §27-1406. Nonconforming Lots
- §27-1407. Nonconforming Signs

Part 15
Transfer of Development Rights (TDR) Program

- §27-1501. Purpose
- §27-1502. Severability and Transferability
- §27-1503. Determination and Availability
- §27-1504. Township Review Process
- §27-1505. Transfer of Development Rights
- §27-1506. Use of Development Rights
- §27-1507. Appeals

Part 16
Administration and Enforcement

- §27-1601. Appointment and Powers of the Zoning Officer
- §27-1602. Enforcement
- §27-1603. Permits
- §27-1604. Fees
- §27-1605. Inspection by the Zoning Officer
- §27-1606. Certificate of Occupancy
- §27-1607. Certificate of Nonconformance
- §27-1608. Special Exceptions, Application
- §27-1609. Appeals and Applications
- §27-1610. Violations
- §27-1611. Appointment of a Zoning Hearing Board
- §27-1612. Organization of the Zoning Hearing Board
- §27-1613. Hearings
- §27-1614. Jurisdiction
- §27-1615. Variances
- §27-1616. Special Exceptions; Review Procedure
- §27-1617. Parties Appellant Before the Zoning Hearing Board
- §27-1618. Time Limitations
- §27-1619. Stay of Proceedings
- §27-1620. Conditional Uses; Application
- §27-1621. Hearings on Conditional Use Applications

Part 17
Legal Provisions

- §27-1701. Interpretation

Zoning Map Amendments

Appendix 27-A

Part 1**General Provisions****§27-101. Short Title.**

This Chapter shall be known and may be cited as the “Reading Township Zoning Ordinance.”

(*Ord. 2000-1, 1/10/2000, §100*)

§27-102. Purpose.

The zoning regulations and districts as herein set forth are made for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewage, parks, and other public requirements. They have been made with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the Township. [*Ord. 2014-01*]

(*Ord. 2000-1, 1/10/2000, §101; as amended by Ord. 2014-01, 4/21/2014*)

§27-103. Community Development Objectives.

1. *Goal.* Preserve the high intensity agribusiness sector of Reading Township’s economy by encouraging the development and continuation of high intensity agribusinesses in appropriate locations within the Township.

A. *Objectives.*

(1) Enact an effective agricultural zoning district designed specifically for those areas of Reading Township where agribusiness operations have been developed.

(2) Provide for agribusinesses in appropriate areas of the Township, with measures designed to protect both the agribusiness uses and nearby residential uses.

(3) Limit the number of non-agricultural uses that can be developed in the agribusiness area of Reading Township, while at the same time requiring those non-agricultural uses that will be developed to locate in the least valuable areas for agriculture.

(4) Provide a Transferable Development Rights Program, where landowners in agricultural areas may voluntarily sell development rights from their property, thus addressing many of the equity concerns often associated with effective agricultural zoning provisions.

2. *Goal.* Encourage the protection and preservation of non-agricultural, rural areas of Reading Township, and the sensitive and scenic environmental features associated with these rural areas.

A. *Objectives.*

(1) Establish a zoning district which provides for rural residential opportunities while, at the same time, conserves rural landscapes in nonagricultural areas.

(2) Establish a maximum development density which provides for a range of residential development opportunities while, at the same time, limits the need for the development or expansion of public sewer or water systems beyond those areas of Reading Township designated for growth.

3. *Goal.* Provide for the development of commercial and/or industrial uses in appropriate areas within Reading Township, such as the Route 234/Route 94 intersection, which, because of their strategic locations, may be most suitable to higher intensity development.

A. *Objectives.*

(1) Fulfill Reading Township's responsibility to provide for commercial and industrial uses in appropriate areas of the Township.

(2) Encourage automobile-oriented commercial and industrial uses to locate in areas of the Township with the greatest level of access to the region's roadway network.

(3) Encourage the development of high quality, visually pleasing, and functional commercial and industrial development by requiring creative design of commercial and industrial projects, landscaping, and reasonable signage.

(4) Encourage development within commercial and industrial areas of Reading Township by designating these areas as "receiving areas" within the Reading Township Transferable Development Rights Program.

4. *Goal.* Encourage the preservation of and allow for the reasonable expansion of Hampton Village within Reading Township which has retained much of its aesthetic and historic character.

A. *Objectives.*

(1) Establish a zoning district designed to maintain and expand the existing character of Hampton Village.

(2) Provide for a mixture of residential, limited commercial, and institutional uses which contribute to the character and continuing function of Hampton Village.

(3) Encourage the retention of the village street patterns in Hampton Village by providing incentives for new development to extend the village street network.

5. *Goal.* Discourage the "lotting off" of rural Reading Township road frontages because such development patterns are inefficient to service, tend to promote the need for community sewer and water systems, and will eventually detract from the rural and scenic character commonly evident throughout much of the Township.

A. *Objectives.*

(1) Encourage, where appropriate, cluster residential development in the agricultural and rural, non-agricultural areas of Reading Township.

(2) Provide density incentives for those cluster residential projects which

provide public road access on new “loop” roads rather than on existing collector or minor Township roads.

6. *Goal.* Discourage the development of the “suburban sprawl” form of development because it will eventually require the provision of public services and will ultimately infringe on the Township’s important agricultural areas.

A. *Objectives.*

(1) Encourage the use of higher density zoning district in those areas of Reading Township where some higher density development has already occurred.

(2) Provide for a reasonable amount of development within or near the growth areas that have already developed in Reading Township, specifically the Hampton Village area.

(3) Limit the areas of Reading Township where higher density forms of development can occur so that public sewer and water systems, when and if needed, can be economically and efficiently provided.

(4) Encourage the use of agricultural or rural zoning districts in those areas of the Township where it is not anticipated that public sewer and/or water systems will be provided in the moderate to long term future.

7. *Goal.* Encourage the preservation of historic resources in Reading Township including, but certainly not limited to, those resources are located within Hampton Village, as well as those interspersed throughout the more rural areas of Reading Township.

A. *Objectives.*

(1) Establish low density zoning district in the agricultural and rural areas of Reading Township which encourage a low density of development, and which encourage the retention of the Township’s historic and cultural landscapes.

(2) Provide zoning provisions which encourage the retention and re-use of historic structures within the Township, especially in the Hampton Village setting.

8. *Goal.* Provide for a range of housing opportunities within Reading Township which provide opportunities for residents of varying incomes and life styles.

A. *Objectives.*

(1) Establish residential zoning districts in the Lake Meade area and along Conewago Creek which respect the character of those existing residential areas.

(2) Establish a moderate density residential districts in close proximity to Hampton Village which permits higher density forms of housing within the area designated to be served by the Reading Township sewer system.

(3) Encourage, through the use of cluster development and other design techniques, the preservation of open space within new residential subdivisions which may, in the future, be used for active or passive recreational or similar purposes.

(4) Encourage residential development within residential areas of

Reading Township by designating these areas as “receiving areas” within the Reading Township Transferable Development Rights Program.

(Ord. 2000-1, 1/10/2000, §102)

Part 2**Definitions****§27-201. Interpretation.**

As used in this Chapter, words expressed in their singular include their plural meanings, and words expressed in their plural include their singular meanings. The word “person” includes a corporation, unincorporated association, and/or a partnership, as well as an individual. The word “may” is permissive; the words “shall” and “must” are mandatory. Words used in the present include the future tense.

(Ord. 2000-1, 1/10/2000, §200)

§27-202. Definitions.

Abandoned vehicle—a vehicle shall be presumed abandoned under the following circumstances:

- A. The vehicle is physically inoperable and/or is missing parts so that it is not maintained for driving.
- B. The vehicle does not bear any or all of the following:
 - (1) A valid registration plate.
 - (2) A current certificate of inspection.

Abandoned vehicles are prohibited in all districts. Vehicle with a Commonwealth certificate of salvage and that are stored at a salvor or salvage program awaiting to be destroyed, dismantled, salvaged or recycled shall not be included in this definition.

[Ord. 2008-1]

Abutting—adjoining or adjacent to. [Ord. 2008-1]

Accepted silvicultural principles—sustainable forestry principles and implementation guidelines published by the American Forest and Paper Association, October 14, 1994. [Ord. 2004-3]

Accessory dwelling unit—a suite, either attached to or detached from the primary dwelling unit on the lot, for occupation by the following members of the lot owner’s family:

- A. A parent, grandparent, adult child over age 18, and/or a spouse, partner or sibling of one of those relatives.
- B. A family relative, by blood, marriage, adoption or foster relationship who requires continuous care due to injury, illness or a serious physical or mental disability that substantially impairs or restricts one or more such activities as walking, seeing, hearing, speaking, working, or learning.
- C. A licensed, permanent caregiver for the occupants of the primary dwelling unit on the lot.

A detached ADU may take the form of a cottage or similar dwelling, or may be constructed over a detached accessory building such as a garage. An attached ADU is attached to the principal dwelling unit on the lot, but must have its own, permanent provisions for living, sleeping, eating, cooking, and full bath, which are not shared with

the residents of the principal dwelling unit on the lot.

[Ord. 2006-3]

Accessory structure—a structure subordinate to the principal structure on the same lot and serving a purpose customarily incidental to the use of the principal structure.

Accessory use—a use subordinate to the principal use on the same lot and serving a purpose customarily incidental to the use of the principal structure.

Add-on lot—any designated parcel, lot, tract, or area of land established by a plat, subdivision plan, or other procedure permitted by law, which is expressly limited to the sole purpose of becoming an integral part of an adjoining parcel of land and for which no separate development is proposed. [Ord. 2004-3]

Adult entertainment use—an establishment having as a substantial or significant portion of its stock or trade, movies, shows, books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or specific anatomical areas.

Agribusiness operations—an agricultural operation which involves, but is not necessarily limited to, one or more of the following operations:

Concentrated animal feeding operation—an animal feeding operation which is required to obtain NPDES permits in accordance with the Clean Water Act.

Concentrated animal operation—an animal feeding operation which is required to develop a nutrient management plan in accordance with the Pennsylvania Nutrient Management Law, 3 Pa.C.S.A. §501 *et seq.*

Other—any agricultural operation, whether involving animal, animal product, or vegetable production, which occurs within an enclosed structure exceeding 10,000 square feet.

[Ord. 2004-3]

Agriculture—the use of tract of land for the purpose(s) of active cultivation or animal husbandry.

Agricultural operation—an enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock, and livestock products and in the production, harvesting, and preparation for market or use of agricultural, agronomic, horticultural, silvicultural, and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products, or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry. [Ord. 2004-3]

Alley—a minor way, whether or not legally dedicated, intended and used primarily for vehicular service access to the rear of properties which abut on a street, and not intended for the purposed of through vehicular traffic.

Applicant—a landowner or developer who has filed an application for development, including his heirs, successors, and assigns.

Bed-and-breakfast—a business providing for sleeping arrangements and breakfasts in a residential environment for transient guests in return for compensation to the owner of the establishment.

Board of Supervisors—the Board of Supervisors of Reading Township, Adams County, Pennsylvania.

Building—a combination of materials to form a permanent structure having walls and a roof including, but not limited to, all mobile homes and trailers.

Building, accessory—a subordinate building detached from, but located on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

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

Building, principal—a building in which is conducted the main or principal use of the lot on which said building is situated.

Certificate of occupancy—a certificate issued and enforced by the Zoning Officer upon completion of the construction of a new building or upon a change or conversion of the structure or use of a building, which certifies that all requirements and regulations as provided herein, as well as all other applicable requirements, have been satisfied.

Church—any structure or structures used for worship or religious instruction, including social and administrative rooms accessory thereto, but not including any commercial activity. This includes all uses normally accessory to such activities. [Ord. 2008-1]

Cluster development—a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and/or preservation of environmentally sensitive areas.

Commercial campground—any park, tourist park, tourist camp, court, site, lot, parcel or tract of land upon which one or more camp cottages or cabins are located and maintained for the accommodation of transients by the day, week, or month or up which tents, recreational vehicles or other temporary accommodations may be placed by transient occupants. It shall not include mobile home parks. [Ord. 2008-1]

Community septic system—a central sewer system, the construction, rates, and service of which are not controlled by a government authority.

Conditional use—a use permitted in a particular zoning district pursuant to the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. §10601 *et seq.*, and Part 17 of this Chapter.

Corner lot—a lot abutting on and at the intersection of two or more streets.

County—Adams County, Pennsylvania.

Density—the number of dwelling units per acre of land.

Development—any man-made change to improve or unimproved real estate including, but not limited to, buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, or drilling operations, and the subdivision of land.

Drive-through—any portion of a building or structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor

vehicle during such business transactions.

Dwelling—any building which is designed for human living quarters, but not including hotels, boarding houses, tourist cabins, motels and other accommodations used for transient occupancy.

Dwelling, conversion apartment—an existing dwelling unit that is or was converted to individual dwellings for more than one family, without substantially altering the exterior of the building.

Dwelling, multi-family—a building used by three or more families living independently of each other and doing their own cooking, including apartment houses.

Dwelling, single-family detached—a building contained one dwelling unit, and having no party wall in common within adjacent property.

Dwelling, single-family semi-detached—a building containing one dwelling unit, and have a party wall in common within adjacent property.

Dwelling, townhouse—a series of three or more single family dwelling units attached by one or more common walls.

Dwelling, two-family—a building containing two dwelling units, arranged either in a side-by-side fashion sharing one common party wall or with one unit arranged over the other.

Dwelling unit—an independent housekeeping unit consisting of living quarters of one or more rooms with cooking, sleeping, and sanitary facilities, arranged for use by one or more individuals.

Dynamic display sign or billboard—any characteristics of a sign or billboard that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other components of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, “digital ink” or any other method or technology that allows the sign face to present a series of images or displays. [Ord. 2008-4]

Easement—the right of a person, government agency, or public utility company to use public or private land owned by another for a specific purpose.

Estate lot—designated parcels of land, at least 5 acres in area, designated by subdivision of a tract of land greater than 10 acres, which may be developed for single-family residential use.

Family—a single person occupying a dwelling unit and maintaining a household; two or more persons related by blood, marriage, or adoption occupying a dwelling unit, living together and maintaining a common household, or not more than four unrelated persons occupying a dwelling unit, living together and maintaining a common household. “Family” may include domestic servants, gratuitous guests, court appointed wards and foster children, but not occupants of a club, fraternal lodging, rooming house, boarding house, institutional care facility, personal care facility, or any other arrangement pursuant to which compensation is paid in exchange for the right to reside

in such facility, to receive meals, supervision and/or care. [Ord. 2008-1]

Farm—a tract of land which is used for agriculture purposes as defined herein and the necessary accessory uses for packaging, treating or storing agricultural products. A farm may include a single-family dwelling, barns, sheds, and/or other farm-related buildings or structures normally utilized for housing and feeding farm animals, storing farm equipment, and supporting on-site agricultural operations, as defined herein. [Ord. 2004-3]

Farm market—a commercial enterprise consisting of one or more buildings or structures or portions of buildings or structures, either permanent or temporary designed and used primarily for the purpose of the sale of agricultural commodities, as defined herein, which are grown on land farmed by the operators of the enterprise. [Ord. 2008-1]

Farm-related business—a business located on a tract of land in excess of 25 acres, which is supportive of the use of said tract as a farm. [Ord. 2004-3]

Fence—an artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land or land use. [Ord. 2008-1]

Flood, 100-year—a flood of such intensity that the frequency of its occurrence is not more than one occurrence every 100 years.

Flood fringe—that portion of the floodplain, excluding the floodway, where development may be allowed under certain circumstances.

Floodplain—that land, including flood fringe and the floodway, subject to inundation by the 100-year flood.

Floodway—that portion of the floodplain that is necessary to carry the waters of the 100-year flood without increasing the water surface elevation of that flood more than 1 foot at any point, or increasing the velocity of the water to an unacceptable point. The areas included in the floodway are specifically defined in the floodway data table contained in the Flood Insurance Study for Reading Township, and are shown on the accompanying Flood Boundary and Floodway Map.

Forestry—the management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting, and selling trees for commercial purposes, which does not involve any land development. [Ord. 2004-3]

Group home—a facility providing shelter, counseling, and other rehabilitative services in a family-like environment for no more than 10 residents and such supervisory personnel as required by the licensing agency. Such facilities may provide supervisory and rehabilitative services, but medical care or nursing supervision shall not be provided. Such residents may include physically or mentally handicapped, elderly, or similar residents. [Ord. 2004-3]

Hearing—an administrative proceeding conducted by a board pursuant to §909.1 of the Pennsylvania Municipalities Planning Code and pursuant to Part 16 of this Chapter.

Homeowners association—an incorporated, non-profit organization operating under recorded land agreements through which, (A) each lot and/or homeowner in a development is automatically a member, (B) each lot is automatically subject to a charge for a proportionate share of the organization's activities, and (C) the charge, if

unpaid, becomes a lien against the property.

Home occupation—any use customarily conducted entirely within a dwelling or in a building accessory thereto and carried on by the inhabitants residing therein, provided that the use is clearly incidental and secondary to the use of the dwelling for residential purposes.

Hotel—a building consisting of lodging rooms designed or occupied primarily as the temporary place of abode of individuals who are lodged for compensation (with or without meals), in which provisions for cooking are generally not made in individual rooms or suites.

Junk—any discarded material or article including, but not limited to, scrap metal, scrapped, abandoned or junk motor vehicles, machinery, equipment, paper, glass, container and structures. It shall not include, however, refuse or garbage kept in proper containers for purpose of prompt disposal. [Ord. 2008-1]

Junkyard—any establishment, place of business or use of land for storing, keeping, buying, dismantling or selling junk exclusive of garbage. [Ord. 2008-1]

Kennel—the boarding, breeding, raising, grooming, or training of two or more dogs, cats, or other household pets of any age, primarily for commercial gain. [Ord. 2004-3]

Landfill—a lot or land or part thereof used primarily for the disposal by abandonment, dumping, burial, burning or by any other means and for whatever purpose of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind not normally considered to be salvageable. [Ord. 2008-1]

Living area, apartment—that portion of an apartment dwelling proposed for customary human habitation. The apartment living area shall include all rooms and hallways, but shall not include, stairwells, crawl spaces, or other such areas.

Living area, estate lot—an area within an estate lot, which may include an existing or proposed single-family residence or farmhouse, customary accessory structures, and a surrounding manicured yard area.

Lot—a designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed, or built upon as a unit. All lots shall have lot frontage on a public State or Township road. The subdivision of lots fronting on private roads or private rights-of-way is prohibited. [Ord. 2007-1]

Lot area—the area contained within the property lines of a lot, excluding any street right-of-way or driveway easement providing access to an adjoining property, or officially designated floodplain located on the lot.

Lot coverage—the percentage of a lot covered by buildings, including accessory buildings.

Lot coverage, impervious—the percentage of a lot, including buildings and paved areas, which do not allow for the infiltration of water into the ground.

Lot frontage—a continuous, horizontal distance between the side lines of a lot measured at right angles to its depth along the front lot line.

Lot width—a continuous, uninterrupted, horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the existing or dedicated public street right-of-way line. [Ord. 2007-1]

Mediation—a voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

Mixed-use structure—a building occupied by more than one use including, but not limited to, specialty retail commercial, residential, and professional office uses.

Mobile home—a transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. The term does not include recreational vehicles or travel trailers.

Mobile home lot—a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

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

Motel—see “hotel.”

Multi-family community—a group of multi-family dwellings developed on a single parcel of land and sharing common parking, recreation, and landscaping areas.

No-impact home-based business—a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client, or patient traffic, whether vehicle or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. [Ord. 2004-3]

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

Nonconforming sign—see “nonconforming structure.”

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

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

One hundred-year flood—a flood that, on the average, is likely to occur once every 100 years (i.e., that has a 1 percent chance of occurring each year, although the flood

may occur in any year).

Open land—that portion of a tract or “estate lot” set aside for the protection of sensitive natural features, farmland, recreational activities, scenic views, and/or other unique attributes.

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

Parcel—see “lot.”

Parent tract—all contiguous land owned by the same land owner and acquired after August 18, 2008, shall be considered contiguous even though separated by public or private roads or by utility right-of-ways irrespective of whether the right-of-way is owned in fee or in an easement. [Ord. 2008-1]

Pennsylvania Municipalities Planning Code—Act 247 of 1968, as amended, 53 P.S. §10101 et seq.

Personal service shop—this includes barber shops, beauty parlors, self-service laundry and dry cleaning establishments, radio and television repair, repair shops for home appliances and tools, bicycles, guns, locks, shoes and watches, tailor and dress making shops, travel and ticket agencies or any other similar establishments. [Ord. 2008-1]

Planning Commission—the Planning Commission of the Township of Reading.

Planned shopping center—a group of retail stores and/or personal service establishments planned and designed to function as a unit, and having off-street parking and a landscaping plan as an integral part of the unit.

Prime agricultural land or prime farm land—land used for agricultural purposes that contain soils of the first, second or third class as defined by the United States Department of Agriculture, Natural Resources and Conservation Services, County Soil Survey. [Ord. 2008-1]

Public notice—notice published one each week for 2 successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than 7 days from the date of the hearing.

Residential cluster—a residential development designed in accordance with cluster development design techniques.

Right-of-way—a strip of land acquired by reservation, dedication, forced dedication prescription or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses to allow the right of one to pass over the property of another.

School—any place offering instruction in any branch of knowledge under the supervision of the Commonwealth of Pennsylvania or a lawfully constituted ecclesiastical governing body, person, partnership or corporation meeting the requirements of the Commonwealth of Pennsylvania for K-12 instruction. [Ord. 2008-1]

Setback—the horizontal distance between a building and a property or street line.

[Ord. 2008-1]

Setback, front—the distance between the street right-of-way line and the front building line projected the full width of the lot, commonly called “front yard.” [Ord. 2008-1]

Setback, rear—the distance between the rear lot line and the rear building line projected the full width of the lot, commonly call “rear yard.” [Ord. 2008-1]

Setback, side—the distance between the side lot line and the side building line projected from the front yard to the rear yard, commonly called “side yard.” [Ord. 2008-1]

Setback line—a line, generally parallel with and measured from the adjoining road or street right-of-way, defining the limits of a yard in which no building or structure may be located.

Sign—any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce, the purpose of, or to communicate information of any kind to the public.

Special exception—a use permitted in a particular zoning district pursuant to the provisions of Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §§10601 *et seq.*, 10901 *et seq.*, and pursuant to Part 17 of this Chapter. [Ord. 2008-1]

Street—an avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct, and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

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

Substantial improvement—any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (A) before the improvement or repair is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (A) any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications which as solely necessary to assure safe living conditions, or (B) any alteration of a structure listed on the National Register of Historic Places, or a state inventory of historic places.

Townhouse community—a group of townhouses developed on a single parcel of land and sharing common parking, recreation, and landscaping areas.

Township—Reading Township, Adams County, Pennsylvania.

Township Engineer—a professional engineer licensed as such in the Commonwealth, of Pennsylvania, duly appointed as the engineer for Reading Township.

Variance—relief granted pursuant to the provisions of Articles VI and IX of the Pennsylvania Municipalities Planning Code, 53 P.S. §§10601 *et seq.*, 10901 *et seq.*, and pursuant to the provisions of Part 16 of this Chapter.

Wireless communications antenna—any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service, or any other wireless communication signals, including without limitation omnidirectional or whip antennas and directional or panel antennas, owned and operated by any person or entity licensed by the Federal Communications Commission to operate such device. This definition does not include private residence mounted satellite dishes or television antennas or amateur radio equipment including without limitation ham or citizen band radio antennas.

Wireless communications tower—a structure, other than a building, but including monopole towers, self-supporting towers, or guyed towers, designed as used to support communications antenna.

Yard—a space which is open to the sky and unoccupied by any building, structure or merchandise for display or sale, and which is located on the same lot with a building or structure.

Yard, front—a yard, on the same lot with a main building extending the full width of the lot, and situated between the lot line and the front building setback line.

Yard, rear—a yard, on the same lot with a main building, extending the full width of the lot and situated between the rear lot line and the required rear building line.

Yard, side—a yard, on the same lot with a main building, situated between a side line and the corresponding building line, and located between the front yard and the rear yard.

Zoning Hearing Board—the Zoning Hearing Board of the Township of Reading.

Zoning Officer—the municipal official duly appointed by the Board of Supervisors of Reading Township to administer and enforce the Zoning Ordinance of the Township of Reading [this Chapter].

Zoning permit—a permit required by this Chapter to ensure compliance with the applicable Sections of this Chapter.

(*Ord. 2000-1*, 1/10/2000, §201; as amended by *Ord. 2004-3*, 6/14/2004, §§I–III; by *Ord. 2006-3*, 7/10/2006, §1; by *Ord. 2007-1*, 1/15/2007, §§1, 2; by *Ord. 2008-1*, 8/18/2008, §§1–3, 46, 49, 53–60, 64, 65; and by *Ord. 2008-4*, 11/17/2008, §1)

Part 3**Establishment of Districts****§27-301. Creation of Districts.**

For the purpose of this Chapter, the land contained within the boundaries of the Township of Reading is hereby designated into the following districts:

Agricultural Conservation (AC) District

Land Conservation (LC) District

Village (V) District

Moderate Density Residential (R-1) District

Low Density Residential (R-2) District

Low Density Residential (R-2A) District

Commercial/Industrial (CI) District

Floodplain (FP) District

(Ord. 2000-1, 1/10/2000, §300)

§27-302. Zoning Map.

The boundaries of said districts shall be shown upon the map attached to and made part of this Chapter, which map is dated, and designated at the “Official Zoning Map of the Township of Reading.” The said map and all notations, references, and other data shown therein are hereby incorporated by reference into this Chapter as if all were fully described herein.

(Ord. 2000-1, 1/10/2000, §301)

§27-303. District Boundaries.

When uncertainty exists as to boundaries of any district as shown on said map, the following rules shall apply:

A. District boundary lines are intended to follow or be parallel to the center line of streets, railroad, and lot or property lines as they exist on plans of record at the time of the adoption this Chapter, unless such district boundary lines are fixed by dimensions as shown on the Zoning Map.

B. Where a district boundary is not fixed by dimensions and where said boundary approximately follows a lot lines, and where it does not scale more than 10 feet therefrom, such lot line shall be construed to be such boundary line unless specifically shown otherwise.

C. The permitted use of more than one-half of the area of a lot of less than 1 acre shall determine the use for the entire lot.

(Ord. 2000-1, 1/10/2000, §302)

§27-304. Interpretation of Boundaries.

In case of any uncertainty, the Zoning Hearing Board shall interpret the intent of the map and determine the location of district boundaries.

(*Ord. 2000-1, 1/10/2000, §303*)

§27-305. Effect of Provisions.

Following the effective date of this Chapter, and except as hereinafter provided:

A. No building shall be erected, installed, moved, altered, rebuilt, or enlarged, nor shall any land or building be used, designed, or arranged to be used for any purpose or in any manner except in conformity with all regulations, requirements, and restrictions specified in this Chapter for the district in which such building or land is located.

B. No yard or open space required in connection with any building or use shall be considered as providing a required open space for any other building on the same or any other lot.

C. No lot shall be formed from part of a lot already occupied by a building unless such building, all yards and open spaces connected therewith, and the remaining lot conforms with all requirements prescribed by this Chapter for the district in which said lot is located. No zoning permit shall be issued for the erection of a building on any new lot thus created unless such building and lot comply with all the provisions of this Chapter.

D. Nothing contained in this Chapter shall require any change in the plans, construction, or designated use of a building complying with local laws in force prior to this Chapter, if the following is found to exist:

(1) All applicable Township permits shall have been issued prior to the date of first publication of notice of the public hearing on this Chapter.

(2) The entire building shall have been constructed in accordance with such plans as have been filed with the Township and shall have been completed within 1 year from the effective date of this Chapter.

E. Unless specifically provided for in this Chapter, the provisions of this Chapter shall be interpreted to allow only one principal use to be established on a single lot.

F. Any specific use not allowed as a permitted use or a use permitted by special exception in any district may be permitted by special exception in the zone or zones where and to the extent that similar uses are permitted by special exception provided that the uses meet the specific criteria for similar uses in that district, constitute neither a public or a private nuisance, and meet the burden of proof and requirements set forth in Part 17 of this Chapter. [*Ord. 2008-1*]

(*Ord. 2000-1, 1/10/2000, §304; as amended by Ord. 2008-1, 8/18/2008, §§4, 39*)

Part 4**Agricultural Conservation (AC) District****§27-401. Statement of Legislative Intent.**

In expansion of the community development objectives contained in Part 1 of this Chapter, it is hereby declared to be the intent of the AC District to establish reasonable standards to provide for the conservation of agricultural lands and uses within the AC District. Furthermore, it is the intent of this Part to:

A. Protect and stabilize general agriculture as an on-going economic activity in Reading Township area by encouraging those land uses and activities which are agricultural in nature or act in direct support thereof.

B. Discourage development from occurring on productive farm lands, including those designated as “prime” or “important,” and those which are conducive to high crop yields.

C. Protect agriculture from incompatible uses which may also interfere with normal and customary agricultural practices within that zone.

D. Minimize the amount of land consumed for non-agricultural purposes by encouraging non-agricultural development to occur on small parcels.

E. Provide for the continuation of agribusiness operations within appropriate areas of Reading Township by requiring appropriate design standards for agribusiness operations and by requiring adequate setbacks between agribusiness and residential uses.

