

A6 SECTION 2 LIGHT INDUSTRIAL DISTRICT (I-2)

A6 Section 2.1 Intent. It is the intent of the Light Industrial District to promote the following:

A6 Section 2.1.1 to cluster industrial development in selected, appropriate locations;

A6 Section 2.1.2 to provide sites for light industries separated from incompatible uses, and

A6 Section 2.1.3 to minimize the hazards and nuisances resulting from the operation of industries.

A6 Section 2.2 District Regulations. Only the uses listed in the following table shall be permitted in the Light Industrial District. All uses must conform to the lot, yard setback, and maximum height regulations stipulated herein, as well as other appropriate requirements of this Ordinance.

MARION TOWNSHIP
Criteria and Standards for the Light Industrial District (I-2)

PERMITTED USES	Lot Requirements The following lot requirements shall be met for each primary use:		Yard Setback Requirements The following lot requirements shall be met:			Maximum Height (feet)
	Minimum Size	Minimum Width (feet)	Maximum Coverage	Front Yard (feet)	Side Yard (feet)	
Land and structures may be used for only the following:						
Primary Uses						
(1) Assembly from electrical components, including the assembly of radios, televisions, and other electronic products.	The minimum lot size shall be determined on the basis of the minimum width, maximum coverage yard setback, parking, and other requirements contained in this Section and Ordinance.	150	Maximum building coverage - all uses 50%	50	50	40
(2) Fabricating of models or test equipment used in research.						
(3) Newspaper publishing.						
(4) Optical instrument systems development.						
(5) Plastics assembly.						
(6) Printing and bindings.						
(7) Radio and television studios, transmitters and towers.			Maximum total impervious coverage - all uses 65%			
(8) Research, engineering or testing laboratories.						
(9) Public utility facilities; essential services.						
Accessory Uses and Structures						

See primary use above to which it is accessory.

ARTICLE VII

SUPPLEMENTAL REGULATIONS

A7 SECTION 1. FLOOD PLAIN CONSERVATION

All land and watercourses defined herein as flood plains shall be subject to the following regulations regardless of the district regulations within which such land and watercourses are located.

A7 Section 1.1 Intent. It is the intent of this section to preserve the natural functions of flood plains, to protect life and property from the hazards of flooding, to protect the waters of the Township, and to minimize the financial burdens which floods impose upon the community. These purposes shall be advanced by preventing certain uses and structures from locating in flood plains while allowing others which will not (1) impede the flow of flood waters, (2) present the hazard of pollution, erosion, and sedimentation of flood plains and watercourses, (3) result in increased surface runoff and downstream flooding, and (4) impede the recharge of aquifers.

A7 Section 1.2 Permitted uses. Flood plains may be only used for the following, provided such uses and structures do not conflict with the limitations of subsection 1.3 below:

A7 Section 1.2.1 the tilling of the land, the raising of crops, fruits, and vegetables, and the raising and keeping of livestock and poultry;

A7 Section 1.2.2 horticultural uses related to the raising, propagating, and selling of trees, shrubs, flowers, and other plant materials;

A7 Section 1.2.3 forestry uses related to the harvesting of lumber products;

A7 Section 1.2.4 public and private conservation areas for the conservation of open space, water, soil, and wildlife resources;

A7 Section 1.2.5 park and recreational areas, including golf courses and driving ranges in districts where permitted;

A7 Section 1.2.6 essential services provided such facilities are designed and built to all sewer authority specifications and regulations which are or may become applicable.

A7 Section 1.2.7 retaining walls, flood retention dams, culverts, and bridges as permitted by the Pennsylvania Department of Environmental Resources; and

A7 Section 1.2.8 customary uses accessory to the above.

A7 Section 1.3 Use Limitations: The uses permitted above in subsection 1.2 are limited as follows:

A7 Section 1.3.1 all buildings, even if customarily associated with the uses permitted, are prohibited except park shelters;

A7 Section 1.3.2 all other uses are prohibited, including, but not limited to, the following which are not interpreted as being customary accessory uses: filling in of the flood plain or relocation of any watercourse; sanitary landfill or dumping of any kind; fences, except two-wire fences which will not impede, retard, or change the direction of the flow of water or catch or collect debris carried by such water; outdoor storage of materials which are buoyant, flammable, explosive, or those hazardous materials listed in Section 38.7 of the Pennsylvania Department of Community Affairs Floodplain Management Regulations, 16 Pa. Code Section 38.7, as amended or supplemented; and on-site sewage disposal systems.

