

ORDINANCE NO. 01- 2005

AN ORDINANCE OF THE TOWNSHIP OF HAMILTONBAN, ADAMS COUNTY, AMENDING THE TOWNSHIP ZONING ORDINANCE ADOPTED DECEMBER 7, 1999 BY CHANGING IN ITS ENTIRETY ARTICLE III, SECTION 304, SUB-PARAGRAPH D (RELATING TO LANDSCAPING AND SCREENING IN LARGE PARKING AREAS); BY CHANGING IN ITS ENTIRETY ARTICLE III, SECTION 304, SUB-PARAGRAPH I (RELATING TO MINIMUM DISTANCES IN PARKING AREAS; BY CHANGING IN ITS ENTIRETY ARTICLE III, SECTION 309 SUB-PARAGRAPH A.3 (RELATING TO SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL DISTRICTS); BY ADDING TO ARTICLE VIII, SECTION 803 (RELATING TO MINIMUM AREA AND DENSITY REQUIREMENTS) A PROVISION IN SUB-PARAGRAPH 2 PROVIDING RELIEF ON SETBACKS FOR SINGLE FAMILY DWELLINGS IN THE AGRICULTURAL DISTRICT (A); AND BY REVISING THE ZONING MAP TO REFLECT CERTAIN BOUNDARY CHANGES BETWEEN DISTRICTS.

BE IT RESOLVED that the Board of Supervisors of Hamiltonban Township, Adams County, Pennsylvania, adopt the following amendments to the Township Zoning Ordinance adopted December 7, 1999:

Article II, Section 201. Zoning Map.

The Hamiltonban Township zoning map incorporated by reference in Section 201 shall be and is hereby revised to reflect the following boundary changes between districts:

1) Orrtanna Area. Re-zone from Industrial (I) to Moderate Density Residential (R-2) those properties on the East side of Carroll's Tract Road and West of the Knouse Food property, but excluding the Knouse Food Property, to the existing Moderate Density District (R-2) to the West.

2) Carroll's Tract - Mt. Hope Road intersection. Re-zone from Agricultural (A) to Moderate Density Residential (R-2), six properties lying Southwest of the intersection of Carroll's Tract Road and the Mt. Hope Road South to the Fairfield Borough line.

3) Bullfrog Road. Re-zone from Industrial (I) to Agricultural (A) six (6) non-industrial properties along Bullfrog Road lying to the Southeast of the Industrial Valley Quarries properties and Northwest of the existing Agricultural District (A).

4). Intersection of Route 116 and Iron Springs Road. Re-zone from Agricultural (A) to Commercial (C) that portion of the May Woerner property consisting of a 17.6 acre parcel that is currently divided between Agricultural (A) and Commercial (C).

Article III, Section 304. Relating to Parking Regulations.

The following sub-paragraphs are substituted in lieu of existing provisions which are repealed:

Sub-Paragraph D. "Landscaping and screening for parking areas producing in excess of ten (10) spaces for commercial and/or industrial use or facilities shall be in accordance with requirements of Section 315 of this Ordinance. For all other use, landscaping and screening both shall be as deemed necessary by the Zoning Officer upon recommendations by the Planning Commission and Board of Supervisors with consideration given to overall impact to surrounding properties and/or area."

Sub-Paragraph I. "No off street parking areas or lots shall be closer than ten (10) feet to the principal structure, twenty (20) feet to any side lot line, twenty-five (25) feet to any rear lot line, and twenty (20) feet from any street right-of-way line for all commercial or industrial uses or facilities. For all other uses the distances shall be as deemed necessary by the Zoning Officer upon recommendation by the Planning Commission and Board of Supervisors with consideration given to size of lot, impact to the surrounding properties and/or area, use of adjoining properties, frequency of use of the lot. A minimum allowable distance to any lot line shall be no less than ten (10) feet."

Article III, Section 309 Relating to Sign Regulations.

Sub-paragraph A.3. Signs Permitted in Commercial and Industrial Districts.

The following paragraph is substituted in lieu of existing provisions, which are repealed:

"In lieu of the sign (s) permitted in Section A.1. above, all business and institutions may elect to illuminate the sign(s) and to increase the size in compliance with the following:

a. RETAIL/PROFESSIONAL CENTERS:

1) Along the main road frontage or at the main entrance road into the "Center", one freestanding sign designed and used for the purpose of announcing the "Center" itself or the "Center" and its occupants, is permitted in accordance with the size requirements of a maximum gross surface area of sixty (60) square feet per side of sign and a maximum overall height of six (6) feet and maximum overall length of ten (10) feet.

2) Each individual tenant within a retail/professional "Center" building shall be permitted to utilize one flat, wall style, sign attached to the front of their respective building space. Said signs shall be uniform within a given building, shall not exceed a gross surface area of twenty (20) square feet nor

shall not extend more than eighteen (18) inches beyond the face of the building.

b. ALL OTHER COMMERCIAL AND INDUSTRIAL USES/BUSINESS OR INSTITUTIONS

1) An independent business or institution located upon its own deeded lot/parcel and located more than thirty-five (35) feet back from the main road right-of-way shall be permitted one (1) freestanding sign. Said sign shall not have a gross surface area of more than forty (40) square feet per side of sign, except where only one (1) surface of the sign is utilized, the gross surface area shall not exceed fifty (50) square feet. Such freestanding sign shall not be located in any road right-of-way nor closer than ten (10) feet to any building. Only one such sign is permitted per business or institution.

2) An independent business or institution as described above, not using a freestanding sign as regulated above may use a flat surface or banner style sign attached and parallel to the face of the building. Such sign shall not have a surface area of more than fifty (50) square feet nor extend more than eighteen (18) inches beyond the face of the building.

3) When an independent business or institution, as described in one (1)) above, has more than a single building on the same lot/parcel, a flat surface or banner style sign, not exceeding twenty (20) square feet nor extending more than eighteen (18) inches beyond the surface of the building, can be utilized to identify each building.

4) When two or more independent businesses and/or institutions are located upon a single deeded lot/parcel, only one (1) freestanding sign, as described in one (1)) above shall be permitted. Such freestanding sign shall be shared. Also, each independent business and/or institution will be permitted one (1) flat surface or wall style sign not exceeding twenty (20) square feet nor extending more than eighteen (18) inches beyond the surface of the building can be utilized to identify each business an/or institution. Should no freestanding sign be utilized, then each business and/or institution may have flat surface sign as regulated in two (2)) above. “

Article VIII. Minimum Area and Density Requirements.

Section 803. Sub-paragraph 2 is modified to provide as follows:

2. Minimum required for all uses not otherwise listed:

Lot Area	2 acres
Lot Width	200 feet

Lot Depth	180 feet
Front Yard**	50 feet
Each Side Yard**	25 feet
Rear Yard**	25 feet
Height (maximum)	45 feet
Parking	2 off-street spaces

**Lots used for single-family detached dwellings shall utilize the R-1 district yard and building setback requirements from such structures as found in Article 9 of this Ordinance.

When on-lot sewer facilities are to be utilized, the minimum lot size may be increased by the Township Enforcement Officer or the Department of Environmental Protection for factors relating to health and sanitation.”

ENACTED AND ORDAINED as an amendment to the Zoning Ordinance of Hamiltonban Township of 1999, to be effective June 1, 2005.

ATTEST:

BOARD OF SUPERVISORS
HAMILTONBAN TOWNSHIP

LuAnn Dille, Secretary

Stephen W. Jacobs, Chairman