F. Retain the expansive, open farmlands of the Reading Township countryside which strongly contribute to the rural beauty of Reading Township and northeast Adams County.

(Ord. 2000-1, 1/10/2000, §400)

§27-402. Use Regulations.

All uses, activities, and development occurring within the AC District shall be undertaken only in strict compliance with the provisions of this Section and with all other applicable local, County, and State regulations, codes, and ordinances.

A. *Permitted Principal Uses.* [Ord. 2008-1]

(1) Farms, including farm buildings and agricultural operations, including the growing of crops and the pasturing of animals, but excluding agribusiness operations, as defined in this Chapter. [Ord. 2004-3]

(2) Forestry, in accordance with the accepted silvicultural principles in Appendix 27-A. [Ord. 2004-3]

(3) Horticulture, including nurseries and greenhouses.

(4) Single-family detached dwellings.

[Ord. 2008-1]

B. *Permitted Accessory Uses.*

(1) Farm market in accordance with the requirements of §27-1315 of this Chapter. [Ord. 2008-1]

(2) Buildings clearly accessory to agricultural structures, including storage buildings, silos, or other outbuildings.

(3) Wireless communications antennae affixed to an existing, conforming building or structure, not including a wireless communications tower as defined by this Chapter.

(4) No-impact home-based business, in accordance with the requirements of §27-1303 of this Chapter [Ord. 2008-1]

(5) Storage in accordance with the requirements of §27-1310 of this Chapter. [Ord. 2008-1]

C. *Special Exception Uses.* Within the AC District the following uses are permitted by special exception on land which is not prime farmland. Where such location is not feasible, the use may be located on land containing higher quality soils. The Zoning Hearing Board may authorize a use as a special exception if it conforms, at a minimum, to the stated standards and criteria. The Zoning Hearing Board may apply additional criteria to specific projects, where relevant, in the interests of public health, safety, and welfare. [Ord. 2008-1]

(1) The development of new agribusiness operations, or the expansion of existing agribusiness operations, subject to the following conditions:

(a) Minimum lot area shall be 50 acres. The Zoning Hearing Board, based on testimony provided at the special exception hearing, and other relevant information, may increase the minimum lot size required. When the proposed site of such operation is comprised of more than one tract, the owner of such tracts shall combine them under a single deed. Said deed shall be recorded in the Adams County Register and Records Office, and a copy of such deed showing the date and book and page number of recording shall be provided to the Township before a special exception will be approved. [Ord. 2008-1]

(b) *Buffer Distance.* The entire parcel on which a new agribusiness operation is proposed shall be located at least 5,000 feet from any properties in the R-1, R-2, R-2A, or V Districts of this Chapter. Where a parcel lies partially inside and partially outside the required buffer, the property will be deemed to not meet the buffer distance requirement of this Section.

(c) *Setbacks.* The following setbacks are required:

1) For new agribusiness operations, the structure housing the agribusiness operation shall be located no closer than 200 feet from any front property line, no closer than 100 feet from any side or rear property line, no closer than 1,000 feet from any dwelling or water well not located on the tract being developed, and no closer than 1,000 feet from any church or school property line.

2) Any manure storage facility shall be located in accordance with the setback requirements established by the final regulations of the Pennsylvania Manure Management Act of 1993.

(d) Maximum impervious lot coverage shall not exceed 10 percent. [Ord. 2004-3]

(e) A nutrient management plan, prepared in accordance with the Pennsylvania Manure Management Act, shall be submitted to the Adams County Conservation District for review prior to a hearing on the special exception application. Said plan and proof of its approval by the Adams County Soil Conservation District shall be presented at the hearing. [Ord. 2008-1]

(f) A water supply feasibility report shall be prepared to demonstrate that sufficient water resources are available to serve the proposed operation. The report shall assess any water quality and water quantity impacts for all public and private wells within a mile of the proposed agribusiness operation. The report shall be prepared by a licensed hydrogeologist.

(g) The applicant shall demonstrate, to the satisfaction of the Zoning Hearing Board, that its methods of disposing of dead animals are in strict compliance with applicable standards established by the Pennsylvania Department of Environmental Protection. [Ord. 2008-1]

(h) A land development plan shall be submitted to, and approved by, the Township in accordance with the provisions of the Reading Township Subdivision and Land Development Ordinance [Chapter 22].

(i) Areas designed for outdoor storage of pallets, machinery, or other materials shall be screened by either a fence of at least 8 feet in height, or a landscaping of sufficient height to shield the outdoor storage area from view from adjoining properties or public roadways.

(j) The perimeter of any parking area shall be landscaped with at least three of the following materials: landscape mulch, grass, shrubs, and trees.

(2) *Churches.*

(a) The minimum lot width shall be 200 feet.

(b) Maximum impervious lot coverage shall not exceed 60 percent. [Ord. 2004-3]

(c) In addition to the standards of §27-606 of this Chapter, parking areas shall not be located between the church structure and the street right-of-way, but shall instead be located to the rear or side of the church structure.

(3) *Agricultural Society Meeting Halls.*

(a) The minimum lot width shall be 200 feet.

(b) A maximum of 60 percent of the site may be covered with impervious materials.

(c) In addition to the standards of §27-606 of this Chapter, parking areas shall not be located between the structure and the street right-of-way, but shall instead be located to the rear or side of the structure.

(4) Bed-and-breakfast operations, in accordance with the requirements

of §27-1307 of this Chapter [*Ord. 2004-3*]

(5) Home occupations, in accordance with the requirements of §27-1306. [*Ord. 2004-3*]

(6) Wireless communication towers in accordance with the requirements of §27-1311 of this Chapter. [*Ord. 2008-1*]

(7) Farm-related business, in accordance with the requirements of §27-1304 of this Chapter. [*Ord. 2004-3*]

(8) Accessory dwelling unit (either attached or detached) in accordance with the requirements of §27-1308 of this Chapter. [*Ord. 2006-3*]

(*Ord. 2000-1, 1/10/2000, §401; as amended by Ord. 2004-3, 6/14/2004, §§IV, X–XII, XIX–XXI, XXXX, XXXVIII, IL, L, LX, and LXIX; by Ord. 2006-3, 7/10/2006, §2; and by Ord. 2008-1, 8/18/2008, §§5, 6, 40–42, 50, 71, 72, 79, 89*)

§27-403. General Requirements.

All permitted principal uses and conditional uses, listed in §27-402 of this Chapter, and erected or established after the adoption date of this Section, shall comply with the following requirements:

A. Conventional Option.

(1) *Development Allotment.* Existing properties shall be permitted to subdivide the following number of lots each of which may be utilized for a permitted principal or special exception use meeting the standards of this Chapter. No more than one dwelling unit or one special exception use may be placed on any one lot. The number of lots allocated to a property shall be based on the adjusted tract area as of the effective date of the amendment establishing the adjusted tract area, in accordance with the following table: [*Ord. 2009-1*]

Property Area	Number of Lots That May Be Subdivided from the Parent Tract
0 Ac.–9.99 Ac.	2
10 Ac.–24.99 Ac.	3
25 Ac.–49.99 Ac.	5
50 Ac.–74.99 Ac.	6
75 Ac.–99.99 Ac.	7
100 Ac.–149.99 Ac.	8
150 Ac.–199.99 Ac.	9
200 Ac or more	10, plus one lot for each 100 Ac. over 200 Ac.

(2) *Area and Bulk Requirements.* Unless otherwise specified in this Section, the lot area, lot width, yard depths and widths, and building heights, shall meet the following requirements:

(a) The minimum lot area shall be 1 acre.

(b) The maximum lot area for residential and non-residential uses shall be 3 acres. [Ord. 2006-5]

(c) The minimum lot width shall be 200 feet. The lot width shall be no less than 75 percent nor more than 125 percent of the lot frontage.

(d) The minimum front yard depth shall be 25 feet.

(e) The minimum rear yard depth shall be 25 feet.

(f) The minimum side yard width shall be 10 feet provided the minimum width of both side yards is 35 feet.

(g) For corner lots, the minimum front yard depth, as established by paragraph .A(2)(d) above, shall be applied to both sides of the property with road frontage. The minimum rear depth, as established by paragraph .A(2)(e) above, shall be applied to all other sides of the property.

(h) The maximum height of any non-agricultural building or structure shall be 35 feet.

(i) An individual residential lot shall be separated from existing agribusiness operations by at least 250 feet. A group of residential lots shall be separated from existing agribusiness operations by at least 500 feet.

B. *Large Lot / Lot Consolidation Option.* Lots larger than ordinarily permitted in paragraph .A(2)(b) may be proposed by combining the lots allocated to a parent tract in accordance with the sliding scale contained in paragraph .A(1). If this option is elected, without regard to the approval of on-site sewage tests approved by the local Sewage Enforcement Officer and/or other appropriate agencies, the maximum area of the large lot created by combining two or more lots entitled by paragraph .A(1) shall be determined by multiplying the number of allowable lots by 3 acres. [Ord. 2004-3]

C. *Cluster Option.*

(1) *Development Allotment.* Existing properties shall be permitted to subdivide the following number of lots, upon which may be erected permitted principal residential uses meeting the standards of this Chapter. The number of lots allocated to a property shall be based on the property area at the adjusted tract area as of the effective date of the amendment establishing the adjusted tract area, in accordance with the following table: [Ord. 2009-1]

Property Area	Number of Lots That May Be Subdivided from a Parent Tract
0 Ac.–9.99 Ac.	4
10 Ac.–24.99 Ac.	5
25 Ac.–49.99 Ac.	7
50 Ac.–74.99 Ac.	8
75 Ac.–99.99 Ac.	9
100 Ac.–149.99 Ac.	10

Property Area	Number of Lots That May Be Subdivided from a Parent Tract
150 Ac.–199.99 Ac.	12
200 Ac or more	14, plus one lot for each 100 Ac. over 200 Ac.

(2) *Area, Bulk, and Design Requirements.* In order to qualify for the clustered option, the developer shall demonstrate that the area, bulk, and design standards set forth in this Section are met.

(a) The minimum lot area shall be 12,000 square feet.

(b) The maximum lot area shall be 25,000 square feet.

(c) The average lot area shall be 16,000 square feet.

(d) No lots shall take access from existing roads within the Township. All lots shall take access from a local loop road developed to provide access for the residential lots. Cul-de-sac roads are not permitted. The local loop road shall be designed in accordance with Township standards as established in the Reading Township Subdivision and Land Development Ordinance [Chapter 22].

(e) The minimum lot width at the building line shall be 90 feet. The lot width shall be no less than 75 percent nor more than 125 percent of the lot frontage.

(f) The minimum front yard depth shall be 25 feet.

(g) The minimum rear yard depth for principal structures and accessory structures in excess of 200 square feet shall be 25 feet. The minimum rear yard depth for accessory structures less than or equal to 200 square feet shall be 10 feet.

(h) The minimum side yard width shall be 10 feet provided the minimum width of both side yards shall be 25 feet.

(i) For corner lots, the minimum front yard depth, as established by paragraph .B(2)(f) above, shall be applied to both sides of the property with road frontage. The minimum rear depth, as established by paragraph .B(2)(g) above, shall be applied to all other sides of the property.

(j) The maximum height shall be 35 feet.

(k) A community sewage collection and treatment system shall be approved for use by appropriate agencies.

(l) Residential lots proposed under the cluster option provision of this Section shall be separated from existing agribusiness operations by at least 500 feet.

D. Add-on lots shall, be permitted, provided the following provisions are met:

(1) The add-on lot is a means of transferring property, whether by sale, gift, or other legally acceptable means, from an existing farm to an adjoining farm.

(2) The add-on lot shall not be subject to the maximum lot size requirements of paragraph .A(2)(b) or .C(2)(b). The add-on lot shall not be of

such size as to enable the adjoining lot to be larger than permitted by the maximum lot size requirements of paragraph .A(2)(b) or .C(2)(b) of this Section excepting that one farm may transfer land to an adjacent farm provided the adjacent farm after the transfer contains at least as much crop land as the transferor tract prior to the transfer. Any new division line between two such tracts shall be agriculturally reasonable and shall not be so as to render the agricultural use of the tracts less efficient; i.e., under normal circumstances fields and contour strips shall not be split [*Ord. 2008-1*]

(3) When any add-on lot is subdivided from a parent tract, the development allotment assigned to the remainder of the parent tract shall be calculated by evaluating the remainder of the parent tract against the sliding scales of paragraphs .A(1) and .C(1) as if the remainder of the parent tract was a parcel that had been in existence prior to the effective date of this Chapter.

(4) When any add-on lot is added to an adjoining tract, the development allotment established by the sliding scales of paragraphs .A(1) and .C(1) shall not be increased.

[*Ord. 2004-3*]

(5) Prior to approval the parties must submit an agreement signed by the owner and any persons holding liens on the adjacent tract pursuant to which the owner of the adjacent tract would agree to merge the add-on lot with the adjacent tract and the lien holders would accept the add-on lot as collateral security for their lien and agree that they would not execute on the adjacent tract without also executing on the add-on lot. [*Ord. 2008-1*]

(*Ord. 2000-1, 1/10/2000, §402; as amended by Ord. 2000-5, 9/11/2000; by Ord. 2004-3, 6/14/2004, §§V–VIII; by Ord. 2006-3, 7/10/2006, §8; by Ord. 2006-5, 10/9/2006, §1; by Ord. 2008-1, 8/18/2008, §§43, 47, 48, 91; and by Ord. 2009-1, 4/20/2009, §§2, 3*)

§27-404. Agricultural Protection Plan.

All applications for subdivision or land development shall be accompanied by an agricultural protection plan which provides the following information:

A. The area, shape, and dimensions of the property and the size and location of all existing buildings.

B. All lots previously approved in accordance with this Section. [*Ord. 2008-1*]

C. Land under active cultivation, land used as pasture, and forested land or land within woodlots.

D. Soil information for the parcel, including soil series and soil capability class, subclass, and unit, as classified within the Soil Survey of Adams County, Pennsylvania, and Agricultural Handbook 210 of the United States Department of Agriculture Soil Conservation Service.

E. The area, shape, dimension, location, and use of all proposed lots. The developer shall demonstrate that the following location and design considerations have been fully addressed:

(1) All uses or lots shall be established on non-prime farmland (Soil Capability Classes VI–VIII), when such land is available, or on lands which can not feasibly be farmed, due to existing features of the site such as rock

outcroppings or heavily wooded areas, or due to the fact that the size and/or shape of an area suitable for farming is insufficient to permit the efficient use of farm machinery. [Ord. 2008-1]

(2) Where a property is comprised entirely of prime farmland (Soil Capability Classes I, II, and III), the least suitable land shall be utilized for the development. [Ord. 2008-1]

(3) Where all non-prime farmland areas have been shown by the developer to be unsuitable for development because of slope, drainage, flooding, sewage disposal, or other characteristics, the least suitable remaining farmland shall be utilized for development.

(4) Lots and uses shall be grouped, where possible, adjacent to other similar lots and uses, both within the subject property and in consideration of adjacent properties, to avoid a scattering of development.

F. Application for the last lot or use permitted to be subdivided from or developed on a property shall be accompanied by a proposed deed for the residual farm land or property. The proposed deed shall contain a restriction to identify that all subdivision and development allotments have been used and that no further subdivision, development, or establishment of additional principal uses shall be permitted. Said restrictive deed shall be recorded within 30 days of subdivision approval for the last allowable lot or use. Failure to record said deed, subsequent removal of the deed restriction, or subsequent subdivision or establishment of additional uses or lots shall constitute a violation of this Chapter. The applicant shall provide the Zoning Officer a copy of the Recorder's certificate within 10 working days after the deed is recorded. [Ord. 2008-1]

G. All applications for subdivision shall include the following statement:

"Lands within the Agricultural Conservation (AC) District of Reading Township are used for commercial agricultural production. Owners, residents, and other users of this property may be subjected to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations including, but not limited to, noise, odors, dust, the operation of machinery of any kind, including aircraft, the storage and disposal of manure, the application of fertilizers, herbicides, and pesticides. Owners, residents, and users of this property should be prepared to accept these conditions and are hereby put on official notice that Section 4 of the Pennsylvania Act 133 of 1982, as amended, the "Right to Farm Law," 3 P.S. §951 *et seq.*, may bar them from obtaining a legal judgment against such normal agricultural operations."

H. All applications for approval of a subdivision within the AC District shall include a chart documenting the following information:

(1) The total number of lots permitted to be subdivided from the existing property in accordance with §§27-403.A, 27-403.B, 27-403.C, or 27-403.D, as appropriate.

(2) The number of lots proposed by the subdivision plan.

(3) The number of remaining lots which may be subdivided from the existing property. This number shall be calculated by subtracting the number

derived from paragraph .H(2) from the number derived from paragraph .H(1). If this number is zero, the provisions of paragraph .F shall apply.

[*Ord. 2004-3*]

(*Ord. 2000-1*, 1/10/2000, §403; as amended by *Ord. 2004-3*, 6/14/2004, §IX; and by *Ord. 2008-1*, 8/18/2008, §§44, 45, 92, 93)

§27-405. Adjusted Tract Approach.

1. The purpose of the adjusted tract approach (ATA) is to provide for the protection and preservation of areas of the Township which include, but are not limited to, by virtue of steep slopes, wetlands, floodplains, streams, limited accessibility, unique natural beauty or established State Forest Lands, are inappropriate for development. The primary goal of the ATA is to preserve land from the detrimental impacts caused by urban and suburban sprawl.

2. *Adjusted Tract Area.* Each development proposal in the Agricultural Conservation District is required to calculate the “adjusted tract area” for the entire tract(s) of land. The adjusted tract area equals the gross tract area minus the constrained land (listed below):

A. Constrained land area equals the sum of the following:

(1) *Right-of-Way.* Multiply all land within the right-of-way of existing public streets or highways or within the right-of-way for existing or proposed overhead right-of-way of utility lines by 1.0.

(2) *Streets.* Multiply all land under existing private streets by 1.0.

Critical Natural Features.

(3) *Floodway.* Multiply the acreage within the floodway by 1.0.

(4) *Floodplains.* Multiply the non-wetland portion of the 100-year floodplain by 0.50.

(5) *Slopes.* Multiply the acreage of land with natural ground slopes of 15 percent or greater by 0.50.

(6) *Streams.* Multiply the acreage of the stream(s) by 1.0.

(7) *Wetlands.* Multiply the acreage of designated wetlands by 0.80. In those cases where land is being subdivided from a parent tract, and there is no indication of the presence of wetlands on any lot or lots being subdivided from the parent, but there is an indication of wetlands on the parent tract, then one of the two following methods may be used to calculate the wetlands constraints, if the applicant receives approval from the Township’s Engineer to do so:

(a) Designation of the wetlands on the parent tract by use of the National Inventory of Wetlands for Pennsylvania to depict such wetlands.

(b) Designation of the wetlands on the parent tract by depiction of the hydric soils and a 10-foot buffer area around all hydric soils.

The Township’s Engineer shall base his approval or denial of either of the alternatives listed above upon his expectation of the reliability of the alternative that the applicant seeks to use. The Engineer’s decision shall be

final and is not appealable. If the Engineer does not permit the use of either alternative method described above, then the applicant shall cause a wetland study and delineation to be made by a qualified expert.

B. If a portion of the tract is underlain by, more than one critical natural feature subject to a density factor, that acreage shall be subject to the most restrictive density factor.

C. Since acreage that is contained within the public or private right-of way, access easements or access strips is excluded from developable lot area, any portion of these items that also contains a critical natural feature subject to a deduction from the total tract acreage should not be included when calculating the adjusted tract area.

D. The following adjusted tract approach table of identifying constrained lands must be placed on all subdivision plans located in the Agricultural Conservation (AC) District:

Adjusted Tract Approach Calculations			
Constrained Lands	Area of Constrained Lands (Acres)	Multiplying Factor of Constrained Lands	Total Constrained Lands to Be Subtracted (Acres)
Rights-of-Way	X	1.00	X
Streets	X	1.00	X
Floodways	X	1.00	X
Floodplains	X	0.50	X
Slopes	X	0.50	X
Streams	X	1.00	X
Wetlands	X	0.80	X
Total Land Area (Acres)		X	
Total Constrained Land to be Subtracted (Acres)		X	
Total Land Area to be Developed (Acres)		X	

3. Under no condition shall steep slopes, wetlands, streams, and floodways be disturbed unless permission from the Reading Township Board of Supervisors is granted; also, appropriate permits from County, State and Federal Agencies are required.

4. *Unit Layout.*

A. All planned residential communities containing eight or greater dwelling units shall undergo conceptual planning and are mandated to organize their development proposal in the following layout process:

(1) Provide maps that exhibit all existing conditions and constrained land areas on the proposed development lot. The speculated adjusted tract area (developable lands) should be shown on the concept plan.

(2) Locate all utilities and access roadways showing minimal impacts to the existing environment. Underground utilities should be utilized whenever possible.

(3) The rural character of the land shall be retained by locating new dwelling units into the landscape. The closest unit shall be located a minimum of 25 feet from existing roadways.

(4) Locate all dwelling units in close proximity to one another within the developable lands in the tract. The units shall be sited directly next to the planned infrastructure and access roads.

(5) Neighborhood(s) interconnectivity shall be shown on all concept plans. Interconnectivity includes pedestrian and bike pathways.

(6) A gateway (neighborhood entrance access area) landscaping plan is required as part of the land development plan submission process.

(7) Landscaping plans are also required for all public lands and areas within the planned neighborhood development.

(Ord. 2000-1, 1/10/2000, §404; as added by Ord. 2009-1, 4/20/2009, §1)

Part 5**Land Conservation (LC) District****§27-501. Statement of Legislative Intent.**

In expansion of the community development objectives contained in Part 1 of this Chapter, it is hereby declared to be the intent of the LC District to establish reasonable standards to rural lands and landscapes in appropriate areas of Reading Township. Furthermore, it is the intent of this Part to:

- A. Preserve open land by setting development apart from sensitive natural features such as woodlands, slopes, streams, floodplains, and wetlands.
- B. Preserve scenic views and elements of rural character by minimizing perceived density and views of development from existing roads.
- C. Provide flexibility and efficiency in the siting of infrastructure and the provision of services.
- D. Encourage compact residential clusters with direct visual and physical access to open space for recreational, contemplative, and related purposes.
- E. Reduce erosion and stream sedimentation by the retention of existing vegetation, and by the minimization of development on steep slopes.
- F. Retain the rural character and scenic qualities of areas within Reading Township while, at the same time, allow for reasonable and sympathetic residential development in rural areas of the Township where the incidence of active agriculture is relatively low.

(Ord. 2000-1, 1/10/2000, §500)

§27-502. Maximum Permitted Development Densities.

Within the Land Conservation (LC) District, the following maximum density standards apply:

- A. A maximum of one dwelling unit per 8 acres.
- B. A maximum of one dwelling unit per 5 acres if the “residential cluster” option, described in §27-503.B is used, provided that the approval procedure outlined in §27-503.B is followed.

(Ord. 2000-1, 1/10/2000, §501)

§27-503. Use Regulations.

All uses, activities, and development occurring within the LC District shall be undertaken only in strict compliance with the provisions of this Section and with all other applicable local, County, and State regulations, codes, and ordinances.

- A. *Permitted Principal Uses.* In LC Districts, the following uses and activities are permitted:

- (1) Single-family detached dwellings in accordance with the following lot design standards and procedures:

- (a) Minimum lot area: 1 acre.
- (b) Maximum lot area: 8 acres. Existing or proposed farms in accordance with paragraph .A(2) are exempt from this requirement.
- (c) Minimum setbacks:
 - 1) Front yard: 50 feet measured from the right-of-way of the adjoining road.
 - 2) Rear yard: 20 feet for principal structures and accessory structures in excess of 200 square feet, measured from the rear property line. Ten feet for accessory structures less than or equal to 200 feet, measured from the rear property line.
 - 3) Side yard: 10 feet measured from the side property line, provided that the combined setback from both side yards is at least 40 feet.
- (d) For corner lots, the minimum front yard depth, as established by paragraph .A(1)(c) above, shall be applied to both sides of the property with road frontage. The minimum rear depth, as established by paragraph .A(1)(c) above, shall be applied to all other sides of the property.
- (e) Minimum lot width: 200 feet measured at the road right-of-way line. The lot width shall be no less than 75 percent nor more than 125 percent of the lot frontage.
- (f) Open land shall be provided in accordance with the requirements of §27-504 and be in accordance with the following scale based upon the size of the parent tract:
 - 1) Where the parent tract is less than 8 acres in area, no open land must be provided.
 - 2) Where the parent tract is between 8 and 24.99 acres in area, 50 percent of the parent tract must remain as open land. Open land shall be provided only on the parent tract.
 - 3) Where the parent tract is greater than 25 acres in area, 75 percent of the parent tract shall remain in open land. Open land shall be provided only on the parent tract.

[Ord. 2008-1]

- (2) The following types of agriculture are permitted by right:
 - (a) Farms.
 - (b) Cultivation and harvesting of crops and related products.
 - (c) Raising of livestock, along with pasture and grazing land. Structures and pens associated with agribusiness operations including, but not limited to, commercial poultry barns, are expressly prohibited in the LC District.
 - (d) Orchards, nurseries, and related horticultural products.
- (3) The following types of public or semi-public uses are permitted by right:

- (a) Nature preserves, wildlife sanctuaries, and similar uses.
- (b) Park and recreation uses and easements, limited to passive recreation activities such as walking or hiking, bicycling, nature observation, and picnicking. Intensive or commercial recreation uses such as amusement parks are not permitted in the LC District.
- (4) Church. [Ord. 2008-1]
- (5) Wireless communications antennae affixed to an existing, conforming building or structure, not including a wireless communications tower as defined by this Chapter.
- (6) School. [Ord. 2008-1]
- (7) Forestry, in accordance with the accepted silvicultural principles in Appendix 27-A. [Ord. 2004-3]

B. *Conditional Uses and Lot Arrangements.* The following uses, activities, and lotting arrangements are permitted as conditional uses upon approval by the Reading Township Board of Supervisors. Where a combination of a residential cluster and estate lots are proposed, 75 percent of the total parent tract shall remain in open land in accordance with the standards established in §27-504. The listed conditional uses may only be applied to a property proposed for subdivision of 10 or more acres:

- (1) *Residential Cluster.* For any residential subdivision approval in accordance with the “residential cluster” option, the proposed lots must meet the following standards:
 - (a) Minimum lot area: 12,000 square feet.
 - (b) Maximum lot area: 1 acre.
 - (c) Minimum setbacks:
 - 1) Front yard: 30 feet, measured from the road or common access drive right-or-way.
 - 2) Rear yard: 40 feet for principal structures and accessory structures in excess of 200 square feet, measured from the rear property line. Ten feet for accessory structures less than or equal to 200 square feet, measured from the rear property line.
 - 3) Side yard: 10 feet measured from the side property line, provided that the combined setback from both side yards is at least 30 feet.
 - (d) For corner lots, the minimum front yard depth, as established by paragraph .B(1)(c) above, shall be applied to both sides of the property with road frontage. The minimum rear depth, as established by paragraph .B(1)(c) above, shall be applied to all other sides of the property.
 - (e) Minimum lot frontage: 75 feet, measured from the road right-of-way line. The lot width shall be no less than 75 percent nor more than 125 percent of the lot frontage.
 - (f) The applicant shall demonstrate that 75 percent of the land area of the parent tract will remain in open land, in accordance with the open

land standards established in §27-504.

(g) Residential clusters shall be provided with access from new loop roads rather than from the established road network. A subdivision plan proposing a string of residential lots along an established road shall not be considered a residential cluster and shall not be granted conditional use approval by the Township Supervisors.

(h) Wherever feasible, residential clusters shall be located in areas of the parent tract which are relatively free from sensitive environmental features including, but not limited to, floodplains, designated wetlands, and slopes in excess of 12 percent.

(i) Wherever feasible, residential clusters shall minimize disturbance to existing woodland, hedgerows, mature tree stands, and other significant vegetation.

(j) Residential clusters shall be located to minimize visual impacts on the rural landscape. To meet this requirement, residential clusters should not, at a minimum, be located on the tops or ridgelines or in the middle of open fields.

(k) Residential clusters shall be serviced by community sewage disposal systems.

(2) Estate lots may be proposed in accordance with the following standards:

(a) Minimum lot area: 8 acres.

(b) A maximum of 1.25 acres within an estate lot may be devoted to the estate lot living area.

(c) Minimum setbacks of the living area:

1) Front: 50 feet measured from the road right-of-way to the front boundary of the living area.

2) Rear: 40 feet measured from the rear property line to the rear boundary of the living area.

3) Side: 30 feet measured from the side property line to the side boundary of the living area.

(d) Estate lots shall be restricted by deed restriction, in language acceptable to the Township Solicitor, to prohibit further subdivision.

(e) Wherever feasible, the living area of an estate lot shall be located in an area relatively free of sensitive environmental features including, but not limited to, floodplains, designated wetlands, and slopes in excess of 12 percent.

(f) Wherever feasible, the living area of an estate lot shall be located to minimize disturbance to existing woodlands, hedgerows, mature tree stands, and other significant vegetation.

(g) The living areas of estate lots shall be located to minimize visual impacts on the rural landscape. To meet this requirement, living areas should not, at a minimum, be located on the tops or ridgelines or in the

middle of open fields.