A7 Section 1.3.3 no activity or development shall be allowed within an identified floodway portion of the Flood Plan which would cause any increase in Flood levels during the 100 year flood.

A7 Section 1.4 Site Plan Review. All applications for zoning permits for lots, uses, and structures located within a flood plain shall submit, along with the application, a site plan as required in Article IX of this Ordinance.

A7 Section 1.5 Development in Flood Plain. It shall be the duty of any landowner or developer applying for a permit for development in the Flood Plain as designated in the Flood Insurance Study and accompanying Flood Insurance Rate Map (FIRM) to present evidence that all other necessary governmental permits, including those required by State and Federal laws, have been obtained. This may include permits required by the Pennsylvania Sewage Facilities Act No. 537 of 1965; the Pennsylvania Dam Safety and Encroachment Act of 1979; the Pennsylvania Floodplain Management Act No. 166 of 1978; and the Federal Water Pollution Control Act Amendments of 1972, Section 404, 33 U.S.C. 1334, as amended.

A7 Section 1.6 Exemption. At the discretion of the governing body, Nolin silt loams and flood plain land that has been filled prior to the adoption of this ordinance may be exempted from the provisions of this Section when it is determined that, by use of proper engineering and conservation practices, such exemption will not have the effect of nullifying the intent of this Section. An exemption shall not be granted for development within the Flood Plain as shown in the Flood Insurance Study and accompanying FIRM.

A7 Section 1.6.1 In granting an exemption, the governing body may attach such conditions as necessary to meet the intent of this Section.

A7 Section 1.6.2 To administer an exemption, the Zoning Officer shall report to the governing body on the proposal for which the application is made, shall supply the governing body with a copy of the application and site plan, and shall make a recommendation on the proposed exemption.

A7 Section 1.6.3 Within thirty (30) days from the date of the next regularly scheduled meeting of the governing body after such application was filed and all fees paid, the governing body shall render its decision to the Zoning Officer who shall send it to the applicant within two working days.

A7 Section 1.7 No modification or revision of any flood plain area shall be made without approval of the Federal Insurance Administrator except as provided in A7 Section 1.5 above.

A7 SECTION 2. SLOPE CONTROLS

All land defined herein as having steep slopes shall be subject to the following regulations:

A7 Section 2.1 Intent. It is the intent of this section to control the development of land in areas containing excessive topography for the following purposes:

A7 Section 2.1.1 to limit erosion and sedimentation;

A7 Section 2.1.2 to protect watersheds and limit increases in storm water runoff;

A7 Section 2.1.3 to prevent an increase in the possibilities of landslides and soil subsidence;

A7 Section 2.1.4 to maintain adequate foliage cover on hillsides;

A7 Section 2.1.5 to protect streams from increases in sediment pollution.

A7 Section 2.2 Permitted Uses: Steep slopes may be used as permitted by the district regulations within which they are located, subject to the additional requirements below.

A7 Section 2.3 Principles of Development. Wherever possible, structures and grading of land shall only be located on portions of a lot where the slope is less than twenty-five (25) percent, as herein defined. However, where it is necessary to use steep slopes to permit development of a lot, all such proposals shall, in addition to other applicable regulations of this Ordinance, be in accordance with the following principles of development. All development on steep slopes shall:

A7 Section 2.3.1 be oriented so that grading and other site preparations are kept to an absolute minimum;

A7 Section 2.3.2 where grading is essential, shape such grading to complement the natural land form;

A7 Section 2.3.3 be staged where necessary to complete construction of each stage during a season so that large areas of disturbed land are not left bare and exposed during the winter-spring runoff period;

A7 Section 2.3.4 accomplish all paving as rapidly as possible after grading;

A7 Section 2.3.5 allocate to open space and recreation uses those areas least suited to development, as evidenced by competent soils, geology, and hydrology investigations;

A7 Section 2.3.6 landscape areas around structures to blend them with the natural landscape; and

A7 Section 2.3.7 take measures to minimize erosion and sedimentation and to limit increases in storm water runoff in accordance with other Ordinances and regulation of this municipality and the laws and regulations of the Commonwealth of Pennsylvania.