(h) Seventy-five percent of the area of an estate lots shall be retained as open land in accordance with the standards established in §27-504. The portion of each estate lot, not included in the living area, shall be including in meeting the 75 percent open land requirement.

C. *Permitted Accessory Uses.*

(1) Farm markets in accordance with the requirements of §27-1315 of this Chapter.

(2) Buildings clearly accessory to agricultural structures including storage buildings, silos, or other outbuildings.

(3) Wireless communication antenna affixed to an existing conforming building or structure and not including a wireless communication tower as defined by this Chapter.

(4) No-impact home-based business in accordance with the requirements of §27-1303 of this Chapter.

(5) Storage in accordance with the requirements of §27-1310 of this Chapter.

(6) Accessory uses on the same lot and customarily incidental to the uses permitted by this Section.

[*Ord. 2008-1*]

D. *Special Exception Uses.* Within the LC District, the following uses are permitted by special exception. The Zoning Hearing Board may authorize the use as a special exception if it conforms to the requirements of this Chapter. The Zoning Hearing Board may apply additional criteria to specific projects, where relevant, in the interests of public health, safety, and welfare. [*Ord. 2008-1*]

(1) Accessory dwelling unit (either attached or detached) in accordance with the requirements of §27-1308 of this Chapter. [*Ord. 2006-3*]

(2) Kennel in accordance with the requirements of §27-1309 of this Chapter. [*Ord. 2008-1*]

(3) Wireless communication towers in accordance with the requirements of §27-1311 of this Chapter. [*Ord. 2008-1*]

(4) Bed-and-breakfast in accordance with the requirements of §27-1307 of this Chapter. [*Ord. 2008-1*]

(5) Farm related business in accordance with the requirements of §27-1304 of this Chapter. [*Ord. 2008-1*]

(6) *Commercial Campgrounds.*

(a) The minimum lot size for a commercial campground shall be 10 acres.

(b) The minimum lot width shall be 200 feet.

(c) The following setbacks are required:

1) Front yard: 100 feet for all permanent structures, other than the park or rental office. Fifty feet for all campsites, and for the park

or rental office.

2) Side yard: 50 feet for all permanent structures and campsites.

3) Rear yard: 50 feet for all permanent structures and campsites.

(d) For commercial campgrounds with recreational vehicle hook-ups, a minimum of two points of ingress and egress shall be provided. At least one point of ingress and egress shall be to a roadway designated as an arterial or major collector road. For commercial campgrounds offering only tent campsites, only one point of ingress and egress shall be provided.

(e) All commercial campgrounds shall have sewer and water systems approved, by the Pennsylvania Department of Environmental Protection.

(f) The maximum density for recreational vehicle campsites per shall be eight campsites per acre. The maximum density for tent campsites shall be 10 campsites per acre. Where a mixture of recreational vehicle and tent campsites are proposed, the commercial campground shall conform to the campsite density requirements for recreational vehicles.

(g) A minimum of 50 percent of the site proposed for use as a commercial campground shall be conserved as open land meeting the requirements of §27-504 of this Chapter.

(h) All site lighting shall be arranged and shielded so that no glare or direct illumination shall be cast upon adjacent properties or public streets.

(i) Commercial campgrounds may include accessory retail or service uses designed solely for use of the registered guests of the campground. Any parking spaces provided for these accessory uses shall have vehicular access only from the campgrounds internal road network, and not from a public street.

(j) Each campsite shall be at least 1,000 square feet in size, and shall provide parking space for one automobile if a tent campsite, or for a recreational vehicle and any towed vehicle if a recreational vehicle campsite. No parking of any automobile or recreational vehicle shall be permitted that interferes with the safe movement of traffic within the campground. Equivalent automobile parking may be provided in a common parking area instead of at individual campsites.

[*Ord. 2008-1*]

7. Home occupations, in accordance with the requirements of §27-1306. [*Ord. 2008-1*]

(*Ord. 2000-1, 1/10/2000, §502; as amended by Ord. 2004-3, 6/14/2004, §§XII, XXXXI, XXXIV, LXI; by Ord. 2006-3, 7/10/2006, §3; and by Ord. 2008-1, 8/18/2008, §§7, 66–68, 73*)

§27-504. Open Land Uses and Standards.

For properties proposed for subdivision in excess of 10 acres, a portion of the property shall be set aside as open land in accordance with the scale established in §27-

502.A(1)(f). The following standards shall apply to land set aside as open land, in accordance with the requirements of this Chapter:

A. Open land may be devoted to one or more of the following uses:

(1) Conservation of land in its natural state.

(2) Passive recreation areas including hiking and bicycling trails, nature observation, and picnicking. Development easements for these areas may be offered to the Municipality or the County, to land trusts, or to other non-profit organizations whose purpose is to conserve and protect open spaces, scenic views, and overall rural qualities.

(3) Easements for drainage, access, sewer and/or water lines, trails for pedestrian, bicycle, or equestrian uses, and other similar easements.

(4) Stormwater management facilities designed in accordance with applicable standards established by the Reading Township Stormwater Management Ordinance [Chapter 23]. [*Ord. 2014-01*]

(5) Agricultural activities in accordance with §§27-503.A(2)(a), 27-503.A(2)(b), and 27-503.A(2)(c).

(6) Equestrian pastures.

(7) Approved water supply and sewage disposal systems for individual residences or residential clusters. Said sewage disposal systems may include spray irrigation fields, on-site or off-site sand mounds, or other individual or community treatment systems, provided that appropriate approvals are obtained from State and local agencies and/or Sewage Enforcement Officers.

B. The following standards shall apply to the open land set aside, in accordance with the requirements of this Chapter:

(1) Significant site features including, but not limited to, major tree stands or wooded areas, hedgerows, water bodies, wetlands, and slopes, shall be protected in compliance with the intent of this Chapter.

(2) Open land of adjacent tracts shall share a common boundary to the maximum extent possible to provide areas of continuous open land throughout the LC District.

(3) Natural features shall generally be maintained in their natural condition, but may be modified in accordance with the recommendations of appropriately knowledgeable persons in the area being modified. Such modifications shall improve the appearance, operation, functionality, of overall condition of an open land area. Such modifications may include: [*Ord. 2004-3*]

Reforestation

Woodland Management

Meadow Management

Streambank Management

Wetlands Management

[*Ord. 2008-1*]

(*Ord. 2000-1*, 1/10/2000, §503; as amended by *Ord. 2004-3*, 6/14/2004, §§XXXIV, XXXVII, LXI; by *Ord. 2008-1*, 8/18/2008, §67; and by *Ord. 2014-01*, 4/21/2014)

§27-505. Dimensional Requirements.

For uses within the LC District where no dimensional requirements are otherwise established, the following requirements shall apply:

- A. Minimum setbacks:
 - (1) Front yard: 35 feet.
 - (2) Rear yard: 30 feet.
 - (3) Side yard: 20 feet.
- B. Minimum lot width: 150 feet.
- C. Minimum lot size: 1 acre.

(*Ord. 2000-1*, 1/10/2000, §504; as added by *Ord. 2004-3*, 6/14/2004, §LI)

Part 6**Village (V) District****§27-601. Statement of Legislative Intent.**

In expansion of the community development objectives contained in Part 1 of this Chapter, it is hereby declared to be the intent of the V District to establish reasonable standards to provide for a mix of residential and limited commercial and office uses within the V District. Furthermore, it is the intent of this Part to:

A. Preserve the existing village framework by requiring infill development within Hampton Village and new development around the perimeter of this village to be consistent with existing development patterns in terms of lot design, building placement, and building architecture and size.

B. Maintain the existing mixture of residential, limited commercial, and institutional uses that are found in the Hampton Village setting.

C. Encourage the full economic use of older historic structures within the village core by permitting not only a reasonable number of separate uses within a single structure, but permitting a mixture of uses within a single structure as well.

D. Maintain historic streetscapes by adopting placement standards, reasonable landscaping requirements for new development, and parking, area, and bulk regulations which are sympathetic to the traditional village designs found in Hampton Village.

D. Encourage the retention and preservation of the historic housing stock in the village.

(Ord. 2000-1, 1/10/2000, §600)

§27-602. Uses Permitted by Right.

Within the V District, the following uses are permitted by right. This section permits, by right, only a single use on each property or within each structure. Properties or structures containing a mixture of uses are permitted provided the special exception standards of §27-603 and Part 17 are met. [Ord. 2008-1]

A. *Principal Uses.*

(1) Single-family detached dwellings.

(2) Single-family semi-detached dwellings (twins).

(3) Two-family dwellings (duplexes).

(4) Professional offices including offices for physicians, dentists, lawyers, accountants, real estate agents, insurance agents, artists, planners, architects, engineers, travel agencies, and similar professional offices.

(5) Specialty retail shops including antique shops, florists, card shops, hobby and craft shops, gift shops, wearing apparel shops, furniture stores, bookstores (excluding adult bookstores and other “adult entertainment” uses), camera shops, jewelry stores, and similar specialty retail stores, provide such specialty retail shops do not exceed 3,000 square feet in sales area.

(6) Personal service shops including tailors, dressmakers, barbers, beauty salons, and similar professional service shops.

(7) Government offices.

(8) Churches.

(9) Wireless communications antennae affixed to an existing, conforming building or structure, not including a wireless communications tower as defined by this Chapter.

(10) Forestry, in accordance with the accepted silvicultural principles in Appendix 27-A. [Ord. 2004-3]

[Ord. 2008-1]

B. *Accessory Uses.*

(1) No-impact home-based business in accordance with the requirements of §27-1303 of this Chapter.

(2) Home occupations in accordance with the requirements of §27-1306 of this Chapter.

(3) Storage in accordance with the requirements of §27-1430 of this Chapter.

(4) Wireless communication antenna affixed to an existing conforming building or structure and not including a wireless communication tower as defined by this Chapter.

(5) Accessory uses on the same lot and customarily incidental to the uses permitted by the section.

(6) Farm markets in accordance with the requirements of §27-1308 of this Chapter.

(7) Buildings clearly accessory to agricultural uses.

[Ord. 2008-1]

(Ord. 2000-1, 1/10/2000, §601; as amended by Ord. 2004-3, 6/14/2004, §§XIII, XXXXII, LXII; and by Ord. 2008-1, 8/18/2008, §§8, 74, 75)

§27-603. Uses Permitted by Special Exception.

Within the V District, the following uses are permitted by special exception. The Zoning Hearing Board may authorize a use as a special exception if it conforms, at a minimum, to the stated standards and criteria. The Zoning Hearing Board may apply additional criteria to specific projects, where relevant, to protect the village framework and architectural integrity of Hampton Village, and in the interests of public health, safety, and welfare [Ord. 2004-3]

A. *Restaurants (Excluding Drive-through and Drive-in Establishments).*

(1) Hours of operation shall be limited to 5 a.m to 12 a.m.

(2) Any trash containers, used for the disposal of restaurant waste products, shall be shielded from public view by a decorative solid fence or evergreen shrubbery.

B. *Conversion Apartments.*

(1) Off-street parking shall be provided according to the following scale:

Number of Bedrooms	Number of Parking Spaces
1	1.0
2	1.5
3	2.0

(2) Parking areas shall be located and designed according to the applicable standards of §27-604.D(3) and Part 13.

(3) Minimum apartment size shall conform to the following scale:

Number of Bedrooms	Habitable Living Area
1	500 Square Feet
2	650 Square Feet
3	850 Square Feet

(4) Only existing, single-family detached dwellings may be converted for conversion apartment use.

(5) A maximum of three units may be created by the conversion of a single-family detached structure.

(6) Access to each unit must be reviewed and approved by an appropriate local fire protection official.

(7) The property owner shall provide each dwelling unit with fire alarms, kept in working condition by the property owner at all times. In addition, the property owner shall provide each hallway serving independent dwelling units with fire alarms, kept in working order by the property owner at all times.

(8) The property owner shall provide exit signs in all hallways leading to and from second and third floor apartments.

C. Mixed-Use Structures.

(1) Mixed-use structures shall consist of two or more limited specialty retail or professional office uses or one or more specialty retail or professional office uses and one or more residential units.

(2) Commercial uses outlined in §27-602.A(5) or §27-602.A(6) may be located on the first floor of the structure, and also, when access is approved by appropriate local fire protection officials, on the second floor of the structure.

(3) Professional office uses outlined in §27-602.A(4) may be located on the first and second floors of a structure. The third floor of a structure may also be used for professional offices provided that the office space on the third floor is an extension of a professional office business which has its primary office space on the first or second floors.

(4) Residential apartments may be located on the second and third floors provided that the minimum apartment sizes conform to the scale presented in paragraph .B(3) and that off-street parking is provided according to the scale presented in paragraph .B(1).

(5) Access to and from residential units shall be independent of access to and from any commercial or professional office uses located within the mixed-use structure. Independent access may be provided externally to the building or from an internal system of hallways and staircases. Under no circumstances should residents be required to gain access to a residential unit through commercial or professional office spaces.

(6) Access to second and third floor uses, whether residential, commercial or professional office in nature, shall be approved by appropriate local fire protection officials.

(7) The property owner shall supply all residential and commercial units with fire alarms, kept in working condition by the property owner at all times. In addition, the property owner shall provide each hallway serving independent residential or commercial units with fire alarms, kept in working condition by the property owner at all times.

(8) The property owner shall provide exit signs in all hallways leading to and from second and third floor uses.

D. Bed-and-breakfast operations, in accordance with the requirements of §27-1307 of this Chapter. [*Ord. 2004-3*]

E. Accessory dwelling unit (either attached or detached) in accordance with the requirements of §27-1308 of this Chapter. [*Ord. 2006-3*]

(*Ord. 2000-1, 1/10/2000, §602; as amended by Ord. 2004-3, 6/14/2004, §§LII, LXX; by Ord. 2006-3, 7/10/2006, §4; and by Ord. 2014-01, 4/21/2014*)

§27-604. Area and Bulk Regulations.

The following standards shall govern all uses, subdivision projects, and land development plans within the V District:

A. The minimum lot area shall be 15,000 square feet. Where a new residential development requiring new streets is proposed within the V District, the minimum lot area may be reduced to 7,500 square feet if the following conditions are met:

(1) The street layout shall be designed as an extension of the existing grid street and alley network.

(2) A street tree shall be planted on each new lot. Each street tree shall have a minimum height of 8 feet and a minimum caliper of 3 inches measured 2 feet from ground level.

B. The minimum lot width shall be 100 feet at the required build-to line. Where a new residential development requiring new streets is proposed within the V District, the minimum lot width may be reduced to 50 feet if the requirements set forth in paragraph .A are met. The lot width shall be no less than 75 percent nor more than 125 percent of the lot frontage.

C. The maximum impervious lot coverage shall not exceed 65 percent. [*Ord. 2004-3*]

D. Front yards shall meet the following standards:

(1) The front yard build-to line shall be 10 feet, measured from the street

right-of-way line, unless an adjoining property contains a structure that has been constructed closer to the street right-of-way. In that event, the front yard build-to line shall conform to the existing front yard build-to line of the adjoining properties.

(2) The entire front yard shall be maintained as a landscaped area, except for walkways connecting the entrances with the public sidewalk and for one access driveway.

(3) No parking shall be permitted in front yard areas except within the permitted access driveway of a single-family detached dwelling.

E. Side yards shall meet the following standards:

(1) The minimum side yard width shall be 6 feet. When the lot is located in an area of the V District where existing structures have been constructed closer to the property line, minimum side lots requirements may be waived by the Zoning Officer.

F. Rear yards shall meet the following standards:

(1) The minimum rear yard depth for a principal structure shall be 15 feet. The minimum rear yard depth for an accessory structure shall be 5 feet.

G. For corner lots, the minimum front yard depth, as established by paragraph .D(1) above, shall be applied to both sides of the property with road frontage. The minimum rear depth, as established by paragraph .F(1) above, shall be applied to all other sides of the property.

H. The maximum height of any structure within the V District shall not exceed 35 feet.

(*Ord. 2000-1, 1/10/2000, §603; as amended by Ord. 2004-3, 6/14/2004, §XXII*)

Part 7**Moderate Density Residential (R-1) District****§27-701. Statement of Legislative Intent.**

In expansion of the community development objectives contained in Part 1 of this Chapter, it is hereby declared to be the intent of the R-1 District to establish reasonable standards to provide a mixture of residential opportunities within the R-1 District. Furthermore, it is the intent of this Part to:

A. Preserve the quiet and uncongested environment that currently exists in those residential areas surrounding Hampton Village devoted primarily to single-family detached dwellings.

B. Exclude incompatible commercial and industrial uses from locating in those areas of Reading Township which have experienced predominately residential development.

C. Provide for higher density residential uses, such as townhouses and apartments, in appropriate areas of the Moderate Density Residential District and in accordance with specified development standards.

D. Encourage development patterns that will, over the long run, result in the efficient provision of public services as well as for the preservation of open space areas that may be appropriate for recreation or conservation purposes.

E. Limit development density to levels that are compatible with the rural nature of Reading Township and which are compatible with existing development patterns and densities within the Township, especially surrounding the Village of Hampton.

(Ord. 2000-1, 1/10/2000, §700)

§27-702. Uses Permitted by Right.

1. Within the R-1 District the following principal uses are permitted by right:

A. Conventional development not requiring construction of new infrastructure including, but not limited to, new roadways, new community sewer and/or water systems, or the extension of existing sewer and/or water systems (whether publicly or privately owned and maintained).

(1) Permitted dwelling unit types for conventional development as described above within the Moderate Density Residential (R-1) District include single-family detached dwellings, single-family semi-detached dwellings (twins), and/or two-family dwellings (duplexes).

B. *Cluster Development.* The following requirements shall be applied to cluster residential development proposals within the Moderate Density Residential (R-1) District:

(1) *Minimum Development Area.* The minimum area for a cluster development shall be 10 acres.

(2) Cluster developments shall be provided either with public sewer and

water, or shall be provided with an alternative sewage treatment system, such as spray irrigation, artificial wetlands, etc., approved by the Pennsylvania Department of Environmental Protection, and for which a permanent maintenance agreement is legally approved between the Reading Township Supervisors, the developer, and any homeowners' association which is created to manage such facilities and the open space areas that result from a cluster residential development design.

(3) Permitted dwelling unit types for cluster developments within the Moderate Density Residential (R-1) District include single-family detached dwellings, single-family semi-detached dwellings (twins), two-family dwellings (duplexes), and/or townhouses.

(4) A minimum of 50 percent of the parcel proposed for cluster development shall be preserved as open space in accordance with the following standards:

(a) *Open Space Requirements.*

1) The open space resource shall include floodplains, wetlands, woodlands, steep slopes, rock outcrops, and other environmentally sensitive features worthy of preservation. Such environmentally sensitive features shall be retained in their natural state.

2) In addition to environmentally sensitive features, in accordance with §22-513 of the Township Subdivision and Land Development Ordinance [Chapter 22] land deemed suitable for development shall be included in the required open space resource to allow for potential recreation amenities. Required stormwater management facilities shall not be located in the required open space resource.

3) Open space shall be concentrated on the site and usable for active or passive recreation on the site, or shall consist of agricultural soils which could be made available, through leasehold arrangements, for agricultural purposes. Open space shall be arranged such that the maximum number of residential units are provided direct visual access to permanently preserved open space.

4) Applicants shall design the required open space in such a manner to facilitate the establishment of greenways which could logically link with similar open space area on adjoining lands. These greenways may include bikeways, pedestrian paths, and other linkages. Topographic features, such as stream beds and hedgerows, may form the "backbone" for such greenway networks.

(b) *Ownership and Maintenance of Required Open Space.*

1) All open space areas within a cluster development shall be offered for dedication to and for no consideration to be paid by the Township. The Township shall have the option to accept all or any portion of the open space at any time within 10 years of the recording of the final subdivision plan.

2) The final subdivision or land development plan shall contain

a note, in language acceptable to the Township Solicitor, that the open space is irrevocably offered for dedication to the Township for a period of 10 years from the date of the recording of the final plan. Said note shall also state that the Township shall have no duty to maintain or improve the dedicated open space unless and until it has been accepted by formal action of the Township Supervisors.

3) The applicant may request the Township to accept dedication of the open space upon recording of the final plan, but a refusal by the Township to do so shall not limit the Township's rights to accept all or any portion of the open space at any time within 10 years after the recording of the final plan.

4) If the Township does not accept dedication of the open space upon recording of the final plan, the developer shall make arrangements for the permanent maintenance of the open space through the formation of a homeowners association. Any such homeowners association shall comply with the requirements for such associations contained in the Pennsylvania Uniform Condominium Act, 68 Pa.C.S.A. §3101 *et seq.*, and the developer shall present all documents relating to the creation of such association to the Township for the review and approval of the Township Solicitor.

5) If such association fails to properly maintain the open space, the Township shall have the same rights granted to municipalities under §705 of the Pennsylvania Municipalities Planning Code, Act 270 of 1988, 53 P.S. §10705. The deed which transfers the open space to the homeowners association shall contain specific reference to the Township's rights under this Section.

6) If the Township accepts any or all open space, such action shall be evidenced by a recorded instrument, the terms of which shall be subject to the approval of the Township Solicitor.

7) Any deed transferring the open space to the Township or to a homeowners association shall contain an endorsement which shall indicate that all open space is restricted for use as open space in perpetuity. The deed shall be subject to approval by the Board of Supervisors and the Township Solicitor.

(5) In return for the permanent preservation of open space within the cluster development, the applicant may increase the density of the proposed development in accordance with the standards established in §27-704.B.

(6) Presentation of a sketch plan to the Planning Commission prior to formal submission is strongly encouraged for all cluster development designs.

C. Wireless communications antennae affixed to an existing, conforming building or structure, not including a wireless communications tower as defined by this Chapter.

D. Forestry, in accordance with the accepted silvicultural principles in Appendix 27-A.

2. Within the R-1 District, the following accessory uses are permitted by right:

- A. Storage in accordance with the requirements of §27-1310 of this Chapter.
- B. No-impact home-based business, in accordance with the requirements of §27-1303 of this Chapter.
- C. Farm market in accordance with the requirements of §27-1308 of this Chapter.
- D. Buildings clearly accessory to agricultural uses.
- E. Wireless communication antenna affixed to an existing conforming building or structure and not including a wireless communication tower as defined by this Chapter.
- F. Accessory uses on the same lot and customarily incidental to uses permitted by this Section.

(*Ord. 2000-1*, 1/10/2000, §701; as amended by *Ord. 2004-3*, 6/14/2004, §§XIV, XXXXIII; by *Ord. 2006-4*, 10/9/2006, §1; and by *Ord. 2008-1*, 8/18/2008, §§76–78)

§27-703. Uses Permitted by Special Exception.

Within the R-1 District, the following uses are permitted by special exception. The Zoning Hearing Board may authorize a use as a special exception if it conforms, at a minimum, to the stated standards and criteria. The Zoning Hearing Board may apply additional criteria to specific projects, where relevant, in the interests of public health, safety, and welfare.

A. Conventional development requiring the construction of new infrastructure including, but not limited to, new roadways, new community sewer and/or water systems (whether publicly or privately owned and maintained), or the extension of existing sewer and/or water systems (whether publicly or privately owned and maintained).

(1) Permitted dwelling unit types for conventional development as described above within the Moderate Density Residential (R-1) District include single-family detached dwellings, single-family semi-detached dwellings (twins), two-family dwellings (duplexes), and/or townhouses.

(2) Applicants shall demonstrate the benefit of a conventional development design in accordance with §27-704.A as opposed to a cluster development design in accordance with §§27-702.2 and 27-704.B.

B. *Townhouse Community.*

(1) The minimum lot area on which a planned townhouse community may be proposed shall be 1 acre.

(2) The maximum number of attached dwelling units in any townhouse structure shall be six dwelling units. Any structure containing four or more units must contain staggered front facades with a minimum differential of 2 feet.

(3) The minimum dwelling unit width shall be 25 feet.

(4) Off-street parking shall be provided. Two spaces for every dwelling unit are required. Parking areas shall be located either to the rear of individual townhouse buildings or in common parking areas. Under no circumstances shall parking be permitted within the required setbacks along

the perimeter of the property.

(5) A designated open space or recreation area shall be provided for any townhouse project site in excess of 12 units. The minimum open space or recreation area shall contain 300 square feet for each dwelling unit.

(6) The minimum separation between townhouse buildings shall be 50 feet. Townhouse buildings shall be arranged, to the maximum extent possible, such that the front and rear facades of adjacent buildings do not face each other.

(7) A site plan must be submitted with each zoning permit application showing the interrelationships between the proposed structures, open space or recreation areas, sidewalks, streets, parking areas, landscaping, and other features necessary to evaluate the proposed site design.

C. Multi-family Community.

(1) The minimum lot area shall be 1 acre for each proposed apartment building.

(2) The maximum number of dwelling units in an apartment building shall be eight dwelling units.

(3) Off-street parking shall be provided according to the following scale:

Number of Bedrooms	Number of Parking Spaces
1	1.0
2	1.5
3	2.0

The off-street parking requirement may be reduced to one space per unit if the apartments are designed for elderly or handicapped residents and limited to one-bedroom units. All parking spaces shall be located in a common parking area. A maximum of two access driveways are permitted to provide access to the common parking area from public streets. Under no circumstances shall parking be permitted at the edges of the development adjacent to existing public streets.

(4) The minimum separation between apartment or condominium buildings shall be 50 feet.

(5) A site plan must be submitted with each zoning permit application showing the interrelationships between the proposed structures, open space or recreation areas, sidewalks, streets, parking areas, landscaping, and other features necessary to evaluate the proposed site design.

D. Mobile Home Parks.

(1) All mobile home park proposals shall meet the applicable standards contained in the Reading Township Subdivision and Land Development Ordinance [Chapter 22].

E. Home Occupations.

(1) Home occupation may include art studios, barber shops and beauty salons containing a maximum of two chairs; instructional services limited to

two pupils at a time; professional office for a physician, lawyer, accountant, real estate agent, architect, or similar professional; sale of specialty “homemade food” products; and appliance or small machinery repair.

(2) The home occupation shall be carried on completely within the dwelling unit.

(3) Not more than two persons, including the property owner, shall be employed in the home occupation.

(4) Not more than 30 percent of the floor area of the dwelling unit shall be devoted to the home occupation.

(5) Exterior storage of materials shall be prohibited.

(6) The residential character of the dwelling shall not be altered to indicate the presence of the home occupation.

F. Group Homes.

(1) The provider and the structure are licensed by an appropriate County and/or State agency.

(2) No more than eight persons shall receive care at only one time.

G. Accessory dwelling unit (either attached or detached) in accordance with the requirements of §27-1308 of this Chapter.

(Ord. 2000-1, 1/10/2000, §702; as amended by Ord. 2004-3, 6/14/2004, §§XXIII, LIII; by Ord. 2006-3, 7/10/2006, §5; and by Ord. 2006-4, 10/9/2006, §2)

§27-704. Area and Bulk Requirements.

The following standards shall govern all uses, subdivision projects, and land development plans within the R-1 District:

A. Conventional Development.

(1) The maximum density for any conventional residential development within the R-1 District shall be two dwelling units to the acre.

(2) Where an applicant chooses to participate in the Reading Township Transfer of Development Rights Program, the maximum density for a residential project shall be four dwelling units to the acre. To achieve this density, an applicant shall be required to purchase one development right for every two additional dwelling units proposed in excess of two dwelling units to the acre.

(3) The minimum lot area shall be 20,000 square feet for single-family detached dwellings, 15,000 square feet per unit for single-family semi-detached dwellings or two-family dwellings, and 3,000 square feet for townhouses.

(4) The minimum lot width shall be 100 feet for single-family detached dwellings, 75 feet per unit for single-family semidetached dwellings or two-family dwellings, and 25 feet for townhouses. The lot width shall be no less than 75 percent nor more than 125 percent of the lot frontage.

(5) The maximum impervious lot coverage shall not exceed 40 percent.

(6) The minimum front yard setback shall be 20 feet.

(7) The minimum side yard setback for principal structures and accessory

structures in excess of 200 square feet shall be 20 feet. The minimum side yard setback for accessory structures less than or equal to 200 square feet shall be 10 feet.

(8) The minimum rear yard setback for principal structures or accessory structures in excess of 200 square feet shall be 25 feet. The minimum rear yard setback for accessory structures less than or equal to 200 square feet shall be 10 feet.

(9) For corner lots, the minimum front yard setback, as established by paragraph .A(6) above, shall be applied to both sides of the property with road frontage. The minimum rear yard setback, as established by paragraph .A(8) above, shall be applied to all other sides of the property.

(10) The maximum building height shall be 35 feet.

(11) Any residential development in the R-1 District equal to or greater than one dwelling unit per acre shall be provided with community sewer and community water systems.

B. Cluster Development.

(1) Where an applicant chooses to develop a cluster development, the maximum density for the residential development shall be three dwelling units to the acre.

(2) Where an applicant chooses to participate in the Reading Township Transfer of Development Rights Program, the maximum density for a residential project shall be four dwelling units to the acre. To achieve this density, an applicant shall be required to purchase one development right for every two additional dwelling units proposed in excess of two dwelling units to the acre.

(3) For cluster development proposed in accordance with the standards established by §27-702.2 of this Chapter, the minimum lot area shall be 10,000 square feet for single-family detached dwellings, 7,500 square feet per unit for single-family semi-detached dwellings or two-family dwellings, and 2,000 square feet for townhouses.

(4) For cluster development proposed in accordance with the standards established by §27-702.2 of this Chapter, the minimum lot width shall be 75 feet for single-family detached dwellings, 50 feet per unit for single-family semi-detached dwellings or two-family dwellings, and 20 feet for townhouses.

(5) The maximum impervious lot coverage shall not exceed 40 percent.

(6) For cluster development proposed in accordance with the standards established by §27-702.2 of this Chapter, the minimum front yard setback shall be 10 feet.

(7) For cluster developments proposed in accordance with the standards established by §27-702.2 of this Chapter, the minimum side yard setback shall be 10 feet.

(8) For cluster development proposed in accordance with the standards established by §27-702.2 of this Chapter, the minimum rear yard setback for principal structures or accessory structures in excess of 200 square feet shall

be 15 feet. The minimum rear yard setback for accessory structures less than or equal to 200 square feet shall be 10 feet.

(9) For corner lots, the minimum front yard setback, as established by paragraph .B(6) above, shall be applied to both sides of the property with road frontage. The minimum rear depth, as established by paragraph .B(8) above, shall be applied to all other sides of the property.

(10) The maximum building height shall be 35 feet.

(11) Any residential development in the R-1 District equal to or greater than one dwelling unit per acre shall be provided with community sewer and community water systems.

(Ord. 2000-1, 1/10/2000, §703; as amended by Ord. 2004-3, 6/14/2004, §§XVII, XXIV; and by Ord. 2006-4, 10/9/2006, §3)

Part 8**Low Density Residential (R-2) District****§27-801. Statement of Legislative Intent.**

In expansion of the community development objectives contained in Part 1 of this Chapter, it is hereby declared to be the intent of the R-2 District to:

A. Preserve the residential environment that currently exists in Lake Meade, and those residential communities lining the Conewago Creek.

B. Exclude incompatible commercial and industrial uses from locating in those areas of Reading Township which have developed primarily as lower density, single-family residential development.

C. Provide for the limited use of home occupations, which would provide residents of single-family neighborhoods with an opportunity to operate a business from their homes.

D. Provide incentives for the creative design of future residential projects which may serve to conserve land and environmentally sensitive areas, which may be used for passive or active recreation or other open space uses.

(Ord. 2000-1, 1/10/2000, §800)

§27-802. Uses Permitted by Right.

1. Within the R-2 District the following principal uses are permitted by right:

A. Conventional development not requiring construction of new infrastructure including, but not limited to, new roadways, new community sewer and/or water systems, or the extension of existing sewer and/or water systems (whether publicly or privately owned and maintained).

(1) Permitted dwelling unit types for conventional development as described above within the Low Density Residential (R-2) District include single-family detached dwellings.

B. *Cluster Developments.* The following requirements shall be applied to cluster residential development proposals within the Low Density Residential (R-2) District:

(1) The minimum lot area on which a cluster development may be proposed shall be 10 acres.

(2) Cluster developments shall be provided either with public sewer and water, or shall be provided with an alternative sewage treatment system, such as spray irrigation, artificial wetlands, etc., approved by the Pennsylvania Department of Environmental Protection, and for which a permanent maintenance agreement is legally approved between the Reading Township Supervisors, the developer, and any homeowners' association which is created to manage such facilities and the open space areas that result from a cluster residential development design.

(3) Permitted dwelling unit types for cluster developments within the Low

Density Residential (R-2). District include single-family detached dwellings.

(4) A minimum of 50 percent of the parcel proposed for cluster development shall be preserved as open space in accordance with the following standards:

(a) *Open Space Requirements.*

1) The open space resource shall include floodplains, wetlands, woodlands, steep slopes, rock outcrops, and other environmentally sensitive features worthy of preservation. Such environmentally sensitive features shall be retained in their natural state.

2) In addition to environmentally sensitive features, in accordance with §22-513 of the Township Subdivision and Land Development Ordinance [Chapter 22] land deemed suitable for development shall be included in the required open space resource to allow for potential recreation amenities. Required stormwater management facilities shall not be located in the required open space resource.

3) Open space shall be concentrated on the site and usable for active or passive recreation on the site, or shall consist of agricultural soils which could be made available, through leasehold arrangements, for agricultural purposes. Open space shall be arranged such that the maximum number of residential units are provided direct visual access to permanently preserved open space.

4) Applicants shall design the required open space in such a manner to facilitate the establishment of greenways which could logically link with similar open space area on adjoining lands. These greenways may include bikeways, pedestrian paths, and other linkages. Topographic features, such as stream beds and hedgerows, may form the “backbone” for such greenway networks.

(b) *Ownership and Maintenance of Required Open Space.*

1) All open space areas within a cluster development shall be offered for dedication to and for no consideration to be paid by the Township. The Township shall have the option to accept all or any portion of the open space at any time within 10 years of the recording of the final subdivision plan.

2) The final subdivision or land development plan shall contain a note, in language acceptable to the Township Solicitor that the open space is irrevocably offered for dedication to the Township for a period of 10 years from the date of the recording of the final plan. Said note shall also state that the Township shall have no duty to maintain or improve the dedicated open space unless and until it has been accepted by formal action of the Township Supervisors.

3) The applicant may request the Township to accept dedication of the open space upon recording of the final plan, but a refusal by the Township to do so shall not limit the Township’s rights to accept all or any portion of the open space at any time within 10 years after the

recording of the final plan.

4) If the Township does not accept dedication of the open space upon recording of the final plan, the developer shall make arrangements for the permanent maintenance of the open space through the formation of a homeowners association. Any such homeowners' association shall comply with the requirements for such associations contained in the Pennsylvania Uniform Condominium Act, and the developer shall present all documents relating to the creation of such association to the Township for the review and approval of the Township Solicitor.

5) If such association fails to properly maintain the open space, the Township shall have the same rights granted to municipalities under §705 of the Pennsylvania Municipalities Planning Code, Act 270 of 1988, 53 P.S. §10705. The deed which transfers the open space to the homeowners' association shall contain specific reference to the Township's rights under this Section.

6) If the Township accepts any or all open space, such action shall be evidenced by a recorded instrument, the terms of which shall be subject to the approval of the Township Solicitor.

7) Any deed transferring the open space to the Township or to a homeowners' association shall contain an endorsement which shall indicate that all open space is restricted for use as open space in perpetuity. The deed shall be subject to approval by the Board of Supervisors and the Township Solicitor.

(5) In return for the permanent preservation of open space within the cluster development, the applicant may increase the density of the proposed development in accordance with the standards established in §27-804.B.

(6) Presentation of a sketch plan to the Planning Commission prior to formal submission is strongly encouraged for all cluster development designs.

C. Churches.

D. Public or private parks.

E. Public or private golf courses.

F. Forestry, in accordance with the accepted silvicultural principles in Appendix 27-A.

2. Within the R-2 District the following accessory uses are permitted by right:

A. Wireless communication antenna affixed to an existing conforming buildings or structure and not including a wireless communication tower as defined by this Chapter.

B. Accessory uses including garage, storage buildings and similar uses provided the lot coverage requirements of §§27-804.A(5) and 27-804.B(5) are met.

C. No-impact home-based business, in accordance with the requirements of §27-1303 of this Chapter.

D. Storage in accordance with the requirements of §27-1310 of this Chapter.

E Farm market in accordance with the requirements of §27-1315 of this Chapter.

F. Buildings clearly accessory to agricultural uses.

(*Ord. 2000-1*, 1/10/2000, §801; as amended by *Ord. 2004-3*, 6/14/2004, §§XV, XXXIV; by *Ord. 2006-4*, 10/9/2006, §4; and by *Ord. 2008-1*, 8/18/2008, §§80, 81)

§27-803. Uses Permitted by Special Exception.

Within the R-2 District, the following uses are permitted by special exception. The Zoning Hearing Board may authorize a use as a special exception if it conforms, at a minimum, to the stated standards and criteria. The Zoning Hearing Board may apply additional criteria to specific projects, where relevant, in the interests of public health, safety, and welfare.

A. Conventional development requiring the construction of new infrastructure including, but not limited to, new roadways, new community sewer and/or water systems (whether publicly or privately owned and maintained), or the extension of existing sewer and/or water systems (whether publicly or privately owned and maintained).

(1) Permitted dwelling unit types for conventional development as described above within the Low Density Residential (R-2) District include single-family detached dwellings, single-family semi-detached dwellings (twins), two-family dwellings (duplexes), and/or townhouses.

(2) Applicants shall demonstrate the benefit of a conventional development design in accordance with paragraph .A as opposed to a cluster development design in accordance with §§27-802.2, 27-804.B.

B. Home occupations, in accordance with the requirements of §27-1306.

C. Accessory dwelling unit (either attached or detached) in accordance with the requirements of §27-1308 of this Chapter.

(*Ord. 2000-1*, 1/10/2000, §802; as amended by *Ord. 2004-3*, 6/14/2004, §§XXV, LIV, LXIII; and by *Ord. 2006-3*, 10/9/2006, §6; and by *Ord. 2006-4*, 10/9/2006, §5)

§27-804. Area and Bulk Regulations.

The following standards shall govern all uses, subdivision projects, and land development plans within the R-2 District:

A. *Conventional Development.*

(1) The maximum density for any conventional residential development within the R-2 District shall be one dwelling unit to the acre. [*Ord. 2008-1*]

(2) Where an applicant chooses to participate in the Reading Township Transfer of Development Rights Program, the maximum density for a residential project shall be two dwelling units to the acre. To achieve this density, an applicant shall be required to purchase one development right for every two additional dwelling units proposed in excess of one dwelling unit to the acre.

(3) The minimum lot area shall be 1 acre.

(4) The minimum lot width shall be 200 feet. The lot width shall be no less than 75 percent nor more than 125 percent of the lot frontage.

(5) The maximum impervious lot coverage shall not exceed 40 percent.

(6) The minimum front yard setback shall be 50 feet.

(7) The minimum side yard setback for principal structures and accessory structures in excess of 200 square feet shall be 25 feet. The minimum side yard setback for accessory structures less than or equal to 200 square feet shall be 10 feet.

(8) The minimum rear yard setback for principal structures or accessory structures in excess of 200 square feet shall be 30 feet. The minimum rear yard setback for accessory structures less than or equal to 200 square feet shall be 10 feet.

(9) For corner lots, the minimum front yard setback, as established by paragraph .A(6) above, shall be applied to both sides of the property with road frontage. The minimum rear yard setback, as established by paragraph .A(8) above, shall be applied to all other sides of the property.

(10) The maximum building height shall be 35 feet.

(11) Any residential development in the R-2 District equal to or greater than one dwelling unit per acre shall be provided with community sewer and community water systems.

B. Cluster Development.

(1) Where an applicant chooses to develop a cluster development, the maximum density for the residential development shall be one-and-one-half dwelling units to the acre.

(2) Where an applicant chooses to participate in the Reading Township Transfer of Development Rights Program, the maximum density for a residential project shall be two dwelling units to the acre. To achieve this density, an applicant shall be required to purchase one development right for every two additional dwelling units proposed in excess of one dwelling unit to the acre.

(3) For cluster development proposed in accordance with the standards established by §27-802.2 of this Chapter, the minimum lot area shall be 10,000 square.

(4) For cluster development proposed in accordance with the standards established by §27-802.2 of this Chapter, the minimum lot width shall be 100 feet.

(5) The maximum impervious lot coverage shall not exceed 40 percent.

(6) For cluster development proposed in accordance with the standards established by §27-802.2 of this Chapter, the minimum front yard setback shall be 20 feet.

(7) For cluster developments proposed in accordance with the standards established by §27-802.2 of this Chapter, the minimum side yard setback for principal structures or accessory structures in excess of 200 square feet shall be 15 feet. The minimum rear yard setback for accessory structures less than

or equal to 200 square feet shall be 10 feet.

(8) For cluster development proposed in accordance with the standards established by §27-802.2 of this Chapter, the minimum rear yard setback for principal structures or accessory structures in excess of 200 square feet shall be 20 feet. The minimum rear yard setback for accessory structures less than or equal to 200 square feet shall be 10 feet.

(9) For corner lots, the minimum front yard setback, as established by paragraph .B(6) above, shall be applied to both sides of the property with road frontage. The minimum rear yard setback, as established by paragraph .B(8) above, shall be applied to all other sides of the property.

(10) The maximum building height shall be 35 feet.

(11) Any residential development in the R-2 District equal to or greater than one dwelling unit per acre shall be provided with community sewer and community water systems.

(Ord. 2000-1, 1/10/2000, §803; as amended by Ord. 2004-3, 6/14/2004, §XVIII; by Ord. 2006-4, 10/9/2006, §6; and by Ord. 2008-1, 8/18/2008, §§9–14)

Part 9**Low Density Residential (R-2A) District****§27-901. Statement of Legislative Intent.**

In expansion of the community development objectives contained in Part 1 of this Chapter, it is hereby declared to be the intent of the R-2A District to establish reasonable standards to provide for a mixture of residential, recreational, and community uses within the R-2A District. Furthermore, it is the intent of this Part to:

A. Protect the character of the existing single family detached, low density, Lake Meade residential community, by providing for orderly and timely expansion of this neighborhood for compatible single-family development.

B. Exclude incompatible commercial and industrial uses from locating in the community while permitting supportive and compatible recreational and institutional uses.

C. Establish area and dimensional requirements that are consistent with those established by the Lake Meade Property Owners Association.

(Ord. 2000-1, 1/10/2000, §900)

§27-902. Uses Permitted by Right.

In the R-2A District, buildings, structures, and lots shall be subject to the following use regulations:

A. *Principal Uses.* [Ord. 2008-1]

(1) Single family detached residences.

(2) Private recreation buildings and uses including, but not limited to, community buildings, swimming pools, marinas, and parks.

(3) Public or semi-public uses including, but not limited to, property owners association offices, fire department, or community buildings.

(4) Forestry, in accordance with the accepted silvicultural principles in Appendix 27-A. [Ord. 2004-3]

B. *Accessory Uses Permitted by Right.*

(1) Storage in accordance with the requirements of §27-1310 of this Chapter.

(2) No-impact home-based business, in accordance with the requirements of §27-1303 of this Chapter.

(3) Accessory uses and structures associated with but incidental to principal permitted uses.

(4) Farm market in accordance with the requirements of §27-1315 of this Chapter.

(5) Wireless communication antenna affixed to an existing conforming building or structure and not including a wireless communications tower as defined by this Chapter.

(6) Buildings clearly accessory to agricultural uses.

[*Ord. 2008-1*]

(*Ord. 2000-1*, 1/10/2000, §901; as amended by *Ord. 2004-3*, 6/14/2004, §§XVI, XXXXV; and by *Ord. 2008-1*, 8/18/2008, §§82, 83)

§27-903. Lot Area, Width, And Yard Requirements.

In the R-2A District, all buildings, structures, and lots shall be subject to the warranty deed restrictions and covenants on all Lake Meade properties and the Building Code of the Lake Meade Property Owners Association.

(*Ord. 2000-1*, 1/10/2000, §902)

Part 10**Commercial/Industrial (CI) District****§27-1001. Statement of Legislative Intent.**

In addition to the goals listed in the preamble and purpose, the districts and regulations pertinent thereto established herein are in accordance with the community goals and land use policies as described in the Reading Township Comprehensive Plan and are intended to achieve the following:

A. Provide for reasonable mixture of automobile-oriented commercial and light industrial uses that will contribute to attractive and reasonable development within the CI District.

B. Enhance public safety by limiting the number of curb cuts permitted for each parcel, by encouraging common access driveways and parking areas serving adjoining commercial uses, and by requiring logical circulation patterns within a development.

C. Promote appropriate building location and design standards which will help create attractive developments and accommodate future roadway improvements or projects.

D. Allow reasonable number, size, scale, and design of signs which will minimize the negative impacts of excessive signs while, at the same time, perform their purpose of notifying the public as to the location of a business or group of businesses.

E. Permit uses which can reasonably be handled by the existing road network. Discourage uses which would have the potential of requiring extensive and premature roadway capacity improvements.

F. Enhance the visual appearance and appeal of automobile-oriented commercial and light industrial development by requiring the installation of landscaping within and surrounding large parking lots and within required vegetated areas within the property.

G. Ensure that appropriate on-site improvements are included within commercial and light industrial development projects within the CI District.

(Ord. 2000-1, 1/10/2000, §1000)

§27-1002. Permitted Principal Uses.

A structure may be erected or used, and a lot may be used for the following permitted principal uses and no other:

A. Retail establishments for the sale of dry goods, variety merchandise, clothing, food and beverages, flowers, plants, newspapers, stationery, books excluding adult oriented books, prescription drugs, agricultural supplies, home and garden supplies, household furnishings and supplies, arts and craft supplies, and similar merchandise.

B. Restaurants, excluding “fast food” or “drive-through” restaurants.

- C. Banks and financial institutions, excluding “drive-through” services.
 - D. Automobile, motorcycle, boat, and similar vehicle sales, service, and supplies.
 - E. Hotels and motels.
 - F. Professional or business services.
 - G. Contractor supply stores.
 - H. Heating, ventilation, and air conditioning sales.
 - I. Commercial recreation facilities and health and recreation clubs.
 - J. Manufacturing uses, defined as the processing and/or assembly of the following and similar types of products:
 - (1) Food and kindred products, excluding those which process meat, fish, or poultry products.
 - (2) Textiles and apparel.
 - (3) Lumber and wood products, excluding sawmills.
 - (4) Household and office furniture, fixtures, and supplies.
 - (5) Printing, publishing, and bookbinding.
 - (6) Audio-visual components, computers, and office equipment.
 - (7) Electronic communications equipment.
 - (8) Paper products excluding paper mills.
 - (9) Pharmaceuticals.
 - (10) Scientific, technical, and medical instruments.
 - K. Corporate headquarters.
 - L. Scientific and commercial testing laboratories.
 - M. Home related fuels sales. [*Ord. 2008-1*]
 - N. Wireless communications antennae affixed to an existing, conforming building or structure, not including a wireless communications tower as defined by this Chapter.
 - O. Car wash. [*Ord. 2004-3*]
 - P. Forestry, in accordance with the accepted silvicultural principles in Appendix 27-A. [*Ord. 2004-3*]
- (*Ord. 2000-1, 1/10/2000, §1001; as amended by Ord. 2004-3, 6/14/2004, §§XXXV, XXXXVI; and by Ord. 2008-1, 8/18/2008, §15*)

§27-1003. Uses Permitted by Special Exception.

Within the CI District, the following uses are permitted by special exception. The Zoning Hearing Board may authorize a use as a special exception if it conforms, at a minimum, to the stated standards and criteria. The Zoning Hearing Board may apply additional criteria to specific projects, where relevant, in the interests of public health, safety, and welfare. [*Ord. 2004-3*]

- A. “Fast Food” and “Drive-Through” Restaurants.

(1) Space for a minimum of six occupied vehicles is required for those patrons waiting in the drive through line for service. This distance shall be measured from the point at which food orders may be taken.

(2) The required space for the drive through line shall be separated, to the maximum feasible extent, from parking spaces for nondrive-through customers and from pedestrian walkways and shall be incorporated into an overall circulation plan for the site.

(3) The drive-through facility, including intercom and menu, driveway, and service windows, shall be located along the side or rear faces of the restaurant. In no event will the drive through facility be permitted along the front face of the restaurant, between the restaurant and the adjoining public road.

(4) A site plan shall be provided to the Zoning Hearing Board for use during the hearing on the special exception application. The site plan shall show building dimension and placement, internal circulation, landscaping, location and size of signs, and all the pertinent design information needed for the Zoning Hearing Board's consideration of the application. [Ord. 2008-1]

(5) One development right shall be purchased, in accordance with Part 16 of this Chapter, for every 400 square feet of floor area. Where this calculation results in a fraction of a development right, a full additional development right shall be purchased.

B. *"Drive-Through" Banks and Financial Institutions.*

(1) Space for a minimum of eight occupied vehicles is required for those patrons waiting in line for drive-through service. This distance shall be measured from the point at which drive through patron receive banking services through bank teller windows.

(2) The required space for the drive through line shall be separated, to the maximum feasible extent, from parking spaces for non-drive through customers and from pedestrian walkways and shall be incorporated into an overall circulation plan for the site.

(3) The drive through facility, including teller windows and intercom, and the driveway, shall be located along the side or rear faces of the bank or financial institution. In no event will the drive through facility be permitted along the front face of the bank or financial institution, between the principal structure and the adjoining public road.

(4) A site plan shall be provided to the Zoning Hearing Board for use during the hearing on the special exception application. The site plan shall show building dimension and placement, internal circulation, landscaping, location and size of signs, and all pertinent design information needed for the Zoning Hearing Board's consideration of the application. [Ord. 2008-1]

(5) One development right shall be purchased, in accordance with Part 16 of this Chapter, for every 400 square feet of floor area. Where this calculation results in a fraction of a development right, a full, additional development right shall be purchased.

C. *Automobile Service and Gasoline Stations, and Convenience Store with*

Gasoline Sales.

(1) All services not normally associated with vehicular refueling, including vehicular repair and the retail sale of merchandise, shall be performed within a completely enclosed building.

(2) A site circulation plan shall be devised that separates those patrons awaiting fueling service from those patrons awaiting other services, to the maximum extent feasible. At a minimum, parking shall not be permitted between the main entrance of the establishment and the refueling bays. Where the area between the main entrance and the parking bays is paved, a “no-parking” lane shall be established.

(3) A site plan shall be provided to the Zoning Hearing Board for use during the hearing on the special exception application. The site plan shall show building dimension and placement, internal circulation, landscaping, location and size of signs, and all pertinent design information needed for the Zoning Hearing Board’s consideration of the application. [*Ord. 2008-1*]

(4) For every fuel pump island proposed on the site, two development rights shall be purchased, in accordance with Part 16 of this Chapter.

D. Planned Shopping Centers.

(1) The center shall contain a minimum of four separate uses.

(2) Parking lots shall be designed with an easily discernible circulation pattern, and shall meet the following requirements:

(a) Rows of parking shall be arranged perpendicularly from the front face of the center.

(b) Parking lot design and landscaping shall be in accordance with applicable standards of §27-1005. [*Ord. 2004-3*]

(c) The minimum distance between the sidewalk adjacent to the main entrances of establishments and the parking area shall be 30 feet. The developer shall prove, to the satisfaction of the Zoning Hearing Board, which sufficient spaces will exist between the sidewalk and the parking area to allow two way traffic, and a pickup/fire lane. Parking shall not be permitted in the required pickup/fire lane. [*Ord. 2008-1*]

(3) The center shall be designed as a single architectural entity. Similar building dimensions, materials, and roof-lines shall be designed for all proposed uses within the center.

(4) In addition to the flat or wall sign permitted by §27-1106 for each business on a lot, the center shall be permitted one monument-style sign located near the entrance to the center. The sign may identify the name of the center and the individual businesses within the center. The sign shall not exceed 100 square feet in size on each side of the sign.

(5) A site plan shall be provided to the Zoning Hearing Board for use during the hearing on the special exception application. The site plan shall show building dimension and placement, internal circulation, landscaping, location and size of signs, and all the pertinent design information needed for the Zoning Hearing Board’s consideration of the application. [*Ord. 2008-1*]

(6) One development right shall be purchased, in accordance with Part 16 of this Chapter, for every 500 square feet of sales area. Where this calculation results in a fraction of a development right, a full additional development right shall be purchased.

E. Warehousing, Wholesaling, and Truck Terminals.

(1) A 200-foot setback line shall be required along any boundary line which separates the site from a zoning district that permits residential development or from an existing residential property.

(2) Along such boundary line, the developer shall provide a vegetative buffer to provide visual screening. The buffer shall contain various types and sizes of species, arranged in such a manner to establish an effective visual barrier.

(3) To the maximum extent possible, loading and unloading docks shall be located on the side of the building, furthest removed from the closest residential area.

(4) The loading and unloading areas shall be designed such that all truck maneuvering can be accomplished on the property inside all sheet rights-of-way.

(5) A site plan shall be provided to the Zoning Hearing Board for use during the hearing on the special exception application. The site plan shall show building dimension and placement, internal circulation, landscaping, location and size of signs, and all the pertinent design information needed for the Zoning Hearing Board's consideration of the application. [Ord. 2008-1]

(6) One development right shall be purchased, in accordance with Part 16 of this Chapter, for every three loading docks within the terminal or warehouse operation. Where this calculation results in a fraction of a development right, a full additional development right shall be purchased.

F. Mini-warehouse or Self-storage Operations.

(1) The design standards of §27-1005 shall be met.

(2) The applicant shall purchase, in accordance with Part 16 of this Chapter, one development right for every two warehouse or rental storage units proposed. Where this calculation results in a fraction of a development right, a full additional development right shall be purchased.

(3) Access aisles between buildings containing individual storage units shall be no less than 20 feet.

(4) The area in the access aisle immediately in front of individual storage units may be used to satisfy the parking requirements of Part 13 of this Chapter. Where the manager's office for the facility is located on site, a minimum of four parking spaces shall be provided adjacent to the office.

(5) No business activities including, but not limited to, equipment servicing or repair, shall be conducted on the site.

(6) The storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals is prohibited.

(7) No outdoor storage of recreational vehicles, boats, or similar vehicles

shall be permitted.

(8) All access drives, aisles, parking, and loading areas shall be constructed in accordance with applicable requirements of the Reading Township Subdivision and Land Development Ordinance [Chapter 22].

[*Ord. 2004-3*]

G. Industrial uses, including the processing and/or production of petroleum and/or coal products, rubber and/or plastic products, glass, primary metals, industrial machinery and/or equipment, motorized vehicles, food processing of meat, fish, and poultry products, sawmills, and other similar products.

(1) A 200-foot setback line shall be required along any boundary line which separates the site from a residential use or zoning districts which permits residential uses.

(2) Along such boundary line, the developer shall provide a vegetative buffer to provide visual screening. The buffer shall contain various types and sizes of species, arranged in such a manner to establish an effective visual bather.

(3) The outdoor storage of raw or finished materials is permitted provided the storage area is enclosed by a protective fence. The fence shall provide visual screening of the storage area and shall be at least 6 feet high.

(4) The developer shall submit, to the Zoning Hearing Board, information detailing the disposal of organic material and/or waste. The disposal process shall conform to all applicable State and Federal regulations. [*Ord. 2008-1*]

H. *Junkyard*. In accordance with the requirements of §27-1312 of this Chapter [*Ord. 2008-1*]

I. *Airport/Heliport*. In accordance with the requirement of §27-1313 of this Chapter. [*Ord. 2008-1*]

J. *Landfill*. In accordance with the requirements of §27-1314 of this Chapter. [*Ord. 2008-1*]

(*Ord. 2000-1, 1/10/2000, §1002; as amended by Ord. 2004-3, 6/14/2004, §§XXXIII, LV, LVI, LVIII; and by Ord. 2008-1, 8/18/2008, §§16–21, 61, 90*)

§27-1004. Uses Permitted by Conditional Use.

Within the CI District, the following uses are permitted by conditional use. The Board of Supervisors may authorize a use as a conditional use if it conforms, at a minimum, to the stated standards and criteria. The Board of Supervisors may apply additional criteria to specific projects, where relevant, in the interests of public health, safety, and welfare.

A. *Adult Entertainment Uses*.

(1) No more than one adult entertainment use shall be permitted in any one building.

(2) No adult entertainment use shall be located within 500 feet of any building within which is located another adult entertainment use.

(3) No adult entertainment use shall be located within 1,000 feet of V, R-

1, R-2, or AC, or LC District.

(4) No adult entertainment use shall be located within 1,000 feet of any lot upon which is located a school, church, child care facility, public park, or playground.

(5) The landscaping standards of §27-1005 shall be met.

(6) The building occupied as an adult entertainment use shall have an opaque covering over all windows and/or glass doors to prevent items and/or services from being visible from outside the building.

(7) No sign shall be erected on the premises depicting or giving a visual representation of the types of items and/or services offered within the establishment.

(*Ord. 2000-1, 1/10/2000, §1003; as added by Ord. 2004-3, 6/14/2004, §LIX*)

§27-1005. Commercial/Industrial Development Design Standards.

For any development proposed within the Commercial/Industrial District, the following site design standards shall be applied:

A. Buildings shall be constructed, to the maximum extent feasible, at the front yard setback line.

B. No parking is permitted to be placed in the front yard area between the front face of the building (the side of the building parallel to the road right-of-way), and the road right-of-way. Only landscaping, permitted signage, and permitted access driveways are permitted to be located in the front yard area.

C. Required parking shall be located to the side or rear of the principal structure on the lot. The parking lot shall be designed in accordance with the landscaping standards established in paragraphs .G and .H and any other standards required by this district. [*Ord. 2008-1*]

D. Outdoor refuse areas shall be enclosed by walls or opaque fencing designed to be architecturally compatible with the principal building(s). Wall or fencing shall be designed to shield the refuse areas from direct view of any adjacent property and shall be at least 6 feet high.

E. Outdoor storage may be permitted, provided the following requirements are met:

(1) Outdoor storage shall be designed as an integral component of the commercial establishment. Under no circumstances may temporary outdoor storage or sales facilities be constructed as a component of a commercial establishment.