A7 Section 2.4 Site Plan Review. All applications for zoning permits for lots, uses, and structures located, in whole or in part, on land with steep slopes shall submit, along with the application, a site plan as required by Article IX of this Ordinance. Such application shall also include a plan for storm water management facilities as required by the applicable Subdivision and Land Development Ordinance and a copy of the erosion and sedimentation control plan as required by the Pennsylvania Department of Environmental Resources and the Centre County Conservation District.

A7 SECTION 3. NUISANCE STANDARDS

All uses of land and structures shall be prohibited which:

A7 Section 3.1 produce heat or vibration perceptible by human senses beyond any lot line;

A7 Section 3.2 produce glare from any process which emits harmful ultraviolet rays, including arc welding and acetylene torch cutting, perceptible beyond the lot line; and

A7 Section 3.3 produce electromagnetic radiation or radioactive emissions injurious to human beings, animals, or vegetation, or which interfere with the use of any other property.

A7 Section 3.4 produce dust or fumes which carry beyond any lot line.

A7 SECTION 4. OUTDOOR STORAGE

The outdoor storage of materials shall be subject to the following requirements:

A7 Section 4.1 all outdoor storage of fuel, raw materials, and products, except finished products for retail sale to the public, in any Commercial or Industrial District, shall be completely screened from view from any public right-of-way and Residential District by a sight-obscuring evergreen planting, fence, or wall; and

A7 Section 4.2 all discarded organic rubbish or garbage stored outdoors shall be placed in water-tight, vermin-proof containers.

A7 SECTION 5. WASTE AND SEWAGE DISPOSAL

All methods and plans for the disposal of sewage and wastes shall be designed in accordance with regulations of Marion Township, Centre County and the Pennsylvania Department of Environmental Resources pertaining thereto. A required sewage permit issued by the Sewage Enforcement Officer or the appropriate sewage authority shall be a prerequisite to the issuance of a zoning permit.

A7 SECTION 6. ILLUMINATION

The illumination of any lot, use, or structure shall be arranged in such a manner that the direct rays of the light source shall not enter any dwelling unit or fall within the right-of-way of any public street or highway.

A7 SECTION 7. LANDSCAPING AND SOIL EROSION CONTROL

Unless otherwise regulated by this Ordinance, any vacant portion of a lot not in use shall be planted with grass or similar vegetation, and/or trees and shrubs, except for farm uses and gardens left vacant outside the growing season.

A7 SECTION 8. MOTOR VEHICLE ACCESS

Every building hereafter erected or moved shall be on a lot adjacent to a public street or with motor vehicular access to public street via a private street. The intent of the following regulations is to provide safe and convenient access for servicing, fire protection, traffic circulation, and required off-street parking.

A7 Section 8.1 On arterial streets, access for each lot shall be limited to not more than two driveways for the first three hundred (300) feet of frontage or fraction thereof, and one driveway for each additional three hundred (300) feet of frontage.

A7 Section 8.2 On all other streets, access for each lot shall be provided by not more than one driveway for the first fifty (50) feet of frontage or fraction thereof, and one driveway for each additional fifty (50) feet of frontage.

A7 Section 8.3 No driveway shall be closer to the side or rear property line than five (5) feet, unless the two adjoining property owners mutually agree to a common driveway. A written agreement approved by the Solicitor and Zoning Officer and acceptable to be recorded by the Recorder of Deeds must be submitted with the application for zoning permit.

A7 Section 8.4 Driveways which provide access to all uses other than detached and semi-detached dwellings shall have a throat width of not less than twelve (12) feet or greater than twenty-four (24) feet, and the curb return radius shall not be less than thirteen (13) feet or greater than fifteen (15) feet.

A7 Section 8.5 In all Commercial and Industrial Districts, all driveways shall enter a public street right-of-way at least one hundred (100) feet from the intersection with another public street, except for intersections of two or more arterial streets, in which case the minimum distance shall be at least two hundred (200) feet. In all other districts, all driveways shall enter a public street right-of-way at least fifty (50) feet from its intersection with another public street of any classification. If the lot width is insufficient to provide for the required distance, access shall be as far from the intersection as the lot, safe sight distances, and other provisions of this Ordinance will permit. For all cases cited above, the distance in which access is prohibited shall be measured from the tangent of the curb return of the intersection street cartway to the tangent of the curb return of the driveway, but shall not include, in measurement, any portion of either curb return.