(2) Outdoor storage areas shall be enclosed by opaque fencing designed to be architecturally compatible with the principal building(s).

(3) Outdoor storage areas shall not be located within any required setback, parking, or landscaping area.

(4) Where outdoor storage areas are used as display space for products for sale, such outdoor storage space shall be included in calculating building coverage and the required number of parking spaces.

F. No property shall have more than two access drives leading to and adjoining public roadways. Where two access drives are proposed for a single lot, the access drives shall be separated by a distance of no less than 100 feet.

G. *Standards for Landscaping Within Off-Street Parking Areas.* Where Part 13 of this Chapter requires the development of an off-street parking lot containing 25 or greater parking spaces to service a commercial use permitted in the CI District, the following landscaping requirements shall be applied:

(1) A terminal island shall be provided at both ends of all rows of parking spaces. Each terminal island shall measure at least 5 feet in width and 15 feet in length. Each terminal island shall include at least one tree, with the remaining area landscaped with appropriate ground cover or grass.

(2) A divider strip between abutting rows of parking shall be provided. At least one tree shall be planted at 20-foot intervals within the divider street. The remaining area of the divider strip shall be landscaped with appropriate ground cover or grass.

H. *Standards for Landscaping the Perimeter of Off-Street Parking Areas.* Where Part 13 of this Chapter requires the development of an off-street parking lot to service a commercial use permitted within the CI District, the following landscaping requirements shall be applied:

(1) A landscaping strip shall be provided around the perimeter of all parking lots, except for the side of the parking lot bounded by the principal structure of a lot.

(2) The minimum width of the perimeter landscaping strip along a front property line shall be 10 feet, measured outward from the edge of the parking lot. The minimum width of the perimeter landscaping strip along side and rear property lines shall be 5 feet, measured outward from the edge of the parking lot.

(3) At least one tree shall be planted at 20-foot intervals within the perimeter landscaping strip.

I. *Standards for Lighting.* Illumination of parking areas or other portions of property within the CI District shall not produce discernable glare on adjacent properties. Where property illumination is proposed, the applicant shall demonstrate that the light fixtures direct the light source only toward the portion of the property intended to be illuminated. illumination across property lines, as well as “skyglow,” shall be minimized to the maximum extent feasible.

(*Ord. 2000-1, 1/10/2000, §1003; as amended by Ord. 2004-3, 6/14/2004, §LVII; and by Ord. 2008-1, 8/18/2008, §22*)

§27-1006. Area and Bulk Requirements.

The following standards shall govern all uses, subdivision projects, and land development plans within the CI District:

A. The minimum lot area shall be 40,000 square feet, unless larger lot areas are required for specific uses within the CI District.

B. The minimum lot width shall be 200 feet. [*Ord. 2004-3*]

C. The minimum front yard setback shall be 30 feet.

D. The minimum side and rear yard setbacks shall be 25 feet. In instances where parking facilities are shared by adjoining uses, the side yard setback requirement for one side yard setback may be waived.

E. For corner lots, the minimum front yard depth, as established by paragraph .C above, shall be applied to both sides of the property with road frontage. The minimum rear depth, as established by paragraph .D above, shall be applied to all other sides of the property. [*Ord. 2008-1*]

F. The maximum impervious lot coverage shall not exceed 60 percent. Impervious lot coverage includes features such as building and paved parking lots and other such facilities that do not allow for the infiltration of water into the ground.

G. The maximum building height shall not exceed 30 feet.

(*Ord. 2000-1, 1/10/2000, §1004; as amended by Ord. 2004-3, 6/14/2004, §XXVI; and by Ord. 2008-1, 8/18/2008, §23*)

Part 11**Sign Regulations****§27-1101. Statement of Legislative Intent.**

In expansion of the community development objectives in Part 1 of this Chapter, it is hereby declared to be the intent of this Part to place reasonable standards on the erection and maintenance of signs within the Township of Reading. Furthermore, it is the intent of this Part to:

A. Maintain and enhance the aesthetic qualities of Reading Township by requiring signs to be designed of sizes, shapes, and styles complimentary to the rural character of the Township.

B. Allow signs in all zoning districts that balance the needs of individual landowners with the desire of the community to perpetuate an attractive, livable environment.

C. Maintain adequate traffic safety standards by minimizing the negative sensory impacts of excessive signage as well as minimizing signage conflicts with necessary traffic control signs and equipment.

D. Encourage signage that will meet the needs of occupants of moving vehicles traveling on the Township's roadway network.

(*Ord. 2000-1, 1/10/2000, §1200*)

§27-1102. General Regulations.

The following regulations shall govern signs in all districts:

A. No sign shall be erected, enlarged, or relocated until a permit for doing so has been issued by the Zoning Officer. Applications shall be on forms provided by the Township. All applications shall include a scale drawing specifying dimensions, materials, illumination, letter sizes, colors, location on land or buildings, and all other relevant information.

B. The following types of signs are exempted from the requirements of paragraph .A, provided the sign meets all other applicable Sections of this Part.

(1) Official street and traffic signs and any other signs required by law.

(2) Trespassing signs, signs indicating private ownership of roads and/or property, and similar signs, provided that such signs do not exceed 2 square feet in area.

(3) Temporary, unlighted real estate signs advertising the sale or rental of the premises upon which they are erected, provided that the maximum area on any side of the sign shall not exceed 6 square feet, that the total area of the sign shall not exceed 12 square feet, that not more than two signs are placed on a property under single ownership, and that such signs are removed not more than 5 business days following the sale or rental of the premises.

(4) Temporary, unlighted signs of contractors, painters, or similar artisans, erected on the premises where the work is being performed, provided

that the maximum area of any one side of the sign shall not exceed 8 square feet, that the total area of the sign shall not exceed 16 square feet, that not more than one such sign shall be erected on any property under single ownership, and that the sign shall be removed within 1 day of the completion of the work.

(5) Temporary, unlighted yard or garage sale signs, provided that such signs shall not be displayed for more than 48 hours of each calendar month, that the total area of such signs shall not exceed 4 square feet, and that not more than two signs shall be displayed for any sale event.

(6) Temporary, unlighted political signs, provided that such signs shall exceed 6 square feet in area, that such signs shall not be displayed earlier than 30 days prior to an election, and that such signs shall be removed within 1 day after the said election.

(7) Freestanding signs designating the “entrances” and “exits” to commercial and industrial establishments, provided that the signs be illuminated only be indirect lighting and that each side of the sign shall not exceed 4 square feet unless otherwise regulated by this Chapter.

(8) Signs displaying the name and street number of the occupant of a residence, provided that the total area of the sign shall not exceed 2 square feet.

C. Any sign advertising or identifying a business or organization which is either defunct, no longer located on the premises, or located on a property separate from the property on which the sign is located, is not permitted.

D. No sign shall use the words “stop,” “caution,” or “danger” or shall use red, yellow, and/or green lights resembling traffic signals, or shall resemble traffic control signs in terms of size, shape, or color. [*Ord. 2008-1*]

E. No sign shall be located so as to interfere with the clear sight distance regulations of the Reading Township Subdivision and Land Development Ordinance [Chapter 22].

(*Ord. 2000-1, 1/10/2000, §1201; as amended by Ord. 2008-1, 8/18/2008, §24*)

§27-1103. Prohibited Signs.

The following types of signs and/or sign design features are prohibited in all districts.

A. Flashing signs and/or flashing and/or rotating lights.

B. Revolving, rotating, or otherwise moving signs.

C. Animated signs.

D. Changeable copy signs except when copy is changed manually. Signs with the express purpose of displaying the time and temperature are exempted from this requirement.

E. Moveable signs, whether mounted on a trailer, vehicle, temporary base, or similar such device. A vehicle, painted or decorated so as to display an advertising or related message, and parked in a visible location, shall be considered a moveable sign.

F. Signs may be illuminated, unless otherwise prohibited herein, only to the extent that is necessary to be seen and read at night at a distance not to exceed 250 feet for signs of 10 square feet or more in area, and at a distance not to exceed 125 feet for signs of less than 10 square feet in area. [*Ord. 2008-1*]

(*Ord. 2000-1, 1/10/2000, §1202; as amended by Ord. 2008-1, 8/18/2008, §25*)

§27-1104. Signs Permitted Within Agricultural and Residential Districts.

Within the Residential Moderate Density (R-1), Residential Low Density (R-2), Residential Low Density (R-2A), the Land Conversation (LC), and Agricultural Conservation (AC) Districts, the following sign regulations shall apply:

A. Signs advertising a home occupation, farm-related businesses, bed and breakfast operations, and farm market are permitted, provided that the following requirements are met: [*Ord. 2014-01*]

(1) The maximum area of any one side of the sign shall not exceed 4 square feet.

(2) The total area of the sign shall not exceed 8 square feet.

(3) The sign shall only be illuminated by indirect lighting. In no case shall indirect lighting be permitted that either directly or indirectly produces glare affecting neighboring residential properties or traffic on adjoining roads.

(4) The maximum height of the sign shall not exceed 6 feet, unless a wall sign or projecting sign is used.

B. Signs identifying the name and entrances of a residential development are permitted, provided that the following requirements are met:

(1) One free-standing sign may be located at the main entrance to the residential development. Such a sign shall not exceed 25 square feet in total area or 6 feet in height.

(2) One free-standing sign may be located at each secondary entrance to the residential development. Such a sign shall not exceed 6 square feet in area or 5 feet in height.

(3) All signs associated with a residential development shall be located in a landscaped setting. Acceptable landscaping materials include grass, mulch, shrubs, and trees. A landscaping sketch shall accompany the sign permit application.

(4) Signs may only be illuminated by indirect lighting. In no case shall indirect lighting be permitted that either directly or indirectly produces glare affecting neighboring residential properties or traffic on adjoining roads.

(5) Off-premises signs, or billboards, are explicitly not permitted.

(*Ord. 2000-1, 1/10/2000, §1203; as amended by Ord. 2014-01, 4/21/2014*)

§27-1105. Signs Permitted Within the Village (V) District.

Within the Village (V) District, the following sign regulations shall apply:

A. A maximum on one sign shall be permitted for every single non-residential use of a structure, provided that the following requirements are met:

(1) The maximum area of any one side of a sign shall not exceed 6 square feet.

(2) The total area of the sign shall not exceed 12 square feet.

(3) Where wall or projecting sign types are used, the maximum area of the sign may be increased to a maximum area of 8 square feet for any one side of the sign and to a maximum total area of 16 square feet.

(4) Projecting signs above sidewalks, driveways, or walkways, shall be located so as to provide for 8 feet of clearance beneath the sign. Such projecting signs shall not exceed 11 feet in height.

(5) All signs shall be visually compatible, in terms of color, with the front facade of the structure to which the sign is attached. Dark backgrounds with light-colored lettering and/or designs are preferred.

(6) Signs shall only be illuminated by indirect lighting. In no case shall indirect lighting be permitted that either directly or indirectly produces glare affecting neighboring residential properties or traffic on adjoining roads.

B. Where the structure is located at the intersection of two public streets, the Zoning Officer may authorize the use of one sign along each public street, provided that all signs meet the regulations of §27-1105.A. [*Ord. 2008-1*]

C. Off-premises signs, also known as billboards, are explicitly excluded.

(*Ord. 2000-1, 1/10/2000, §1204; as amended by Ord. 2008-1, 8/18/2008, §26*)

§27-1106. Signs Permitted Within the Commercial/Industrial (CI) District.

Within the Commercial Industrial (CI) District, the following sign regulations shall apply:

A. A maximum on one sign shall be permitted that displays the owner/occupant of the premises and the activity conducted thereon, provided that the following requirements are met:

(1) The maximum area of any one side of a sign shall not exceed 100 square feet.

(2) The total area of the sign shall not exceed 200 square feet.

B. A maximum of one sign may be erected at each entrance and/or exit to or from a public road that identifies the property's activity and the entrance and/or exit, provided that the following requirements are met:

(1) The maximum area of the side of such shall not exceed 10 square feet.

(2) The total area of the sign shall not exceed 20 square feet.

(3) The maximum height of the sign shall not exceed 6 feet.

C. On parcels containing multiple activities, a single sign shall be permitted for each individual activity, provided that the following requirements are met:

(1) The maximum area of any one side of the sign shall not exceed 75 square feet.

(2) The total area of the sign shall not exceed 150 square feet.

D. The maximum height of any freestanding sign within the CI District shall

not exceed 15 feet. The maximum height of any wall or projecting sign shall not exceed a height equal to 75 percent of the height of the wall upon which the sign is located. The maximum height of any entrance or exit sign shall not exceed 6 feet.

E. Off-premises signs, or billboards are permitted, provided the following requirements are met:

- (1) The maximum area of any one side of the sign shall not exceed 150 square feet. [*Ord. 2004-3*]
- (2) The total area of the sign shall not exceed 300 square feet. [*Ord. 2004-3*]
- (3) The maximum height of the sign shall not exceed 20 feet.
- (4) Only one sign is permitted on a single property.
- (5) Off-premises or billboard signs shall be located no closer than 500 feet from other off-premises or billboard signs. The distance between said signs shall be measured linearly, along the shortest route. [*Ord. 2008-1*]

(*Ord. 2000-1, 1/10/2000, §1205; as amended by Ord. 2004-3, 6/14/2004, §XXXVI; and by Ord. 2008-1, 8/18/2008, §§27, 28*)

§27-1107. Dynamic Display Sign or Billboard.

A dynamic display sign or billboard shall be permitted in the Commercial District and excluded from all other districts.

- A. Shall be subject to all of the conditions of this Section and must be 300 feet from any intersection or traffic control device.
- B. No dynamic display signs or billboards are permitted to be stacked.
- C. No dynamic display sign or billboard shall be located within 2,000 feet from any other billboard.
- D. All dynamic display signs or bill boards shall be a minimum of 50 feet from all side and rear property lines,
- E. All dynamic display signs or billboards shall be set back at least 35 feet from any street right-of-way lines.
- F. All dynamic display signs or billboards shall be set back at least 500 feet from any land within a residential or conservation district and from the lot line of any residentially used property.
- G. No dynamic display signs or billboard shall exceed an overall size of 300 square feet, nor exceed 25 feet in height.
- H. All properties upon which a dynamic display sign or billboard is erected shall be regularly maintained so as not to create a nuisance by means of weeds, litter, or vector habitation.
- I. A dynamic display sign or bill board may not change or move more often than once every 20 minutes, except one for which changes are necessary to correct hour-and-minute, date, or temperature information. Time, date, or temperature information is considered one dynamic display and may not be included as a component of any other dynamic display. A display of time, date, or temperature must remain for at least 20 minutes before changing to a different display, but the

time, date, or temperature information itself may change no more often than once every 3 seconds.

J. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects.

K. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.

L. Every line of copy and graphics in a dynamic display must be at least 7 inches in height on a road with a speed limit of 25 to 34 miles per hour, 9 inches on a road with a speed limit of 35 to 44 miles per hour, 12 inches on a road with a speed limit of 45 to 54 miles per hour, and 15 inches on a road with a speed limit of 55 miles per hour or more. If there is insufficient room for copy and graphics of this size then no dynamic display sign or billboard is allowed.

M. The must not exceed a maximum illumination of 500 nits (Candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness.

N. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 5,000 nits and that the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Township.

O. Dynamic display sign or billboard must be designed and equipped to freeze the device in one position if a malfunction occurs. The display must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the Township that it is not complying with the standards of this Chapter.

P. A person may obtain a permit for an enhanced dynamic display sign or billboard on one face of an existing billboard if the following requirements are met:

(1) The applicant agrees in writing to permanently remove, within 15 days after issuance of the permit, at least two other existing billboards in the Township that are owned or leased by the applicant, each of which must satisfy the criteria of subparagraphs (2) through (4) of this paragraph. This removal must include the complete removal of the structure and foundation supporting each billboard. The applicant must agree that the Township may remove the billboard if the applicant does not timely do so, and the application must be accompanied by a cash deposit or letter of credit acceptable to the Township Solicitor sufficient to pay the Township's cost for that removal. The applicant must also agree that it is removing the billboard voluntarily and that it has no right to compensation for the removed billboard under any law.

(2) The Township has not previously issued an enhanced dynamic display sign or billboard permit based on the removal of the existing billboards relied on in this permit application.

(3) Each removed billboard has a copy and graphic area of at least 300 square feet and satisfies two or more of the following additional criteria:

(a) The removed billboard is located adjacent to a highway with more

than two regular lanes and with a general speed limit of 45 miles per hour or greater, but that does not have restrictions on access equivalent to those of an interstate highway.

(b) All or a substantial portion of the structure for the removed billboard was constructed before the adoption of this Chapter and has not been substantially improved.

(c) The removed billboard is located in a noncommercial zoning district.

(d) The removed billboard area is equal to or greater than the area of the copy and graphic area for which the enhanced dynamic display sign or billboard permit is sought.

(4) If the removed billboard is one for which a permit is required by any other agency than the Township, the applicant must surrender its permit to the appropriate agency upon removal of the billboard. The billboard that is the subject of the enhanced dynamic display permit cannot begin to operate until proof is provided to the Township that the permit has been surrendered.

Q. If the applicant complies with the permit requirements noted above, the Township will issue an enhanced dynamic display permit for the designated outdoor billboard. This permit will allow a dynamic display to occupy 100 percent of the potential copy and graphic area and to change no more frequently than once every 8 seconds. The designated billboard must meet all other requirements of this Chapter.

(*Ord. 2000-1, 1/10/2000, §1206; as added by Ord. 2008-4, 11/17/2008, §2*)

Part 12**Parking and Loading Regulations****§27-1201. Statement of Legislative Intent.**

Off-street parking and loading facilities shall be provided to lessen congestion, to enhance safety, and to decrease the parking burden on and within public right-of-ways. The facilities required herein shall be available for the residents, occupants, patrons, or employees of the particular business or use for which such facilities are provided.

(*Ord. 2000-1, 1/10/2000, §1300*)

§27-1202. Required Facilities.

Unless otherwise regulated in this Part or elsewhere in this Chapter, the following parking facilities are required. Any structure or building hereafter erected, converted, or enlarged for any of the following uses, or any open area hereafter developed for commercial, residential, or similar purposes, shall be provided with not less than the minimum off-street parking spaces, as set forth below. All spaces shall be readily accessible to the uses served thereby.

A. Single-family detached, single-family attached, single-family semi-detached, and two-family dwellings: Two parking spaces for each dwelling unit.

B. Bed-and-breakfasts, hotels, and motels: One parking space for every guest room, one parking space for every employee on the busiest shift, and the required number of spaces to serve a restaurant, if one exists on the premises.

C. Churches, agricultural society meeting halls, and similar community buildings and uses: One parking space for every three patron seats.

D. Professional offices: One parking space for every employee and two additional parking spaces for each professional.

E. Personal service shops: One parking space for every employee and two parking spaces for every work station.

F. Government offices: One parking space for every employee, plus one customer parking space for every 200 square feet of floor area open to the public.

G. Home occupations: The required number of parking spaces for the residential unit shall be supplied in addition to one parking space for every 300 square feet of area in the residential unit devoted to the home occupation.

H. Specialty retail shops: One parking space for every 200 square feet of gross floor area and one space for every two employees.

I. Banks. One parking space for every 175 square feet of gross floor area and two parking spaces for every drive-through lane.

J. Vehicle sales businesses: One parking space for every 1,500 square feet of vehicle display area.

K. Nurseries, garden materials stores, contractor supply stores, and heating, ventilation, and air conditioning stores: One parking space for every 300 square feet of gross floor area.

L. Convenience stores and gasoline service stations: One parking space for every 150 square feet of gross floor area.

M. Commercial recreation facilities and health and recreation clubs: One parking space for every 200 square feet of gross floor area.

N. Car washes: One parking space for every car washing stall.

O. Liquor stores: One parking space for every 200 square feet of gross floor area.

P. Manufacturing and industrial establishments, including agribusiness operations: One parking space for every one and one-half employees working during the largest shift.

Q. Corporate headquarters and scientific and commercial testing laboratories: One parking space for every 175 square feet of gross floor area.

R. Mini-warehouse and self-storage operations: One parking space for every four storage lockers.

S. Warehousing and wholesaling operations: One parking space for every one and one-half employees working during the largest shift.

T. Adult entertainment uses: One parking space for every 150 square feet of gross floor area.

U. Mixed-use structures: The number of parking spaces required shall be equal to the total number of spaces required by each individual use within the mixed-use structure.

V. Restaurants, taverns, and similar establishments: One parking space for every two customer seats, plus one additional parking space for every two employees on the largest shift.

W. Retail establishments: One parking space for every 200 square feet of gross floor area and one space for every two employees.

X. Drive-through businesses, including restaurants and branch banks: One parking space for every one-and-one-half seats for a drive-through restaurant. One parking space for every 200 square feet of floor area for a drive-through bank. In addition, one parking space shall be provided for every two employees on the largest shift.

Y. Contractor supply stores and heating, ventilation, and air conditioning sales: One parking space for every 200 square feet of floor area.

Z. Planned shopping centers: One parking space for every 400 square feet of gross leasable floor area within the shopping center.

(Ord. 2000-1, 1/10/2000, §1301)

§27-1203. Public Right-of-Way Excluded.

In no case shall parking within public rights-of-way be used to calculate the required parking needed by any applicant for any use.

(Ord. 2000-1, 1/10/2000, §1302)

§27-1204. Design Standards.

All off-street parking areas shall be designed to meet the following standards:

A. Where three or more parking spaces are required under §27-1202 or elsewhere in this Chapter, such parking spaces shall be considered a parking lot.

B. All off-street parking lots shall be paved so as to provide a durable and dust-free surface. Acceptable paving materials include concrete and asphalt. All entrance and exit drives shall be paved in accordance with PennDOT 408 specifications.

C. All off-street parking lots shall be graded to provide for the adequate drainage of storm water from the parking lot. The Township Engineer shall be afforded the opportunity to review and comment on the grading plan for any parking lot. [*Ord. 2008-1*]

D. Circulation control shall be designed to provide one-way directional travel whenever possible. No parking shall be provided or permitted along any circulation drive or along an entrance or exit drives. Drives shall be uniform in width and provide for 90 degree intersections, whenever possible.

E. Customers and service traffic shall be separated whenever possible. Loading and unloading areas shall be located so as not to interfere with customer or employee parking areas.

F. Where §27-1005 of this Chapter regulates the landscaping of off-street parking areas, the requirements of §27-1005.G and .H shall apply. Where the requirements of §27-1005.G and .H are not applicable, the following landscaping regulations shall apply. [*Ord. 2008-1*]

(1) A landscaping strip of no less than 5 feet in width shall be provided along the edge of each parking area.

(2) Within each landscaping strip shall be planted a mixture of two or more of the following types of vegetation: grass, shrubs, flowering plants, or trees. At least one shrub, flowering plant, or tree shall be planted at intervals no less than 20 feet.

(3) Suitable breaks in the landscaping strip shall be permitted for access drives to or from a public street.

(4) All landscaping shall be maintained by the owner of the property where located so that there continues at all times to be living landscaping as contemplated by this paragraph .F of this Section. [*Ord. 2008-1*]

G. All parking lots shall be provided with wheel or bumper guards so located and arranged that no part of any parked vehicle will extend beyond the boundaries of the parking lot.

H. Each parking space shall not be less than 10 feet wide by 20 feet long.

I. All spaces shall be delineated with a durable delineation material and shall be maintained so that all parking spaces are clearly marked.

(*Ord. 2000-1, 1/10/2000, §1303; as amended by Ord. 2008-1, 8/18/2008, §§29–31*)

§27-1205. Off-Street Loading Requirements.

1. Off-street loading and unloading space(s), with proper and safe access from street or alley, shall be provided on each lot where it is deemed that such facilities are

necessary to adequately serve the uses within the district. Each loading and unloading space:

- A. Shall be at least 14 feet wide, 60 feet long, and shall have at least 15 feet if vertical clearance.
- B. Shall have a 60-foot maneuvering area.
- C. Shall have a paved surface to provide safe and convenient access during all seasons.
- D. Shall not be constructed between the street right-of-way and building set back line.

2. Required off-street parking spaces, (including access drive and aisles) shall not be used for loading and unloading purposes except during hours when business operations are suspended.

3. Loading and unloading facilities shall be designed so that trucks need not back in or out, or park in, any public right-of-way. [*Ord. 2008-1*]

4. No truck shall be allowed to stand in a right-of-way, an automobile parking area (including access drives and aisles), or in any way block the effective flow of persons or vehicles either on or into and out of the property.

5. At least one off-street loading space shall be provided for all commercial and industrial operations in excess of 3,500 square feet of floor area. The number of loading and unloading spaces shall be left to the discretion of the developer; however, the standards of this Section shall be maintained.

(*Ord. 2000-1, 1/10/2000, §1304; as amended by Ord. 2008-1, 8/18/2008, §94*)

Part 13**Regulations Applicable to Specific Uses**

The following standards shall be applicable throughout Reading Township.

§27-1301. Swimming Pools.

Swimming pools shall be permitted as an accessory use in any district and shall comply with the following requirements:

A. The swimming pools shall be intended, and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

B. Swimming pools shall be located at least 10 feet from any on-lot septic system.

C. Swimming pools shall comply with the setback requirements of the zoning district in which the swimming pool is proposed. Swimming pools shall not be located closer to any street than the principal structure on the property.

D. Swimming pools shall be enclosed by a permanent fence of at least 4 feet in height. All fence gates shall be equipped with locking devices and shall be locked at all times when the swimming pool is not in use. Swimming pools having sides that extend 4 or more feet above grade shall be exempt from the fencing requirement; provided, that stairs or other means of access to the swimming pool are removed or lock in a position to make the swimming pool inaccessible when not in use.

E. Swimming pool water may not be discharged directly onto adjacent property or road rights-of-way.

F. Outdoor lighting, if any, shall be shielded to prevent glare from impacting adjoining property or roadways.

(*Ord. 2000-1, 1/10/2000, §1300-A; as added by Ord. 2004-3, 6/14/2004, §XXXII*)

§27-1302. Fences.

Fences are permitted in all zoning districts, in accordance with the following requirements:

A. For residential properties, fences with a maximum height of 4 feet are permitted in front yards. Fences with a maximum height of 6 feet are permitted in side and rear yards.

B. For non-residential properties, fences with a maximum height of 8 feet are permitted in all yards, provided that such fences do not interfere with clear-sight triangles or required sight distances at road intersections or at driveway intersections with public roads.

C. Fences other than those utilized to restrain farm animals shall not be permitted to be constructed within a public road right-of-way. [*Ord. 2007-6*]

D. For residential properties, fences shall be set back from the property line

or street right-of-way, whichever is more restrictive, a distance equal to one quarter the height of the fence.

E. For non-residential properties, fences shall be set back from the property line or street right-of-way, whichever is more restrictive, a distance equal to one half the height of the fence.

(*Ord. 2000-1*, 1/10/2000, §1301-A; as added by *Ord. 2004-3*, 6/14/2004, §XXXII; and as amended by *Ord. 2007-6*, 11/19/2007, §1)

§27-1303. No-Impact Home-Based Businesses.

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.

2. The business shall employ no employees other than family members residing in the dwelling.

3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

4. There shall be no outside appearance of a business use including, but not limited to, parking, signs, or lights.

5. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

6. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

7. The business activity shall be conducted only within the dwelling and may not occupy more than 25 percent of the habitable floor area.

8. The business may not involve any illegal activity.

(*Ord. 2000-1*, 1/10/2000, §1302-A; as added by *Ord. 2004-3*, 6/14/2004, §XXXII)

§27-1304. Farm-Related Businesses.

All applications for farm-related businesses shall comply with the following standards:

A. A farm-related business is deemed to include the following and similar uses, all of which shall be created, manufactured, or produced on the farm:

(1) Specialty foods sales.

(2) Specialty products sales.

(3) Custom butchering.

(4) Animal care including, but not necessarily limited to, boarding of domestic animals and veterinarian and farrier services.

(5) Plant nurseries and other similar horticultural activities.

B. The owner or other person having primary interest in the farm-related business shall be a full-time resident of the farm upon which the farm-related business is proposed to be located.

C. No more than one farm-related business per farm shall be permitted.

D. No more than four persons, in addition to the residents of the farm, shall be employed in the farm-related business on a full-time basis. During peak business periods, a maximum of five persons in addition to the residents of the farm, may be employed in the farm-related business on a part-time basis, provided that sufficient off-street parking which meets the applicable requirements of this Chapter, shall be provided for all employees working on the farm.

E. The portion of the farm devoted to the farm-related business shall not exceed 2 acres or 10 percent of the area of the farm, whichever is less.

F. The maximum floor area of any structure devoted to a farm-related business shall not exceed 5,000 square feet.

G. The proposed use shall be conducted entirely within an enclosed building. Outdoor display of products or merchandise shall be prohibited, except for plant nurseries as permitted by §27-402.A(3).

H. A farm-related business shall contribute to the total number of uses or lots that may be developed on a property in accordance with the scale established in §27-403 of this Chapter, or the density provision established in §27-502 of this Chapter, as may be appropriate for a specific application.

I. Sale of food items or specialty products shall be limited to those produced on the premises and products relating to services performed on the premises.

J. Off-street parking shall be provided at the rate of one space for every 500 square feet of floor area devoted to the farm-related business. Such off street parking shall be located and designed in accordance with applicable provisions of Part 12 of this Chapter.

K. Where it is likely that the farm-related business will require loading facilities, such loading areas shall conform with applicable provisions of Part 13 of this Chapter. In addition, such loading spaces shall be physically separated from areas devoted to off-street parking.

L. Signs for the farm-related business shall be limited to those permitted by §27-1104.A of this Chapter.

(*Ord. 2000-1*, 1/10/2000, §1303-A; as added by *Ord. 2004-3*, 6/14/2004, §XXXII)

§27-1305. Special Setback Requirements for Nonconforming Residential Lots.

For residential lots, created prior to the effective date of this Chapter, and which are now classified as nonconforming lots with regard to minimum lot area, the following building setbacks shall be applied:

A. Front yard: The minimum front yard setback shall be 10 feet.

B. Side yard: The minimum side yard setback shall be 6 feet.

C. Rear yard: The minimum rear yard setback shall be 10 feet.

(*Ord. 2000-1*, 1/10/2000, §1304-A; as added by *Ord. 2004-3*, 6/14/2004, §XXXII)

§27-1306. Home Occupations.

All applications for home occupations shall comply with the following requirements:

A. A home occupation may include art studios, barber shops and beauty salons containing a maximum of two chairs; instructional services limited to two pupils at a time; professional office for a physician, lawyer, accountant, real estate agent, architect, or similar professional; sale of specialty “homemade food” products; and appliance or small machinery repair.

B. The home occupation shall be performed completely within the dwelling unit or completely within an accessory building. If an accessory building is to be used the ground floor area of such building shall not exceed 50 percent of the ground floor area of the dwelling unless such accessory building:

(1) Was in existence prior to October 1, 2007.

(2) Is at least 500 feet away from any dwelling not owned by the owner of such accessory building.

[*Ord. 2008-1*]

C. Not more than two persons, including the property owner, shall be employed in the home occupation.

D. Not more than 30 percent of the floor area of the dwelling unit shall be devoted to the home occupation.

E. Exterior storage of materials shall be prohibited.

F. The residential character of the dwelling unit shall not be altered to indicate the presence of a home occupation.

(*Ord. 2000-1, 1/10/2000, §1305-A; as added by Ord. 2004-3, 6/14/2004, §XXXII; and by Ord. 2008-1, 8/18/2008, §69*)

§27-1307. Bed-and-Breakfast Operations.

All applications for bed-and-breakfast operations shall comply with the following requirements:

A. A maximum of eight rooms or suites are permitted in a bed-and-breakfast operation.

B. Meals served at a bed-and-breakfast operation shall be limited to breakfasts. Appropriate food service licenses from the State and/or Reading Township must be obtained.

C. Cooking facilities shall be prohibited in all guest rooms.

D. Common restrooms are permitted in a bed-and-breakfast operation. If used, common restrooms in bed-and-breakfasts shall be provided at the rate of two bathrooms for every three guest rooms.

E. Any required exterior improvements to the building, such as those required to meet applicable fire safety requirements, shall be located, to the maximum extent possible, to the rear of the building and shall not detract from the historic or residential character of the building.

F. Either the bed-and-breakfast operation owner or a designated operator shall maintain a permanent residence within the bed-and-breakfast operation.

G. Vegetative screening, such as shrubs and/or trees, shall be located around

the perimeter of the parking area to preserve the historic or residential appearance of the property.

(*Ord. 2000-1, 1/10/2000, §1306-A; as added by Ord. 2004-3, 6/14/2004, §XXXII*)

§27-1308. Accessory Dwelling Unit.

All applications for an accessory dwelling unit (ADU) shall comply with the following requirements:

A. Detached ADUs shall be permitted only on a tract in excess of 1 acre. Attached ADUs shall have no such restrictions.

B. No more than one ADU shall be permitted on any property.

C. The maximum number of occupants of the ADU shall be two persons. Minor children under age 18 and related to the occupants of the ADU by blood, adoption or foster relationship shall not count towards this limit.

D. A minimum of one off-street parking space shall be provided for the ADU in addition to the off-street parking required for the principal dwelling.

E. The ADU (whether attached or detached) shall meet the following dimensional requirements:

(1) The ADU shall not exceed 50 percent or 1,000 square feet of the total residential living area of the existing dwelling, whichever is less. The ADU shall not be less than 400 square feet. Additionally, all ADUs shall meet the following architectural standards:

(a) Attached ADUs shall be designed to maintain the architectural design, style, appearance and character of the existing dwelling as a single-family residence. Such an addition shall be consistent with the existing facade, roof pitch, siding and windows.

(b) Detached ADUs (including manufactured dwelling units) shall be designed to maintain the architectural design, style, appearance and character of the existing primary dwelling on the lot.

(c) Applicants shall submit a photo, rendering, or plan depicting the exterior, of the proposed ADU.

(2) The height of a detached ADU shall not exceed the height of the principal dwelling unit on the lot.

(3) The ADU shall meet all yard and setback requirements from the property line required of the principal structure.

F. Each ADU shall have a kitchen and full bath.

G. The applicant shall contact the Adams County Mapping Office to obtain an address for all ADUs (attached or detached) and the applicant shall provide this information to the Township prior to approval.

H. A landscaping plan for the ADU shall be prepared in accordance with §22-414 of the Township Subdivision and Land Development Ordinance [Chapter 22].

I. All existing sewer disposal and water supply systems shall be upgraded to meet current Township requirements. The ADU shall be physically connected to and shall share the same sewage disposal and water supply systems as the

principal dwelling, unless such a connection shall be prohibited by the Township Sewage Enforcement Officer. If sewage disposal is provided by an individual on-lot sewer system, the applicant shall demonstrate that the total number of occupants of the principal dwelling and the ADU shall not exceed the maximum capabilities for which the system was designed, unless the system shall be suitably expanded. Any connection to and/or expansion of an individual on-lot sewage disposal system shall be reviewed by the Township Sewage Enforcement Officer, and the applicant shall present evidence of such review and all necessary approvals.

J. The ADU shall not be counted as a dwelling unit or lot in the computation of the maximum number lots that may be subdivided from a parcel in the Agricultural Conservation (AC) District. The ADU shall not count towards the density limit allowed in the Land Conservation (LC) District.

K. The Township shall record, at the cost of the applicant, a memorandum of the decision of the Zoning Hearing Board granting such special exception. Such recorded memorandum shall indicate that the occupancy of the ADU shall be limited to all permitted occupants as stated in §27-202, that the ADU shall not be rented to persons who are not related to the occupants of the principal dwelling, that detached ADUs shall be removed when it is no longer used by persons to related to the occupants of the principal dwelling or converted to a non-residential accessory use in accordance with the underlying Zoning District within 180 days.

L. All ADUs shall adhere to the following permitting requirements:

(1) Occupancy permits for ADUs shall be issued for a period of not longer than 1 year and must be renewed at the end of the first term of issuance and every such period thereafter.

(2) Renewal of said permits requires inspection of the ADU by the Zoning Officer.

(3) If a permit for an ADU is not renewed, all rights granted to the landowner under such permit expire, and the landowner must re-apply for the issuance of a new permit under the then current standards for the issuance of such permits.

(4) Permits for ADUs expire when a change of occupancy occurs.

(Ord. 2000-1, 1/10/2000, §1307-A; as added by Ord. 2006-3, 7/10/2006, §7)

§27-1309. Kennel.

Where permitted, this use is subject to the following:

A. A minimum lot area of 5 acres shall be required.

B. No kennel may house more than 30 animals.

C. The kennel must be located at least 1,000 feet from any dwelling owned by someone other than the owner of the kennel.

D. The kennel must be located at least 1,000 feet from any area that could, pursuant to the provisions of this Chapter, be approved as allocation for a dwelling on property owned by someone other than the applicant.

E. Adequate disposal of animal waste must be provided in a manner that will not create a public health hazard or nuisance.

F. Animals being boarded must be either domestic canines or domestic felines.

G. The operation of the kennel must be in accordance with Pennsylvania law governing the same, to wit, 7 Pa.Code, §21.21 *et seq.* Prior to the granting of any special exception or use certificate the applicant shall provide proof of compliance with such regulations.

H. The kennel shall have enclosed fencing of 8 feet or (6 feet inverted) of all areas used for animal exercise, training or any activity during kenneling with potential of the animal being loose or getting free from kennel personnel restraint.

(*Ord. 2000-1, 1/10/2000, §1308-A; as added by Ord. 2008-1, 8/18/2008, §62*)

§27-1310. Storage.

1. *Trailers and Trucks.* In a residential zone trailers used for a business or a commercial purpose and trucks licensed for 17,000 pounds or more gross vehicle weight must be parked or stored within a garage, carport, or an enclosed storage structure.

2. *Storage.* Is permitted as an accessory use in all districts. No part of the street right-of-way, no sidewalks or other area intended or designated for pedestrian use, no required parking area, and no part of the front yard shall be occupied by outdoor storage or display. The permitted storage of items as an accessory use must involve the storage of items used on the lot or tract where stored in connection with a principal or permitted use of such lot or tract of land.

3. *Prohibited Storage.* The following may not be stored unenclosed in any district except in an approved junkyard in the Commercial/Industrial District:

A. Automobiles, busses, vans, recreational vehicles and other vehicles of the type required for highway operation pursuant to the provisions of Chapter 13 of that Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A §1301 *et seq.*, but not so registered.

B. Automobiles, busses, vans, recreational vehicles and other vehicles of the type required to be registered for highway operation pursuant to the provisions of Chapter 13 of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §1301 *et seq.*, and so registered, but not visibly displaying a currently valid certificate of inspection and approval issued pursuant to Chapter 47 of the Pennsylvania Motor Vehicle Code, 75 Pa.C.S.A. §4701 *et seq.*

C. Motor vehicle parts, tires, appliances, appliance parts, pieces of iron, steel, cans, or other such materials.

D. Junk as defined in this Chapter.

4. Structures originally designed and fabricated for transportation on street and highways utilizing their own wheels and arriving at the site where they are to be utilized complete and ready for use, except for minor incidental unpacking and assembly operations, for location on jacks or permanent foundations, connection to utilities and the like including, but not limited to structures originally designed as mobile homes, as vans, or as busses, are not permitted as accessory structures in any district other than the Commercial/Industrial District, excepting that up to two such structures originally designed as storage trailers may be permitted as accessory uses on parcels in the Agricultural District and the Land Conservation District.

(Ord. 2000-1, 1/10/2000, §1309-A; as added by Ord. 2008-1, 8/18/2008, §63)

§27-1311. Wireless Communications Towers.

Evaluation of Siting Opportunities. The special exception application shall demonstrate compliance with the following requirements:

A. An applicant shall demonstrate that the proposed facility is needed at the proposed location. The applicant shall provide an existing capacity analysis demonstrating a need for additional capacity at or near the proposed tower location. Where the facility is being proposed by a tower company with the intent of leasing tower space to licensed wireless communications companies, the tower company shall demonstrate that it is aware of and is addressing specific capacity needs of wireless communications companies licensed to operate in the area.

B. An applicant shall demonstrate that owners of all structures in excess of 50 feet in height within a 1 mile radius of the proposed site have been contacted and asked for permission to install the communications antenna on those structures. Installation opportunities include, but are not limited to, smoke stacks, water towers, agricultural silos, tall buildings, towers operated by other Communications companies, and other communications towers (fire, police, etc.). If an applicant can demonstrate that no siting opportunities exist except for the proposed site, and then an applicant may proceed with the proposed site, provided all other requirements can be achieved.

C. An applicant shall provide a written analysis that identifies potential negative impacts on neighboring residents and properties, and indicates how negative impacts will be effectively mitigated.

D. An applicant shall provide documentation demonstrating how the proposed facility will be incorporated into their long-term service plan for the area. Where the facility is being proposed by a tower company with the intent of leasing tower space to licensed wireless communications companies, the tower company shall demonstrate that it has evaluated the long-term service plans for the various wireless communication companies licensed to operate in the area.

(1) *Tower Height.* The maximum tower height shall be 150 feet.

(2) *Siting Requirements.* Where the construction of a new support structure is proposed, the following siting criteria must be met:

(a) The minimum distance between the base of the tower, or any anchoring guy wires, and any property line or public road right-of-way, shall be 50 percent of the tower height.

(b) The minimum distance between the base of the tower, or any anchoring guy wires, and residential, church, or school property shall be 200 feet or 50 percent of the tower height, whichever is greater.

(c) Where feasible, the applicant shall use one or more of the following natural features as opportunities to conceal towers: tree stands, sides of hills, etc.

(3) *Tower Safety.* An applicant shall demonstrate that the proposed tower will not negatively affect surrounding areas as a result of support structure failure, falling ice or other debris, or radio frequency interference. All towers

shall be fitted with anti-climbing devices, as approved by the manufacturers.

(4) *Tower Type*. Where the construction of new support structure is proposed, the applicant shall use a monopole where the proposed site meets one or more of the following locational criteria:

(a) Within 1 mile of an area or property listed in the National Register of Historic Places.

(b) Within 1 mile of an area or property deemed eligible by the State Historic Preservation Officer to be eligible for listing in the National Register of Historic Places.

(c) Within 500 feet of any border of Hampton Village or East Berlin Borough, or within 500 feet of any residential subdivision or land development containing more than 25 contiguous dwelling units and a dwelling unit density of greater than one dwelling unit per acre.

(5) Lattice towers may be used in locations which fall outside the established location criteria of this Section.

(6) *Landscaping*. Where the construction of new tower is proposed, an applicant shall demonstrate compliance with the following landscaping requirements:

(a) The base of the tower, any supporting cables or guy wires, maintenance buildings, and parking areas, shall be enclosed by a protective fence. The protective fence shall be a minimum of 6 feet in height.

(b) An evergreen screen shall be planted around the external perimeter of the protective fence. Evergreen trees shall be a minimum of 6 feet at planting, and shall reach a minimum height of 15 feet at maturity. Any trees which die within a year of planting shall be replaced by the applicant.

(7) *Color*. Where a specific color pattern is not required by the Federal Aviation Administration (FAA), tower colors shall meet the following requirements.

(a) The tower shall be painted green or brown from the base of the tower to the average height of surrounding vegetation.

(b) The tower shall be painted light blue or light gray from the average height of surrounding vegetation to the top of the tower.

(8) *Parking*. One off-street parking space for a maintenance vehicle shall be provided.

(9) *Tower Removal Agreement*. An applicant shall sign a legal agreement stating that when the use of towers to transmit communications of a specific type becomes obsolete, the tower will subsequently be removed at the applicant's expense. The agreement shall include a tower removal bond of sufficient amount, as determined by the Reading Township Engineer, to enable the removal of the tower by the Township should the applicant fail to meet the provisions of the tower removal agreement. The agreement, including language regarding the administration of the tower removal bond, shall be written in

language acceptable to the Reading Township Solicitor.

(10) A list of the contents of the equipment building or box, which specific attention to any potentially unsafe or toxic substances, including batteries, located in the facility shall be provided to the Township.

(11) Information regarding the intended power supply and auxiliary power supply for the facility shall be provided to the Township.

(12) *Municipal Approvals.* As a condition of conditional use approval, an applicant shall obtain land development and/or all other necessary approvals/permits from the Township. Copies of all Township approvals/permits, and a certification of compliance with all Township requirements, shall be submitted with the application for the zoning permit.

(Ord. 2000-1, 1/10/2000, §1310-A; as added by Ord. 2008-1, 8/18/2008, §70)

§27-1312. Junkyard.

Where permitted, this use is subject to the following:

A. Any area used for this purpose must be at least 75 feet from any property line and 100 feet from any street line.

B. No garbage or other organic waste shall be stored on such premises.

C. The manner of storage and arrangement of junk and the drainage facilities on the premises shall be such as to prevent the accumulation of stagnant water upon the licensed land and to facilitate access for inspection purposes and firefighting.

D. Every structure erected upon the licensed premises and used in connection therewith shall be of fireproof construction.

E. The premises shall be enclosed by a metal chain link fence constructed of good heavy duty steel arid supported upon steel posts, or in lieu thereof, a solid masonry or metal wall of a uniform design, texture and structure. The erection of such fence or wall shall be controlled by the setback provisions of this Chapter. Such fence or wall shall not be less than 8 feet in height. If a chain link fence is utilized, in shall be constructed so as to make it sight fight. The erection of said fence shall be completed within 6 months after the effective date of this Chapter. It is further provided that the foregoing fencing provisions shall be applicable only to that portion of the premises being immediately used for the storage of junk and shall not be applicable to the balance of the property owned or used by said junkyard operator so long as said remaining portion of land is not being used for the storage of junk as defined in this Chapter.

F. The land area between the fence or wall structure required above and the public highway or street shall be planted with evergreens or trees of the following types: white pine, scotch pine, Serbian spruce, Norway spruce, hemlock, or similar vegetation approved by the Township as equivalent in growth and shading characteristics. Trees shall be planted in two rows 20 feet apart in each row and alternated 8 feet apart on center except for Hemlocks that shall be 8 feet apart and 4 feet on center. The trees shall be maintained in good health and replaced as required in order to achieve a full screening effect within 5 years.

G. All burning in connection with any junkyard shall be in full and complete

compliance with any and all applicable County, State, and Federal laws, rules, and regulations.

H. All junk contained in a junkyard shall be arranged and maintained in a neat and orderly fashion. All junk vehicles and other junk shall be arranged in rows with a minimum of 20 feet of clear space between rows with each row to be no greater in width than 40 feet. Vehicles shall not be stored on top of one another so as to be visible beyond the fence or wall constructed pursuant to paragraph .E of this Section.

I. No junk shall be stored or located within any river, watercourse, run, creek, irrigation ditch, designated wetland or any other natural watercourse.

J. The applicant shall submit and demonstrate the ability to implement an operations plan that shall include the following:

(1) The unloading, transfer, and disposition of material shall be continuously supervised.

(2) There shall be no access permitted to the site when an attendant is not on duty.

(3) Access drives shall be secured by fences, gates, locks, and other means to deny access at unauthorized times.

(4) There shall be a plan for the prompt removal of all hazardous materials. Drainage of fluids shall be conducted only on a Township approved concrete drainage pad with appropriate catch basins and storage tanks.

(5) The applicant shall submit quarterly proof to the Township of proper and authorized disposal of all petroleum and other products including oil, gas, Freon, and antifreeze.

(6) The applicant shall create sufficient drainage swales so as to preclude water from lands at higher grade than the applicant's from washing over the applicant's land.

(7) Motor vehicles shall not be stacked so as to become visible from adjoining properties.

(8) Crushing of automobiles and operation of a crusher shall occur only during Monday through Friday and only between the hours of 9 a.m. and 4 p.m. No crushing of vehicles shall take place on Federal or State holidays.

(9) The applicant shall drill a well at a location on his property chosen by the Township but at a location to not unreasonably interfere with the applicant's activities. The applicant shall test the well water on a monthly basis for the presence of petroleum residues and shall submit such reports to the Township on a monthly basis. If any test shows deterioration in water quality, the applicant shall be required to take remedial action to remove contamination and cease accepting any additional items of junk until such remedial action have been completed. If such remedial action is not completed within 90 days, the use shall terminate and all items of junk and related materials shall be removed from the junkyard within the following 90 days. Remedial action may include the removal of all contaminated dirt or the installation of a liner around the affected area.

K. Every junkyard in Reading Township shall at all times be subject to inspection by the Board of Supervisors of Reading Township, or its duly designated and authorized agent or representative. The Board of Supervisors of Reading Township, or its duly designated and authorized agent or representative, shall from time to time regularly inspect the premises of every licensee hereunder for the purpose of determining whether said owner has established and maintained its premises in full compliance with the provisions of this Chapter.

(*Ord. 2000-1, 1/10/2000, §1311-A; as added by Ord. 2008-1, 8/18/2008, §86*)

§27-1313. Airport/Heliport.

Where permitted, this use is subject to the following:

A. There must be a minimum lot area of 10 acres.

B. The approach zone to any of the proposed runway landing strips shall be in accordance with the regulations of applicable Federal and/or State agencies.

C. There shall be not existing flight obstructions such as towers, chimneys, or other tall structures or natural obstructions outside of the airport and located within the proposed approach zones.

D. Any building, hanger, or structure shall be located a sufficient distance away from the landing strip in accordance with the recommendations of applicable Federal and/or State agencies.

E. Building heights in airport approach zones shall be limited to provide a clear glide path from the end of the usable landing strip. The glide path shall be a plan surface laid out in accordance with the operating characteristics of the aircraft for which the airport is designed. The first 500 feet of the glide path shall be wholly within the airport property.

F. The facility must be permitted under applicable PAA and FAA regulations.

(*Ord. 2000-1, 1/10/2000, §1312-A; as added by Ord. 2008-1, 8/18/2008, §87*)

§27-1314. Landfill.

When permitted this use is subject to the following:

A. Landfill operations shall be located at least 1,000 feet from existing lot lines.

B. These operations must comply with all applicable State and Federal regulations and a permit for the proposed use must have been issued by the Pennsylvania Department of Environmental Protection. The operator shall provide the Township with copies of any notice of violation received from the Department of Environmental Protection or Environmental Protection Agency within 2 weeks from the date such notice of violation was received by the operator. A suspension or revocation of the Department of Environmental Protection permit shall be an automatic suspension or revocation of all Township permits and approvals. If a change of ownership occurs the new owner shall comply with all requirements of this Chapter and all conditions attached to the special exception granted the previous owner.

C. The applicant must establish that all Federal, State, and local drainage

requirements will be complied with.

D. The landfill must have direct access to an arterial or collector street as identified in the Township's Comprehensive Plan.

E. Use of the property for landfill purposes shall not cause an increase in truck traffic on residential streets and/or farm roads.

F. Buffer area of at least 150 feet in width must be provided along the perimeter of the lot, which buffer areas shall be landscaped so as to minimize visibility of the landfill use and will not be utilized for landfill purposes.

G. All topsoil and subsoil to a depth of at least 3½ feet shall be preserved, and all solid waste shall be covered with at least 3½ feet of the aforesaid soil. The top foot of topsoil shall be separately conserved and be placed as the top foot of cover, which cover must total at least 3½ feet in depth. In conjunction with the application for a special exception, the applicant shall present a soil conservation plan, which plan shall include the applicant's proposal for preserving both the top foot of topsoil and the second 2½ feet of soil and protecting the aforesaid from erosion while the trenches are being filled with solid waste material.

H. The Township Engineer, or any other official designated by the Township, may make inspection of the facility at the discretion of the Township, or upon complaint, to determine if the operation is being conducted according to approved plans and permits.

I. Outdoor lighting, if any, shall be shielded and/or reflected away from adjoining properties.

J. The applicant shall demonstrate that the water supplies for neighboring properties shall not be adversely affected by the proposed use. In order to fulfill this requirement, the applicant shall submit to the Zoning Hearing Board a hydrogeological study performed by a qualified hydrogeologist or other similar professional. Such study shall be prepared in accordance with accepted hydrogeological standards and practices; shall contain the sources of all test data including, but not limited to, well evaluated as a part of the study; and shall clearly set forth the conclusion and recommendations of the professional.

K. The minimum lot area shall be 50 acres.

L. A fence measuring 8 feet high must enclose actual fill area. It shall not be less than 50 feet from the edge of the fill area. The fence used shall have openings less than 3 inches in any dimension, if any. A vegetative screen must be provided along the outside of the fence, facing away from the fill area, with plantings at least 36 inches high and placed in a double-staggered row with no more than 5 feet between plants. The vegetation shall be of a variety to obtain a height of at least 8 feet at maturity. Where adjacent to a residential district or public right-of-way, trees and shrubs shall be planted which will screen the operation completely from normal view. All screenings and buffers required by this Chapter shall be provided.

M. Access to the site shall be limited to those posted times what an attendant is on duty. In order to protect the public health, safety and welfare, access drives shall be secured, by fences, gates, locks, or other means to deny access at unauthorized times.

N. Vehicular access shall be designed to minimize danger and congestion

along adjoining roads and to avoid the creation of nuisances to nearby properties.

O. Vehicle stacking lanes into the facility that are sufficient in length so that vehicles waiting to be weighed will not back onto public roads shall be provided.

P. All driveways onto the site shall be paved to a cart-way width of 35 feet for a distance of at least 200 feet from the street right-off-way line. In addition, a 100-foot long crushed stone section of access drives shall be placed just beyond the preceding 200-foot paved section to help collect any mud that may be attached to a vehicle's wheels.

Q. There shall be no operations on Sunday or legal holidays and no operation between 7 p.m. and 7 a.m. on other days.

R. Litter control measures shall be implemented to prevent scattering of materials and a plan for the cleanup of litter shall be submitted to the Township.

S. All municipal waste waiting recycling or resource recovery shall be stored within an enclosed area.

T. The unloading, transfer, and deposition of materials shall be continuously supervised by a qualified facility operator.

U. The special exception application shall not be granted unless the applicant proposes a satisfactory reclamation plan and the applicant demonstrates his capacity to carry out the reclamation plan and the general standards for special exceptions as set forth in this Chapter. The reclamation of the land affected shall include the following:

(1) The plan shall set forth the used made of the land as of January 1, 2007, and any change in use between that date and the date of the filing of the plan.

(2) A statement of the soil type of the land and the topography of the land.

(3) Where the proposed land use so requires, the manner in which compaction of the soil and fill will be accomplished.

(4) The proposed land use upon completion of the land filling operation. If the land was in agricultural use on January 1 2007, it must be restored to agricultural use.

(5) A description of the manner in which the operation will segregate and conserve topsoil and, if necessary, suitable subsoil to restore the area to agricultural use if such restoration is required pursuant to subparagraph (4) above or if such restoration is not required, to establish a diverse, effective, and permanent vegetative cover of the same seasonal variety native to the area of land to be affected and capable of self-regeneration in planned succession at least equal in extent of cover to the natural vegetation of the area.

(6) The reclamation plan must provide that at least 3½ feet of the agriculturally suitable soil be placed over the land fill material and any membrane or other type of cap required by the Department of Environmental Protection. The top foot of topsoil removed must be separately conserved and placed on the top foot of soil cover.

(7) A detailed timetable for the accomplishment of each major step of the reclamation plan and the operator's estimate of the cost of each said step and

the total cost of the reclamation plan.

(8) The manner in which the operator plans to control surface water drainage including a practical method of preventing or avoiding surface and ground water contamination.

(9) The reclamation plan must propose the restoration of the affected areas within 2 years following the termination of the land-filling operation in that particular area. It is not intended that reclamation await the completion of land-filling operations on the entire tract.

(10) The Zoning Hearing Board shall in addition require that the applicant post sufficient security by performance bond or letter of credit to guarantee compliance with all aspects of the reclamation plan, provided, however, that the amount of this obligation may be reduced by the amount of any effective security which the Zoning Hearing Board finds has been posted with the Commonwealth pursuant to the Solid Waste Management Act, 35 P.S. §6018.101 *et seq.*

U. *Rehabilitation Required.* The operator must implement the reclamation plan approved by the Zoning Hearing Board in accordance with the standards and time frame set forth in such plan.

V. *Reporting of Operation and Rehabilitation Information.* In order to keep the Zoning Officer abreast of impending termination of land-filling operations and plans for reclamation as well as operational activities which he has a duty to check, each landfill owner or operator must submit to the Zoning Officer annually in the month of October, the following information:

(1) *Operational Data.*

(a) Ownership and acreage of the land which is situs of land-filling operations, including all land held under contract or lease.

(b) Date of anticipated opening of any new fill areas and the date of expected closure of any existing fill area.

(2) *Reclamation Plan.*

(a) The extent to which the reclamation plan has been implemented.

(b) The planned reclamation during the succeeding year.

(c) The exact dimension of the land that is currently used for land-filling and has been reclaimed.

(*Ord. 2000-1, 1/10/2000, §1313-A; as added by Ord. 2008-1, 8/18/2008, §88*)

§27-1315. Farm Market.

All farm markets shall be subject to the following requirements:

A. A minimum of 50 percent of annual gross sales must be of agricultural commodities grown on land farmed by the operators of the farm market or of products processed from products grown on land farmed by the owners of the farm market.

B. All sales must be of agricultural commodities or products processed for agricultural commodities.

C. It shall be the responsibility of the operator of the farm market to maintain such records as are necessary to comply with the provisions of paragraphs .A and .B above.

D. The operator of the farm market must maintain a mud-free parking area off the travelable portion of the road, safely situated and sufficient size to enable customers and employees to park off the road right-of-way.

(*Ord. 2000-1, 1/10/2000, §1314-A; as added by Ord. 2008-1, 8/18/2008, §52*)

Part 14**Nonconforming Uses****§27-1401. General.**

All lawful uses of land or of a building or other structure existing on the effective date of this Chapter may be continued, altered, restored, reconstructed, sold, or maintained even though such use may not conform to the use, height, area, yard, and other regulations of the district in which it is located, providing such nonconforming uses shall comply with the provision of this Part.

(Ord. 2000-1, 1/10/2000, §1400)

§27-1402. Alterations and Reconstruction.

1. Repairs and structural alterations not constitution extensions, expansions, or enlargements may be made to a nonconforming building or to a building occupied by a nonconforming use.

2. A nonconforming building which is damaged by fire, explosion, or natural disaster, may be rebuilt and used for the same purposes; provided, that:

A. The reconstruction of the building is commenced within 2 years, unless extended by the Board of Supervisors, from the date of the destroying of the building and is carried to completion without undue delay.

B. The reconstructed building does not exceed in height, area, and volume that of the building destroyed.

C. The reconstructed building shall comply with the area, size, and yard regulations of the district in which it is located.

(Ord. 2000-1, 1/10/2000, §1401)

§27-1403. Extensions, Expansions, and Enlargement.

1. The Zoning Hearing Board may authorize, as a special exception, the following types of extension; expansions, and enlargements for nonconforming uses and buildings existing on the effective date of this Chapter.

A. The extension of a nonconforming use of land upon a lot occupied by such use.

B. The extension, expansion, or enlargement of a conforming building occupied by a nonconforming use.

C. The extension, expansion, or enlargement of a nonconforming building occupied by a nonconforming use.

D. The extension, expansion, or enlargement of such nonconforming building occupied by a conforming use.

2. The foregoing extension, expansions, and enlargements of such nonconforming buildings or uses shall be subject to the following conditions.

A. The extension, expansion, or enlargement shall conform to the height, area, yard, and coverage regulations of the district in which the use would be

permitted as a matter of right.

B. The entire building or use shall be provided with off-street parking and loading spaces as required by Part 13.

C. The extension, expansion, or enlargement does not replace a conforming use.

D. The extension, expansion, or enlargement of the nonconforming building or use shall not be permitted to extend into land adjacent to the initial parcel of existing land occupied on the effective date of this Chapter.

E. The extension, expansion, or enlargement of the nonconforming building or use shall not exceed an increase of 50 percent of the original volume or area of the nonconforming building or use. The original volume or area of the building or use is the original volume or area devoted to the building or use as it existed on the date such building or use became nonconforming.

(Ord. 2000-1, 1/10/2000, §1402)

§27-1404. Change of Use.

Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use.

(Ord. 2000-1, 1/10/2000, §1403)

§27-1405. Abandonment and Discontinuance.

If a nonconforming use of a building or land ceases or is discontinued for a continuous period of 1 year or more, the nonconforming status thereof shall be lost, and subsequent use of such building or land shall be in conformity with all the provisions of this Part except in cases where the cessation or discontinuance was caused by circumstances beyond the control of the owner.

(Ord. 2000-1, 1/10/2000, §1404)

§27-1406. Nonconforming Lots.

Any lot held in single and separate ownership at the effective date of this Chapter which does not conform to one or more of the applicable area regulations in the district in which it is located shall be considered nonconforming. A building may be erected upon any vacant nonconforming lot provided a special exception is authorized by the Zoning Hearing Board, and further provided that the applicant does not own or control other adjoining property sufficient to comply with the provisions of this Chapter. Such development shall comply with the following provisions:

A. The proposed use is permitted by right within the district in which it is located.

B. The proposed building shall comply with all applicable area, height, and bulk regulations including, but not limited to, applicable district requirements and yard requirements.

(Ord. 2000-1, 1/10/2000, §1405)

§27-1407. Nonconforming Signs.

1. Signs in existence at the effective date of this Chapter may be continued subject to the requirements contained in §§27-1101 through 27-1107 of this Chapter.

2. If and when a nonconforming sign is replaced, the new sign shall comply with the requirements of §§27-1101 through 27-1107 of this Chapter. Replacement shall refer to the replacement and/or relocation of the sign structure. Replacement shall not only include simply revising the text or color of the sign, but shall also refer to structural replacement and/or relocation of the sign.

(*Ord. 2000-1*, 1/10/2000, §1406; as amended by *Ord. 2004-3*, 6/14/2004, §XXVII; and *Ord. 2008-1*, 8/18/2008, §§32, 33)

Part 15**Transfer of Development Rights (TDR) Program****§27-1501. Purpose.**

In expansion of the community development objectives contained in Part 1 of this Chapter, it is hereby declared to be the intent of this Part to provide the mechanism by which Reading Township may establish a Transfer of Development Rights Program. Furthermore, it is the intent of this Part to:

A. Preserve important agricultural and scenic areas within Reading Township by providing the owners of farms and other large parcels of land in the Agricultural Conservation (AC) District with an optional and completely voluntary program that will allow eligible landowners to benefit from the development value of their land without the sale of land for development purposes.

B. Encourage the preservation of important agricultural lands and open space within Reading Township, by allowing the transfer of development potential from these areas to other locations designated by this Chapter as being most appropriate for more intensive and/or higher density development.

C. Address the equity concerns often associated with the use of an effective agricultural preservation zoning district by establishing a program that provides “equity protection” to landowners, while at the same time, achieving Township goals for agricultural and rural preservation.

D. Designate an effective agricultural preservation zoning district as a transfer of development rights “sending area” that recognizes the need to protect the equity interests of agricultural land owners, while at the same time, reserves the right to develop property in accordance with the other standards and development options contained within the AC District.

E. Establish a transfer of development rights system whereby the right to develop property in accordance with zoning standards can be severed from properties within the “sending area” and may be affixed to properties within a designated “receiving area.”

F. Establish a formula for the calculation of development rights which may, at the discretion of the landowner, be transferred from properties designated within the Zoning Ordinance as “sending areas” to properties designated within the Zoning Ordinance as “receiving areas.”

G. Establish standards for the use of transferred development rights within eligible types of development projects located within the designated “receiving areas.”

H. Establish a municipal process by which the transfer of development rights is approved by the Township, and by which records of available transferable rights and already used transferable rights are maintained.

(Ord. 2000-1, 1/10/2000, §1500)

§27-1502. Severability and Transferability.

1. Reading Township hereby recognizes the ability to sever development rights designated by this Chapter from certain properties in the Township, in accordance with §27-1504 below, and that, in accordance with §619.1 of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended), 53 P.S. §10619.1, such rights may be sold as an interest in real estate.

2. Ownership of development rights shall be determined by a “Statement of Transfer of Development Rights” conferred by the Reading Township Board of Supervisors in accordance with §27-1504.A of this Chapter.

3. Development rights may be severed and transferred only from those properties meeting the criteria established by §27-1503 below, and no others. In addition, the following conditions are applicable:

A. The severance of development rights as a separate interest in real estate shall be solely at the volition of the owner of a property located in designated “sending areas.”

B. The donation of development rights shall be solely at the volition of the owner of a property located within designated “sending areas.”

C. Under no circumstances shall the Township compel the severance or subsequent transfer, whether by sale or by donation, of development rights. Property owners may pursue development of their lands in accordance with applicable standards of the AC District.

4. Development rights may be transferred and attached to only those properties meeting the criteria established in §27-1505 below, and no others. In addition, the following conditions are applicable:

A. Development rights may be utilized upon a property designated in an eligible “receiving area” by §27-1506.1 of this Chapter and in accordance with the zoning regulations for the district in which the subject property is located.

B. The purchase of development rights shall be solely at the volition of the buyer.

C. The buyer may, but need not, be the current owner of property within a receiving area. Purchasers may include conservation organizations such as conservancies, or may be individuals interested in the potential future sale of development rights to a landowner within the designated “receiving area.” Development rights, once purchased, may be applied to a tract in the “receiving area” designated by the Township, may be held for investment or for other purposes, may be donated to a land conservancy or a public agency, or may be resold by the purchaser.

D. Under no circumstances shall the Township require the purchase of development rights in order to develop land for any use within a “receiving area,” although such purchase may be required for certain types of development.

(Ord. 2000-1, 1/10/2000, §1501)

§27-1503. Determination and Availability.

1. Properties in excess of 75 acres within the Agricultural Conservation (AC) Zoning District are hereby designated as the “sending areas” for the Reading Township Transfer of Development Rights Program. Development rights may be severed and

transferred only from properties in excess of 75 acres within the AC District, and in accordance with the procedure set forth in §27-1504.A below. Where a tract of land lies partially in the AC District and partially within another zoning district, the right to sever and transfer development rights shall apply to the entire tract as if such tract lies fully within the AC District, provided that no development in accordance with the adjoining zoning district has been proposed or approved in accordance with the adjoining zoning district regulations.

2. For properties within or partially within the AC District, the number of development rights which may be transferred from a property shall be calculated in accordance with the following process (see Appendix 27-A for a worksheet which shall be used to calculate the number of development rights assigned to a property): [*Ord. 2008-1*]

A. Identify the total acreage of the property.

B. Determine the number of development units allocated to the property from the scale established in §27-403.A(1) of this Chapter.

C. Subtract the number of units previously developed on or subdivided from the property in accordance with the requirements of Part 4.

D. Multiply the number obtained in paragraph .C above by two. The resulting number shall be the number of transferable development rights, assigned to the property, which may be made available for sale or donation. The number of transferable development rights shall be conferred by the Reading Township Board of Supervisors in accordance with §27-1504 of this Chapter.

(*Ord. 2000-1, 1/10/2000, §1502; as amended by Ord. 2008-1, 8/18/2008, §34*)

§27-1504. Township Review Process. [*Ord. 2004-3*]

The process by which development rights may be severed from a property shall be as follows:

A. The owner, or his/her designee, of the tract from which development rights are to be severed, shall submit an “application for the transfer of development rights” to the Board of Supervisors. The application form is provided as Appendix 27-A of this Chapter. The application shall include the following information: [*Ord. 2008-1*]

(1) A complete copy of the “application for the transfer of development rights.”

(2) A completed copy of the worksheet provided in Appendix 27-A of this Chapter calculating the number of transferable development rights to, be assigned to the property. [*Ord. 2008-1*]

(3) The following “statement of transferability of development rights” as provided, in Appendix 27-A of this Chapter: [*Ord. 2008-1*]

“It is the determination of the Board of Supervisors of the Township of Reading, Adams County, Pennsylvania, that _____ development rights may be transferred by sale or donation from the property shown on this Plan as of _____.”

The number and date shall be filled in by or at the direction of the Board

of Supervisors. Space shall be provided below this statement for signature of the Board of Supervisors.

B. The accuracy of the application shall be verified by the Township Zoning Officer or any other agent specified by the Reading Township Board of Supervisors, upon review by the Reading Township Planning Commission.

C. The number of development rights available for transfer (to be inserted in the statement appearing in the application) shall be determined by the Board of Supervisors as advised by the Township Planning Commission and the Township Zoning Officer or any agent specified by the Reading Township Board of Supervisors.

D. The Board of Supervisors shall approve the creation of the transferable development rights during a regular public meeting of the Board of Supervisors.

(*Ord. 2000-1, 1/10/2000, §1503; as amended by Ord. 2004-3, 6/14/2004, §XXXVIII; and by Ord. 2008-1, 8/18/2008, §§35–37*)

§27-1505. Transfer of Development Rights. [*Ord. 2004-3*]

1. Development rights shall be transferred by means of a deed of transferable development rights duly recorded in the Office of the Recorder of Deeds of Adams County. Such deed shall not be recorded unless it is approved by the Reading Township Board of Supervisors, as required by §619.1(c) of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended), 53 P.S. §10619.1(c).

2. The property owner transferring development rights may sell or donate any number of development rights up to the number approved by the Reading Township Board of Supervisors in accordance with §27-1504 above.

3. A “Declaration of Restriction of Development” shall be executed simultaneously with the “Deed of Transferable Development Rights.” Such declaration shall be recorded in the Office of the Adams County Recorder of Deeds as a deed restriction on the sending property and shall serve to restrict subsequent development of the tract to the remaining number of transferable development rights or the number of development units that may be developed on the property. The restriction shall remain either in perpetuity or until the owner of the tract shall sell some or all of the remaining development rights or develop the remaining development units allocated to the property, if any. Such declaration shall clearly state the remaining number of transferable development rights adhering to the property and/or the remaining number of development units permitted to be developed on the site in accordance with §27-403.A(1) of the AC District.

4. The purchaser of development rights shall be responsible for payment of any municipal real estate transfer tax due to the Township in accordance with the ordinances and rules of Reading Township.

(*Ord. 2000-1, 1/10/2000, §1504; as amended by Ord. 2004-3, 6/14/2004, §XXXVIII*)

§27-1506. Use of Development Rights.

1. Development rights may be transferred to and subsequently used upon only lands located within zoning districts set forth in this Chapter and identified as a “receiving area” by this Section. The following zoning districts established by this

Chapter are hereby designated as “receiving areas” for the purpose of transference of development rights:

- A. Commercial/Industrial (CI) District.
- B. Moderate Density Residential (R-1) District.
- C. Low Density Residential (R-2) District.

2. New development utilizing transferred development rights shall be designed in conformity with the regulations of the applicable zoning district within which a particular receiving property is located.

3. The procedure for utilization of development rights transferred from the “sending area” upon an eligible property in the “receiving area” shall be as follows:

A. At the earliest submission, whether a sketch plan or preliminary plan, the applicant shall note upon the plan drawings that the proposal will utilize development rights transferred, in accordance with the procedure established by §27-1505 of this Chapter, from another property located within a “sending area” designated by this Chapter.

B. Copies of the actual deed(s) of transferable development rights, indicating the applicant’s ownership of such, or satisfactory evidence of equitable ownership of the required development rights shall be a condition of preliminary plan approval.

C. Title search shall be required for deed(s) of transferable development rights to assure the validity of such deed(s).

D. The deed book volume(s) and number(s) of the deed(s) of transferable development rights to be utilized shall be noted upon the plan.

E. The Township Zoning Officer and/or any other agent specified by the Reading Township Board of Supervisors, shall determine that the development rights to be used have not been utilized elsewhere.

F. Upon approval of the final plan, the Township Zoning Officer, and/or any agent specified by the Reading Township Board of Supervisors, shall make note of and keep permanent record of the deed book volume(s) and number(s) of the deed(s) of transferable development rights applied to the development as finally approved. This permanent record shall be maintained in order to enable the Township Zoning Officer or any other agent specified by the Reading Township Board of Supervisors, to fulfill the requirement established in paragraph .E above and shall be available for public inspection.

G. Upon approval of the final plan of a project utilizing transferred development rights, a new deed shall be created and recorded for the receiving property. Such deed shall identify the deed(s) of transferable development rights being used by deed book volume(s) and number(s) and shall state that the transferred development rights are attached to the receiving property in perpetuity.

H. The incorporation of a deed of transferable development rights with a property deed for land in the “receiving area” shall be recorded in the chain of title for the deed of transferable development rights in accordance with the established procedures of the Office of the Adams County Recorder of Deeds.

4. Where a tract located within the “receiving area” is subdivided subsequent to the receipt of transferred development rights, the subdivision plan shall clearly indicated the allocation of such development rights between or among the new lots. Such allocation shall be subject to the approval of the Township as an element of the proposed subdivision. The allocation as approved by the Township shall be indicated upon the new deeds.

(Ord. 2000-1, 1/10/2000, §1505)

§27-1507. Appeals.

Appeals to any decision by the Township regarding the creation, transfer, or application of development rights shall be made to the Zoning Hearing Board in accordance with §909.1(a)(7) of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended), 53 P.S. §10909.1(a)(7), Part 17 of this Chapter, and all other applicable provisions. Parties with standing to make an appeal shall be defined by §27-1617 of this Chapter.

(Ord. 2000-1, 1/10/2000, §1506; as amended by Ord. 2008-1, 8/18/2008, §38)

Part 16**Administration and Enforcement****§27-1601. Appointment and Powers of the Zoning Officer.**

For the administration of this Chapter, a Zoning Officer, who shall not hold any elective office in the Township, shall be appointed. The Zoning Officer shall administer this Chapter in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this Chapter.

(Ord. 2000-1, 1/10/2000, §1600)

§27-1602. Enforcement.

It shall be the duty of the Zoning Officer, and the Zoning Officer is hereby given the power and authority, to enforce the provisions of this Chapter. The Zoning Officer shall examine all applications for permits, issue permits for construction and uses which are in accordance with the requirements of this Chapter, record and file all applications for permits with accompanying plans and documents, and make such reports as the Township may require. Special exception use approval, construction permits associated with special exceptions uses, and variances to the requirements of this Chapter shall be issued only upon approval of by the Zoning Hearing Board of the special exception use application. Conditional use approval and construction permits associated with conditional use shall be issued only upon approval by the Board of Supervisors of the conditional use application.

(Ord. 2000-1, 1/10/2000, §1601)

§27-1603. Permits.

1. *Requirement of Permits.* A zoning permit shall be required prior to the erection, addition, or alteration of any building or portion thereof; prior to the use or change of use of a building or land; prior to the change or extension of a nonconforming use. It shall be unlawful for any person to commence work for the erection or alteration of any building or for a change in land use, until a permit has been duly issued therefore. No such zoning permit shall be required in case of normal maintenance activities, minor repairs, and alterations which do not structurally change a building or structure.

2. *Application for Permits.* All applications for permits shall be accompanied by plans, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact size and location of any buildings existing on the lot, the lines within which the proposed building or structure shall be erected or altered, the existence and intended use of each building or part of a building, the number of dwelling units the building is designed to accommodate, and such information as may be necessary to determine compliance with this Chapter and all other ordinances. A copy of such plans shall be returned to the applicant when such plans have been reviewed and acted upon by the Zoning Officer. All applications with accompanying plans and documents shall become public record after a permit is issued or denied.

3. *Issuance of Permits.*

A. No permit shall be issued until the Zoning Officer has certified the

proposed building, addition or alteration complies with all applicable provisions of this Chapter, the provisions of *Ord. 2004-5* relating to the Uniform Construction Code [Chapter 5, Part 1], as well as provisions of all other applicable ordinances, and any other required permissions. [*Ord. 2008-1*]

B. The Zoning Officer shall act upon request within 30 days following the submission of the application.

C. A permit issued hereunder shall become void 12 months after issuance date, unless a request for extension has been submitted to and approved by the Zoning Officer. Such request shall be filed with the Zoning Officer at least 30 days prior to the permit expiration date.

4. *Violation.* Hereafter no building or structure shall be erected, moved, placed, constructed or enlarged within the limits of Reading Township unless a permit to do so shall first be secured in accordance with the provisions of this Chapter and in accordance with the provisions of *Ord. 2004-5*, relating to the Uniform Construction Code [Chapter 5, Part 1], and unless such erection, movement, placement, construction or enlargement is in strict accordance with the application submitted with the zoning permit issued pursuant to this Chapter and with the permit issued pursuant to *Ord. 2004-5*. All the provisions of *Ord. 2004-5* are incorporated herein by reference and any violation of that ordinance shall constitute a violation of this Chapter. [*Ord. 2008-1*] (*Ord. 2000-1*, 1/10/2000, §1602; as amended by *Ord. 2008-1*, 8/18/2008, §§84, 85)

§27-1604. Fees.

1. The Board of Supervisors shall establish a schedule of fees, charges, and expenses, as well as a collection procedure, for zoning permits, certificates of occupancy, appeals, variances, special exceptions, conditional uses, amendments, bonds, and other matters pertaining to this Chapter. The schedule of fees shall be posted in the office of the Zoning Officer, and may be amended only by the Board of Supervisors.

2. Such fees shall be payable to the Township, and until all applicable fees, charges, and expenses have been paid in full, the application shall be considered incomplete and no action shall be taken on the applications.

(*Ord. 2000-1*, 1/10/2000, §1603)

§27-1605. Inspection by the Zoning Officer.

1. It shall be the duty of the Zoning Officer to make the following minimum number of inspections of property for which a permit has been issued:

A. *Beginning of Construction.* A record shall be made indicating the time and date of inspection and the finding of the Zoning Officer in regard to conformance of the construction with plans submitted with the approved permit application. If the actual construction does not conform to the application, a written notice of violation shall be issued by the Zoning Officer, and such violation shall be discontinued. Upon proper correction of the violation and receipt of written notice from the Zoning Officer, construction shall proceed.

B. *Completion of Construction.* A record shall be made indicating the time and date of the inspection and the findings of the Zoning Officer in regard to conformance to this Chapter, and the opinion of the Zoning Officer in regard to the

issuance of a certificate of occupancy.

(*Ord. 2000-1, 1/10/2000, §1604*)

§27-1606. Certificate of Occupancy.

1. A certificate of occupancy shall be a statement issued by the Zoning Officer setting forth that a building, structure, parcel, or use of land complies with the provisions of this Chapter and other applicable ordinance of the Township of Reading.

2. No vacant land shall be occupied or used, and no structure or part of a structure hereafter erected, substantially altered or changed in use, shall be occupied or used until a certificate of occupancy shall have been issued by the Zoning Officer.

3. A certificate of occupancy of vacant land or for a change in the use of land, or for a change in the use of an existing building, either for whole or part of a new building or for the alteration of an existing building, shall be applied for coincident with the application for a zoning permit, and shall be issued or denied within 15 days after a final inspection by the Zoning Officer.

4. A certificate of occupancy for changing or extending a nonconforming use, existing at the time of the passage of this Chapter or of an amendment thereto, shall be applied for and issued before any such nonconforming use shall be changed or extended. Such certificate shall be issued within 15 days after a final inspection and approval by the Zoning Officer.

(*Ord. 2000-1, 1/10/2000, §1605*)

§27-1607. Certificate of Nonconformance.

A certificate of nonconformance shall be issued by the Zoning Officer to the owner of any property which, at the time of the effective date of this Chapter, is identified as containing a nonconforming use or structure. The owner's property and the issuance date of such certificate shall be registered in the records of the Township as follows:

A. The certificate of nonconformance shall set forth in detail all of the nonconforming conditions of said property.

B. A copy of the certificate of nonconformance shall be retained and filed by the Zoning Officer.

C. The certificate shall be for the purposes of insuring the owner the right to continue a nonconforming use in accordance with the regulations of this Chapter.

(*Ord. 2000-1, 1/10/2000, §1606*)

§27-1608. Special Exceptions, Application.

1. Where provided for in this Chapter, the Zoning Hearing Board shall hear and decide requests for special exceptions in accordance with stated standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of this Chapter. The Board may grant approval of a special exception provided that the applicant complies with the following standards for special exceptions and that the proposed special exception shall not be detrimental to the health, safety, or welfare of the neighborhood.

2. The applicant shall submit a site plan, containing the following information, as part of the application for a special exception use for the Zoning Hearing Board to review. The site plan shall contain sufficient information, studies, and other data to demonstrate compliance with all applicable regulations.

3. Unless otherwise specified by the Board or by law, a special exception shall expire if the applicant fails to obtain a zoning permit within 1 year from the date of authorization thereof by the Board or by the court, if such special exception has been granted after an appeal, or fails to complete any erection, construction, reconstruction, alteration or change in use authorized by the special exception within 2 years from the date of authorization thereof by the Board or by the court, if such special exception has been granted after an appeal. The Board may, for reasonable cause, extend the approval for an additional period of up to 1 year upon the written request of the applicant.

(Ord. 2000-1, 1/10/2000, §1607)

§27-1609. Appeals and Applications.

An appeal, or application for an amendment, special exception, conditional use, or variance from the terms of this Chapter shall be filed with the Zoning Officer, and shall contain the following information:

A. The name and address of the applicant.

B. The name and address of the owner of the real estate to be affected by such proposal.

C. A brief description and location of the real estate to be affected by such proposal.

D. A statement of the present zoning classification of the real estate in question, the improvements thereon, and the present use thereof.

E. A statement of the Section of this Chapter under which the appeal or application requested may be allowed, and reasons why it should be granted; or a statement of the Section of this Chapter governing the situation in which the alleged erroneous ruling is being appealed and reasons for the appeal.

F. An accurate description of the present improvements and the additions intended to be made under this application, indicating the size and use of such proposed improvements and general construction thereof. In addition, there shall be attached a plot plan of the real estate to be affected, as required to accompany applications for permits, indicating the location and area of the lot and location of improvements now erected, and proposed to be erected thereon.

G. Any other pertinent data required by the Zoning Hearing Board, Board of Supervisors, and/or Zoning Officer, as appropriate to their individual authorities set forth in this Part.

(Ord. 2000-1, 1/10/2000, §1608)

§27-1610. Violations.

Failure to comply with any provision of this Chapter, failure to secure permit, Zoning Hearing Board certification, when required, or failure to secure a certificate of occupancy, shall be violations of this Chapter.

A. *Enforcement Notice.*

(1) If it appears to the Township that a violation of any zoning ordinance provision has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice, as provided by §616.1 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10616.1, as amended.

(2) The enforcement notice shall be sent to the owner of the record of the tract on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding said tract, and to any other person requested in writing by the owner of record.

(3) An enforcement notice shall state at least the following:

(a) The name of the owner of record and any other person against whom the Township intends to take action.

(b) The location of the property in violation.

(c) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Chapter.

(d) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.

(e) That the recipient of the notice has the right to appeal to the Zoning Hearing Board within 30 days of the date of the determination.

(f) The failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

B. *Causes of Action.* In case any building, structure, or land is, or is proposed to be erected, constructed, reconstructed, altered, converted, maintained, or used in violation of this Chapter, the Board of Supervisors or, with the approval of the Board of Supervisors, an officer of the Township, or any aggrieved owner or tenant or real property who shows that his or her property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, landscaping of land, or to prevent, in or about such premises, any act, conduct, business, or use constituting a violation. Such action is instituted by a landowner or Township at least 30 days prior to the time the action is begun by serving a copy of the complaint of the Board of Supervisors.

C. *Enforcement Remedies.*

(1) Any person, partnership, or corporation, who or which has violated or permitted the violation of the provisions of this Chapter, shall, upon being found liable therefore in a civil proceeding commenced by the Township, pay a judgement of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. [*Ord. 2004-3*]

(2) The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.

(3) Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

(*Ord. 2000-1, 1/10/2000, §1609; as amended by Ord. 2004-3, 6/14/2004, §XXXIX*)

§27-1611. Appointment of a Zoning Hearing Board.

The Reading Township Board of Supervisors shall, by resolution and in accordance with §903 of Act 247 of 1968, 53 P.S. §10903, as amended (the Pennsylvania Municipalities Planning Code) appoint a Zoning Hearing Board consisting of three members, and in accordance with §906 of Act 247 of 1968, 53 P.S. §10906, as amended, one alternate member. Said Zoning Hearing Board shall have such duties, powers, jurisdiction, and authority as set forth in Article IX of Act 247 of 1968, 53 P.S. §10901 *et seq.*, as amended. Members and alternative members of the Zoning Hearing Board shall be residents of Reading Township and shall not hold other elected or appointed office in Reading Township.

(*Ord. 2000-1, 1/10/2000, §1610*)

§27-1612. Organization of the Zoning Hearing Board.

1. The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the board, but the board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the board as provided in §908 of Act 247 of 1968, 53 P.S. §10908, as amended.

2. If, by reason of absence or disqualification of a member, a quorum is not reached, the chairperson of the board shall designate as many alternate members of the board to set of the boards as may be needed to provide a quorum. Any alternate member of the board shall continue to serve on the board in all proceedings involving the matter or case for which the alternate was initially appointed until the board has made a final determination of the matter or case. Designation of an alternate pursuant to this Section shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

3. The Board may make, alter, and rescind rules and forms for its procedure, consistent with ordinances of the municipality and laws of the Commonwealth. The Board shall keep full public records of its business, which records shall be the property of the municipality, and shall submit a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

(*Ord. 2000-1, 1/10/2000, §1611*)

§27-1613. Hearings.

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements:

A. The Zoning Hearing boards shall conduct hearings and make decisions in accordance with the Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10101 *et seq.*, as amended. Notice shall be given to the public, the

applicant, the landowner, the Zoning Officer, such other persons as the Zoning Hearing Board shall designate, and any person who has made timely request from the same. Notices shall be given at such time and in such manner prescribed by adopted rules of the Zoning Hearing Board. In addition to the written notice provided herein, written notice of said shall be conspicuously posted on the affected tract of land at least 1 week prior to the hearing.

B. The Township Supervisors may establish reasonable fees for the holding of such hearings. Fees may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants, or expert witness costs.

C. The first hearing before the board or hearing officer shall be commenced within 60 days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing before the board or hearing officer shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant or on the record. An applicant shall complete the presentation of his case-in-chief within 100 days of the first hearing. Upon the request of the applicant, the board or hearing officer shall assure that the applicant receives at least 7 hours of hearings within the 100 days, including the first hearing. Persons opposed to the application may, upon written consent or consent on the record by the applicant and the Township, be granted additional hearings to complete their opposition provided the applicant is granted an equal number of additional hearings for rebuttal. [*Ord. 2004-3*]

D. The hearing shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision or, where no decision is called for, the findings shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the municipality, may prior to the decision of the hearing officer, waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.

E. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have the power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.

F. The chairperson or acting chairperson of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

G. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and to cross-examine adverse witnesses on all relevant issues.

H. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.

I. The Board or the hearing officer, as the case may be, shall keep a

stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.

J. The Board or the hearing officer, as the case may be, shall render a written findings on the application within 45 days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this act or of any ordinance, rule, or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.

If the hearing is conducted by a hearing officer, and there has been no stipulation that his or her decision or findings are final, the Board shall make the hearing officer's report and recommendations available to the parties within 45 days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than 30 days after the report of the hearing officer.

Where the Board fails to render the decision within the period required by this Section, or fails to commence, conduct, or complete the required hearing as provided in this Section of this Chapter, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of said decision within 10 days from the last day it could have met to render a decision in the same manner as provided in paragraph .A. Nothing in this paragraph shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. [*Ord. 2004-3*]

K. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him or her not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

(*Ord. 2000-1, 1/10/2000, §1612; as amended by Ord. 2004-3, 6/14/2004, §§XXVIII, XXIX*)

§27-1614. Jurisdiction.

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters, as set forth in the Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10101 *et seq.*, as amended.

A. Substantive challenges to the validity of a zoning ordinance, except those brought before the governing body pursuant to §§609.1 and 916.1(a)(2) of the

Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §§10609.1, 10916.1(a)(2), as amended.

B. Challenges to the validity of a zoning ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within 30 days after effective date of said ordinance.

C. Appeals from the determination of the Zoning Officer including, but not limited to, the granting or denial of any permit, or failure to act of the application therefore, the issuance of any case and desist order or the registration or refusal to register any nonconforming use, structure, or lot.

D. Applications for variances from the terms of the Zoning Ordinance pursuant to §910.1 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10910.1, as amended.

E. Applications for special exceptions under the Zoning Ordinance pursuant to §912.1 of The Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10912.1, as amended.

F. Appeals from the determination of any officer or agency charged with the administration of any performance density provisions of the Zoning Ordinance.

G. Appeals from the Zoning Officer's determination pursuant to §916.2 of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10916.2, as amended.

H. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving applications under Articles V and VII of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10501 *et seq.*, 10701 *et seq.*, as amended.

(*Ord. 2000-1, 1/10/2000, §1613*)

§27-1615. Variances.

The Zoning Hearing Board shall hear requests for variances where it is alleged that the provision of the Zoning Ordinance inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance, provided that all of the following findings are made where relevant in a given case:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot area or shape, or exceptionally topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provision of the Zoning Ordinance in the neighborhood or district in which the property is located.

B. That because of such physical circumstances or conditions, there is not possibility that the property can be developed in strict conformity with the provision of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the applicant.

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, not substantially or permanently impair the appropriate use of development of adjacent property, not be detrimental to the public welfare.

E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10101 *et seq.*, as amended, and the Zoning Ordinance of the Township of Reading.

(*Ord. 2000-1, 1/10/2000, §1614*)

§27-1616. Special Exceptions; Review Procedure.

Special exceptions may be granted or denied by the Zoning Hearing Board pursuant to expressed standards and criteria contained herein, The Zoning Hearing Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria as herein set forth and on the prescribed application form. In granting a special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of this Chapter. The Zoning Hearing Board shall use the following procedures:

A. The Zoning Hearing Board's decision to grant a permit for a special exception shall be made only after public notice and public hearing. Such permit shall apply specifically to the application and plans submitted and presented at said public hearing. Any subsequent amendments or additions shall be subject to review and public hearing by the Zoning Hearing Board as a special exception.

B. No permit shall be granted by the Zoning Hearing Board for any special exception use until said Board has received and considered advisory reports thereon received from the Planning Commission with respect to the location of such use in relation to the needs and growth pattern of the Township of Reading, and wherever appropriate, with reference to the adequacy of the site area and the arrangement of buildings, driveways, parking areas, off-street loading and unloading spaces, and other pertinent features of the proposal.

C. The Planning Commission shall have 30 days from the date of its receipt of the application within which to file its report thereon. In the event that the Planning Commission shall fail to file its report within 30 days, such application shall be deemed to have been recommended for approval by the Planning Commission. The Planning Commission may have representation at the public hearing held by the Zoning Hearing Board on such application. After receipt of the Planning Commission's report, the Zoning Hearing Board shall hear the application in the same manner and under the same procedure as it is empowered by law and ordinance to hear cases and made exceptions to the provisions of the Zoning Ordinance. The Zoning Hearing Board may thereafter direct the Zoning Officer to issue a permit in its judgment, the request will not be detrimental to the health, safety, and general welfare of the Township of Reading.

D. A special exception use for which a permit is granted by the Zoning Hearing Board pursuant to the provisions of this Section shall be construed to be a conforming use.

(Ord. 2000-1, 1/10/2000, §1615)

§27-1617. Parties Appellant Before the Zoning Hearing Board.

Appeals under §909.1(a)(1), (2), (3), (4), (7), and (9) of Act 247 of 1968, 53 P.S. §10901.1(a)(1), (2), (3), (4), (7), (9), as amended, may be filed with the Board in writing by the landowner affected, any officer or agencies of the Township, or any person aggrieved. Requests for a variance under §910.2 of Act 247 of 1968, 53 P.S. §10910.2, as amended, and for special exception under §912.1 of Act 247 of 1968, 53 P.S. §10912.1, as amended, may be filed with the Board by any landowner or any tenants with the permission of such landowner.

(Ord. 2000-1, 1/10/2000, §1616)

§27-1618. Time Limitations.

1. No person shall be allowed to file any proceeding with the Board later than 30 days after an application for development, preliminary or final, has been approved by the Township if such proceeding is designed to secure reversal or limit the approval in any manner unless such person alleges and proves that he or she failed to receive adequate notice of such approval. If such person has succeeded to his or her interest after such approval, adequate notice to his or her predecessor in interest shall be deemed adequate notice to him or her. The failure of anyone other than the landowner to appeal from an adverse decision on a tentative plan or from an adverse decision by the Zoning Officer on a challenge to the validity of this Chapter or an amendment thereto shall preclude an appeal from a final approval except in the case where the final submission substantially deviates from the approved tentative approval.

2. All appeals from determinations adverse to the landowner shall be filed by the landowner within 30 days after notice of the determination is issued.

(Ord. 2000-1, 1/10/2000, §1617)

§27-1619. Stay of Proceedings.

Upon filing of any appeal proceeding before the Zoning Hearing Board and during its pendency before the Zoning Hearing Board, all land development pursuant to any challenged ordinance, order, or approval of the Zoning Officer or of any agency or body, and all official action thereunder, shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Zoning Hearing Board or by the court having jurisdiction of zoning appeals, on petition, after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Zoning Hearing Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such person to post bond as condition to continuing the proceedings before the Board in accordance with §915.1 of the

Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10915.1, as amended.

(*Ord. 2000-1, 1/10/2000, §1618*)

§27-1620. Conditional Uses; Application.

1. Where the Township Supervisors, in this Chapter, have stated conditional uses to be granted or denied by the Township Supervisors pursuant to express standards and criteria, the Township Supervisors shall hold hearings on and decide requests for such conditional uses in accordance with such standards and criteria. The hearing shall be conducted by the Board of Supervisors or the Board of Supervisors may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board of Supervisors. However, the appellant or the applicant, as the case may be, in addition to the Township, may, prior to the decision of the hearing, waive decision or findings by the Board of Supervisors and accept the decision or findings of the hearing officer as final. In granting a conditional use, the Township Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of this Chapter. [*Ord. 2004-3*]

2. The applicant shall submit three copies of a site plan, containing the required information, as part of the application for conditional use. Said site plans shall remain with the Board of Supervisors and in the Township's files for its use and review as necessary. The site plan shall contain sufficient information, studies, and other data to demonstrate compliance with all applicable regulations.

3. Unless otherwise specified by the Board of Supervisors or by law, a conditional use shall expire if the applicant fails to obtain a zoning permit, and a building permit where applicable, within 1 year from the date of authorization thereof by the Board of Supervisors or by the court. Unless otherwise specified by the Board of Supervisors or by law, a conditional use shall expire within 2 years from the date of authorization thereof by the Board of Supervisors or by the court, if the applicant fails to complete any erection, construction, reconstruction, alteration, or change in the use authorized by said conditional use approval. Under either of the above circumstances, or for any good and reasonable cause, the Board of Supervisors may extend the approval of a conditional use for an additional period of up to 1 year upon the written request of the applicant.

(*Ord. 2000-1, 1/10/2000, §1619; as amended by Ord. 2004-3, 6/14/2004, §XXX*)

§27-1621. Hearings on Conditional Use Applications.

The Board of Supervisors shall conduct hearings and make decisions on conditional use applications in accordance with the following:

A. The Board of Supervisors shall conduct hearings and make decisions in regard to applications for conditional use in accordance with the Pennsylvania Municipalities Planning Code, Act 247 of 1968, 53 P.S. §10101 *et seq.*, as amended. Public notice shall be given of such hearing. In addition, notice shall be given to the applicant, the land owner, all owners of adjacent property, the zoning officer, such other persons as the Board of Supervisors shall designate, and any person who has made timely requests for the same. Such notices shall be in writing and shall be

given not more than 30 days nor less than 7 days prior to the date and time set for such hearing. In addition, written notice shall be conspicuously posted on the affected tract of land at least 1 week prior to the hearing.

B. The Supervisors may establish reasonable fees for the holding of such hearing. Fees may include compensation for the secretary, the cost of advertising and giving notice, and other necessary administrative overhead connected with the hearing. The cost shall not include legal expenses in regard to the hearing, or expenses for engineering, architectural, or other technical consultants or expert witness costs.

C. The hearing shall be scheduled within 60 days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.

D. The parties to the hearing shall be the applicant, Zoning Officer, any person affected by the application who has made timely appearance of record before the Board of Supervisors, and any other person, including civic or community organizations permitted to appear by the Board of Supervisors. The Board of Supervisors shall have the power to require that all persons who wish to be considered parties enter appearances in writing.

E. The chairperson or acting chairperson of the Board of Supervisors shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.

F. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and to cross-examine adverse witnesses on all relevant issues.

G. Formal rule of evidence shall not apply. However, irrelevant, immaterial, or unduly repetitious evidence may be excluded.

H. The Board of Supervisors shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board of Supervisors. The cost of the original transcript shall be paid by the Board of Supervisors if the transcript is ordered by them, or shall be paid by the person appealing from the decision of the Board of Supervisors if such an appeal is made. In either event, the cost of additional copies shall be paid by the person or persons requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.

I. The Township Supervisors shall render a written decision or, when no decision is called for, make written findings on the conditional use application within 45 days after the last hearing before the Township Supervisors. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefor. Conclusions based on any provision of this Chapter shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. [*Ord. 2004-3*]

Where the Board of Supervisors fails to render the decision within the period required by this Section or fails to commence, conduct, or complete the required

hearing within 60 days from the date of the applicant's request for a hearing, or fails to complete the hearing no later than 100 days after the applicant's case in chief, unless extended for good cause upon application to the court of common pleas, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. [Ord. 2004-3]

When a decision has been rendered in favor of the applicant because of the failure of the Board of Supervisors to meet or render a decision as hereinabove provided, the Board of Supervisors shall give public notice of the decision within 10 days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.* If the Board of Supervisors shall fail to provide such notice, the applicant may do so.

J. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him or her not later than the day following its date. To all other persons who have filed their name and address with the Board of Supervisors not later than the last day of the hearing, the Board of Supervisors shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

K. Nothing in this Section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

(Ord. 2000-1, 1/10/2000, §1620; as amended by Ord. 2004-3, 6/14/2004, §XXXI)

Part 17**Legal Provisions****§27-1701. Interpretation.**

In interpreting and applying the provisions of this Chapter, all provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare. Where the provisions of this Chapter impose greater restrictions than those of any statute, other ordinance, or regulation, the provisions of this Chapter shall be controlling. Where the provisions of any statute, other ordinance, or regulation impose greater restrictions than this Chapter, the provisions of such statute, other ordinance, or regulation shall be controlling. This Chapter is not intended to interfere with, abrogate, or annul any easement, covenant, or other agreement between private parties. However, where this Chapter imposes greater restrictions than those imposed by such easement, covenant, or agreement, the provisions of this Chapter shall govern. Where such easement, covenant, or agreement imposes greater restrictions than those imposed by this Chapter, the provisions of such easement, covenant, or agreement shall govern. (*Ord. 2000-1, 1/10/2000, §1700*)

Zoning Map Amendments

Ord.	Date	Subject
Ord. 2007-3	5/21/2007	Amending the Zoning Map to change the zoning of property of the Morning Hour Chapel of Brethren in Christ Church from Land Conservation to Agricultural Conservation.
Ord. 2008-2	7/21/2008	Amending the Zoning Map to change the zoning of property of Randy M. Wolf from Commercial Industrial to Residential.

Appendix 27-A

Sustainable Forestry Principals
American Forest & Paper Association

SUSTAINABLE FORESTRY PRINCIPLES AND IMPLEMENTATION GUIDELINES

as approved by
AF&PA Board of Directors on October 14, 1994

PREAMBLE

The forest products industry has a strong record of stewardship on the land it owns and manages. Forest industry lands include some of the most productive forests in the world. Innovative programs to create habitats and landscapes, and to enhance the diversity of flora and fauna, offer excellent examples of how industry foresters employ modern forest science in the protection of locations that are unique in their geological, ecologic, or historic value. At the same time, these forests are meeting the needs of our society for homebuilding and other building products, as well as for printing, packaging, and sanitary products. Many companies have effective programs to extend their technology and stewardship knowledge to nonindustrial private landowners who own most of the forestland in this country.

These Sustainable Forestry Principles, including the Implementation Guidelines, constitute the American Forest & Paper Association (AF&PA) members' commitment to sustainable forestry and the measures by which the public can benchmark this commitment. AF&PA members are actively implementing these principles and practices. Their objective is to achieve a much broader practice of sustainable forestry throughout the United States. In this way they will perceptibly improve the performance of member companies, and will set new standards for the entire forest industry as well as for other forest landowners.

Sustainable forestry is a dynamic concept that will evolve with experience and new knowledge provided through research. AF&PA views these Principles and Implementation Guidelines as the latest of many steps in a progressive evolution of United States industrial forestry practices. Through this step AF&PA members seek to meet the needs of humanity for essential wood and paper products while protecting and enhancing other forest resource values.

PRINCIPLES FOR SUSTAINABLE FORESTRY

America's managed forests make a vital contribution to the nation and to the world by providing economic, consumer, environmental and aesthetic benefits indispensable to our quality of life. A vital forest-based economy provides wood and

paper products, employment, and a viable tax base. Accomplishing sustainable forestry on private land requires a partnership among landowners, contractors, and the companies that purchase wood.

AF&PA members, therefore, support on the forestland they manage -- and will promote on other lands -- sustainable forestry practices. Moreover, AF&PA members will support efforts to protect private property rights and the ability of all private landowners to sustainably manage their forestland. This support stems from the AF&PA membership's belief that forest landowners have an important stewardship responsibility and commitment to society. In keeping with this responsibility, the members of the American Forest & Paper Association support the following principles:

I. **Sustainable Forestry:** To practice sustainable forestry to meet the needs of the present without compromising the ability of future generations to meet their own needs by practicing a land stewardship ethic which integrates the reforestation, managing, growing, nurturing, and harvesting of trees for useful products with the conservation of soil, air and water quality, wildlife and fish habitat, and aesthetics.

II. **Responsible Practices:** To use in its own forests, and promote among other forest landowners, sustainable forestry practices that are economically and environmentally responsible.

III. **Forest Health and Productivity:** To protect forests from wildfire, pests, diseases, and other damaging agents in order to maintain and improve long-term forest health and productivity.

IV. **Protecting Special Sites:** To manage its forests and lands of special significance (e.g. biologically, geologically, or historically significant) in a manner that takes into account their unique qualities.

V. **Continuous Improvement:** To continuously improve the practice of forest management and also to monitor, measure and report the performance of our members in achieving our commitment to sustainable forestry.

SUSTAINABLE FORESTRY IMPLEMENTATION GUIDELINES

The following guidelines are intended to provide measures for evaluating our membership's compliance with the AF&PA Sustainable Forestry Principles. By January 1, 1995, all member companies must agree to adhere to the Sustainable Forestry Principles. During the implementation year of 1995, AF&PA members will develop the programs and practices necessary for adherence to the objectives and measures identified below. By January 1, 1996, compliance with the Sustainable Forestry Principles and Implementation Guidelines will be a condition of continued membership in AF&PA.

The following performance measures are written in the future tense to reflect the underlying premise of the Sustainable Forestry Principles, which is continuous improvement. While AF&PA member companies are committed to continuous improvement and assessment, these principles and guidelines also recognize the sustainable forestry efforts that are underway today throughout the U.S. forest products industry. Owing to the wide diversity of forest types and conditions, AF&PA members recognize that implementation guidelines will be most effective if they are tailored to the unique forest conditions at the regional, ownership, or site level. For this reason, AF&PA member companies will individually or collectively -- at the site, state, or regional level -- adopt performance measures that are most appropriate for the given forest condition, even if they are different from those stated below, provided they are fully consistent with or exceed the spirit and intent of the objectives stated in this document.

I. Implementation Guidelines For Sustainable Forestry On AF&PA Members' Forests

Objective 1: Broaden the practice of sustainable forestry by employing an array of scientifically, environmentally, and economically sound practices in the growth, harvest, and use of forests.

Performance Measures:

- a. Each AF&PA member company will define its own policies, programs, and plans to implement and achieve the AF&PA Sustainable Forestry Principles and Guidelines.
- b. AF&PA members will, individually, through cooperative efforts, or through AF&PA, provide funding for forest research to improve the health, productivity, and management of all forests.

Objective 2: Promptly reforest harvested areas to ensure long-term forest productivity and conservation of forest resources.

Performance Measures:

- a. AF&PA members will reforest after final harvest by planting or direct seeding within two years, or by planned natural regeneration methods within five years.
- b. AF&PA members will promote state-level reporting of the overall rate of reforestation success.

Objective 3: Protect the water quality in streams, lakes, and other water bodies by establishing riparian protection measures based on soil type, terrain, vegetation, and other applicable factors, and by using EPA-approved Best Management Practices in all forest management operations.

Performance Measures:

- a. AF&PA members will meet or exceed all established Best Management Practices approved by EPA, all applicable state water quality laws and regulations, and the requirements of the Clean Water Act for forestland.
- b. AF&PA members will establish and implement riparian protection measures for all perennial streams and lakes and involve a panel of experts at the state level to help identify goals and objectives for riparian protection.
- c. AF&PA members will, individually, through cooperative efforts, or through AF&PA, provide funding for water quality research.

Objective 4: Enhance the quality of wildlife habitat by developing and implementing measures that promote habitat diversity and the conservation of plant and animal populations found in forest communities.

Performance Measures:

- a. Each AF&PA member company will define its own policies, programs, and plans to promote habitat diversity.
- b. AF&PA members will, individually, through cooperative efforts or through AF&PA, provide funding for wildlife research.

Objective 5: Minimize the visual impact by designing harvests to blend into the terrain, by restricting clearcut size and/or by using harvest methods, age classes, and judicious placement of harvest units to promote diversity in forest cover.

Performance Measures:

- a. Each AF&PA member will define its own policies, programs, and plans to minimize the impact of harvesting on visual quality.
- b. AF&PA members will develop and adopt, in each state where they operate, appropriate targets for managing the size of clearcuts. Where the average size of clearcut harvest areas exceeds 120 acres, AF&PA member companies will reduce the average size to no more than 120 acres, except when necessary to respond to forest health emergencies or other natural catastrophes.
- c. AF&PA members will adopt a "green up" requirement, under which past clearcut harvest areas must have trees at least 3 years old or 5 feet high at the desired level of stocking before adjacent areas can be clearcut,

or companies may adopt other, more comprehensive methods that provide age, habitat and aesthetic diversity.

Objective 6: Manage company lands of ecologic, geologic, or historic significance in a manner that accounts for their special qualities.

Performance Measure:

a. AF&PA members will identify special sites and manage them in a manner appropriate to their unique features. AF&PA members may involve organizations with expertise in protecting special places to suggest how these lands can best be managed to maintain their unique character.

Objective 7: Contribute to biodiversity by enhancing landscape diversity and providing an array of habitats.

Performance Measures:

a. AF&PA members will increase their support for research to improve the science and understanding of landscape management, ecosystem functions, and the conservation of biological diversity.

b. AF&PA members will continually apply the knowledge gained through research, science, technology, and field experience for conserving biological diversity.

Objective 8.: Continue to improve forest utilization to help ensure the most efficient use of forest resources.

Performance Measure:

a. AF&PA members will employ appropriate technology, processes, and practices to minimize waste and ensure efficient utilization of trees harvested.

Objective 9: Continue the prudent use of forest chemicals to improve forest health and growth while protecting employees, neighbors, the public, and sensitive areas, including streamcourses and adjacent lands.

Performance Measure:

a. AF&PA members will meet or exceed all applicable label requirements, laws, and regulations concerning the use of fertilizers, herbicides, and other forest chemicals needed to protect forest health and increase growth.

II. Implementation Guidelines For Sustainable Forestry By AF&PA Members In The Procurement Of Wood And Fiber From Loggers And Other Landowners

Objective 10: Broaden the practice of sustainable forestry by further involving nonindustrial landowners, loggers, consulting foresters and company employees who are active in wood procurement and landowner assistance programs.

Performance Measures:

- a. AF&PA members will encourage landowners who sell timber to reforest following harvest and to use Best Management Practices by providing these landowners with information on the environmental and economic advantages of these practices.
- b. AF&PA members will work closely with logging and state forestry associations, appropriate agencies and others in the forestry community to further improve the professionalism of loggers by establishing state groups (where none exist) and by cooperating with existing state groups to promote the training and education of loggers in:
 - Awareness of AF&PA Sustainable Forestry Principles
 - Best Management Practices -- including road construction and retirement, site preparation, streamside management, etc.
 - Regeneration and forest resource conservation
 - Awareness of responsibilities under the Endangered Species Act and other wildlife considerations
 - Logging safety
 - OSHA and wage and hour rules
 - Transportation
 - Business management -- including employee training, public relations, etc.

As a means of demonstrating AF&PA members' commitment to continuous improvement in sustainable forestry, state groups will be encouraged to sponsor training and education programs for loggers, employees involved in procurement and landowner assistance, contractors, and suppliers by January 1, 1996.

- c. AF&PA will collect information from its members, state groups, and other sources in order to annually report:
 - The number of landowners who receive information about forest regeneration from contractors, company employees, and others.

- How many of these landowners made an informed decision to apply BMPs and to regenerate the forest after harvest.
 - The number of loggers who completed each year's training and education programs.
 - The percentage of wood delivered by loggers who have completed logger training and education programs.
- d. AF&PA members will ensure their commitment to the Sustainable Forestry Principles is communicated throughout all levels of their companies -- particularly to mill and woodland managers, wood procurement operations, and field foresters.
- e. AF&PA members will support and promote efforts by consulting foresters, state and federal agencies, state groups, and programs like the American Tree Farm System, to educate and assist nonindustrial landowners and to encourage them to apply principles of sustainable forest management on their lands.
- f. Each AF&PA member will clearly define and implement its own policies, programs, and plans to ensure that mill inventories and procurement practices do not compromise its adherence to the Principles of Sustainable Forestry.

III. Implementation Guidelines For AF&PA Member Companies For Public Reporting And Involvement In The Practice Of Sustainable Forestry

Objective 11: Publicly report AF&PA members' progress in fulfilling their commitment to sustainable forestry.

Performance Measures:

- a. AF&PA members will report annually to AF&PA on their compliance with AF&PA Sustainable Forestry Principles and Implementation Guidelines.
- b. AF&PA will issue an annual report to the public on its membership's performance regarding compliance with and progress on sustainable forestry, including a listing of all companies complying with the AF&PA Sustainable Forestry Principles and Implementation Guidelines.
- c. An advisory group of independent experts will assist in the preparation of the annual report, including validation of conclusions and the assessment of reported progress.

Objective 12: Provide opportunities for the public and the forestry community to participate in the AF&PA membership's commitment to sustainable forestry
Performance Measures:

a. AF&PA members will support and promote appropriate mechanisms for public outreach, education, and involvement related to forest management, such as:

- 800 numbers.
- environmental education.
- private and public sector technical assistance programs.

b. AF&PA members will establish an appropriate procedure at the state level to address concerns raised by loggers, consulting foresters, employees, or AF&PA members regarding practices that appear to be inconsistent with the AF&PA Sustainable Forestry Principles and Implementation Guidelines.

c. AF&PA members will establish a national forum of loggers, landowners, and senior industry representatives, including CEO representation, that will meet at least twice annually to review progress toward the AF&PA Forestry Principles and Implementation Guidelines. The results of each meeting will be reported to the Forest Resources Board of Directors.

IV. AF&PA Public Policy Goals For Sustainable Forestry On All Private And Public Land In The United States

Increase Forest Growth, Quality, Diversity and Productivity by Practicing Sustainable Forestry: AF&PA members will support a national goal of sustainable forestry which seeks to increase growth and timber quality of all forests, so that the volume and quality of domestic timber resources available is adequate to meet public needs now and in the future. To accomplish this goal, AF&PA members will continue to:

- (a) increase the productivity of the forests they own and manage
- (b) encourage the establishment of forests on marginal agricultural lands that could more profitably be managed for forestry
- (c) work with the Forest Service and state agencies to strengthen growth, productivity, and timber quality monitoring programs

(d) support federal, state, and local programs and policies that encourage retention and expansion of the productive forestland base and promote long-term forestry investment.

Help to Implement Appropriate Ecosystem Management on Federal Lands. AF&PA members will work with Congress and public agencies to appropriately define and implement active ecosystem management on all National Forest System and Bureau of Land Management lands. This will improve the consistency of land management decision-making and help to accomplish land management goals. To be effective, this effort must include improved accountability for meeting goals. Priority attention should be given to public lands with forest health problems.

Reduce the Risk and Occurrence of Wildfires. AF&PA member will support forest fire protection programs to minimize losses from wildfire. AF&PA members will use on their lands, and promote on all other lands, appropriate methods, including prescribed fire, to reduce forest fuels, improve regeneration success and wildlife habitat, and minimize the potential for catastrophic wildfire. When prescribed fire is used, sound smoke management guidelines and regulations will be followed.

Promote and Utilize Integrated Pest Management. AF&PA members will use on their lands, and promote on all other lands, the principles of integrated pest management in the selection and implementation of pest control programs, including the selective and safe use of pesticides.

Encourage Forest Health and Productivity Research. AF&PA members will support research to minimize wildfire, pests, diseases, and other damaging agents affecting U.S. forests. AF&PA members will encourage research and will monitor the work of other scientists studying the potential impact of climate change, atmospheric pollution, and the cumulative effects on forest health and productivity.

Encourage Continuing Education. AF&PA members will support continuing professional education in state-of-the-art techniques to integrate the management of all forest resources. AF&PA members will inform all employees involved in forest management of their company's plans, policies, and programs to implement the AF&PA Sustainable Forestry Principles and Implementation Guidelines.

Recognize Excellence: AF&PA members will recognize and promote excellence to improve environmental performance by those engaged in forestry operations.

Protect the Ability of All Private Landowners to Manage their Forestland in a Sustainable Manner. AF&PA members will work with Congress, state legislatures, and federal, state, and local agencies to ensure that laws, regulations,

tax structures, and policies promote, rather than compromise, the ability of private landowners to sustainably manage their forestland.

Zoning

Appendix 27-A:TDR SAMPLE Worksheet

This worksheet may be used to provide an estimate of the TDR's and the development potential of properties in excess of seventy-five (75) acres within the Agricultural Conservation (AC) Zoning District. Results of this worksheet are not official.

If you have not subdivided any residential lots from your property under the terms of Section 402.A.1 of the Reading Township Zoning Ordinance continue to Part A. If you have created such lots, skip to Part B.

Part A: Determining Number of TDR's Available for Sale or Donation

- A1. Total area of tract within the AC District in acres: 100
- A2. Determine the number of development units allocated to this property from the scale established in Section 402.A.1 of this ordinance: 8
- A3. Multiply the number in A2 by 2.00.
Delete digits to the right of the decimal and record result: 8*2=16

The figure in A3 is the number of transferable development rights (TDR's) available for sale or donation from this property.

Part B: Determining Number of TDR's Available for Sale or Donation

- A1. Total area of tract within the AC District in acres: 100
- A2. Determine the number of development units allocated to this property from the scale established in Section 402.A.1 of this ordinance: 8
- A3. If you have subdivided residential lots from your property under the terms of Section 402.A.1, record the number of residential lots created: 2
- A4. Subtract A3 from A2: 8-2=6
- A5. Multiply the number in A4 by 2.00.
Delete digits to the right of the decimal and record result: 6*2=12

The figure in A5 is the number of transferable development rights (TDR's) available for sale or donation from this property.

Zoning

Appendix 27-A:TDR Application

TO BE FILLED IN BY APPLICANT:

Application is hereby made for the Transfer of Development Rights (TDR) in compliance with the Article XV of the Reading Township Zoning Ordinance. Applicant hereby certifies that this application is correct and no changes will be made without submitting a written plan for such changes. Please attach TDR Worksheet (Appendix A) to the application.

1. Property Owner(s): _____
2. Owner(s) Address: _____
3. Owner(s) Phone #: _____
4. Applicant: _____
5. Applicant Address: _____

6. Applicant Phone #: _____
7. Location of Property: _____
8. Area of Lot/Parcel: _____
9. Tax Map Parcel ID #: _____
10. Describe Present Uses/Structures: _____

I hereby certify that the proposed application is authorized by the owner of record and that I have been authorized by the owner to make this application as his or her authorized agent:

Signature of Applicant

Date of Application

Zoning
Appendix 27-A:
Statement of Transferability of Development Rights

It is determined by the Board of Supervisors of the Township of Reading, Adams County, Pennsylvania, that _____ development rights may be transferred by sale or donation from the property shown on this plan as of _____.

<name>, Chairman
Reading Township Board of Supervisors

Date

<name>
Reading Township Board of Supervisors

Date

<name>
Reading Township Board of Supervisors

Date