A7 Section 8.6 If two or more driveways of the same lot enter a public street right-of-way, the distance between the entrances of the driveways shall be at least fifty (50) feet.

A7 Section 8.7 Landowner is responsible to obtain Highway Access Permits from the Pennsylvania Department of Transportation.

A7 SECTION 9. OFF-STREET PARKING AND LOADING REGULATIONS

Mud-free off-street parking and loading space shall be provided and maintained for each use and structure hereafter established, erected, altered, or extended in accordance with the provisions of this Section.

A7 Section 9.1 General Regulations.

A7 Section 9.1.1 All required off-street parking spaces shall be used solely for the parking of motor vehicles by residents, visitors, patrons, or employees. No more than two motor vehicles without current and valid inspection stickers as required by the Commonwealth of Pennsylvania shall be parked or stored on any lot unless within completely enclosed buildings, except in the General Industrial District as part of a permitted auto wrecking, junk, and scrap establishment.

A7 Section 9.1.2 Location. All required parking spaces shall be located on the same lot as the use they serve, except that:

A7 Section 9.1.2.1 the owner of two or more abutting lots may locate the use on one lot and the parking space required for the use on another of his abutting lots;

A7 Section 9.1.2.2 two or more abutting property owners may locate the parking space required for their uses on any of their lots if:

A7 Section 9.1.2.2.1 the lot(s) providing the parking space abuts the lot(s) containing the use(s) it serves;

A7 Section 9.1.2.2.2 all of the affected lots are in the same zoning district;

A7 Section 9.1.2.2.3 the total number of spaces provided is not less than the sum of spaces required for all the uses;

A7 Section 9.1.2.2.4 means of pedestrian access is provided from the parking space to the uses so that pedestrians are not required to traverse property owned by other than said property owners, except where public sidewalks may provide the access;

A7 Section 9.1.2.2.5 that a lease, easement, or other form of agreement be executed among said property owners assuring use of the required parking spaces until or unless the required parking spaces are located on the same lot as the use they serve;

A7 Section 9.1.2.3 in the Village Districts the parking spaces required for a use of a lot may be located on another lot provided:

A7 Section 9.1.2.3.1 the lot on which the parking is located is in the C-1 General Commercial District or in the Village District provided that no such lot in the Village shall have more than four (4) parking spaces;

A7 Section 9.1.2.3.2 the lot on which the parking is provided is within sixty-six (66) feet of the lot on which the use is located;

A7 Section 9.1.2.3.3 that a lease, easement, or other form of general agreement be executed among the owners of the lot on which the use and parking are located assuring the use of the required parking spaces until or unless the required parking spaces and the use which the parking spaces serve are located on the same lot. Said lease, easement or other form of agreement shall be submitted to the Solicitor for approval.

A7 Section 9.1.2.4 In all cases above, both lots shall be included in the application for a zoning permit.

A7 Section 9.1.3 All parking spaces and lots open to the sky (i.e., not in garages and carports) shall be located no closer than five (5) feet from any property line, except for abutting property lines of two or more lots exercising the options for common parking stipulated in subsection 9.1.2 above.

A7 Section 9.1.4 All covered parking spaces and lots, including garages and carports, shall not be located within any yard setback area, except when permitted as an accessory building regulated in Article II subsection 4.1 of this Ordinance.

A7 Section 9.1.5 Existing Facilities. Parking spaces and lots serving structures and uses in existence at the date of the adoption of this Ordinance shall not be subject to the requirements of this Section as long as the kind or extent of use is not changed, provided that any parking facility now serving such structures or uses shall not in the future be reduced below such requirements, or if already below such requirements, be reduced further.

A7 Section 9.1.6 Change in Requirements. Whenever there is an alteration or extension of a use or structure which increases the parking requirements according to subsection 9.2 below, the total additional parking required for the alteration or extension shall be provided in accordance with the requirements of that subsection.

A7 Section 9.1.7 Construction. All required off-street parking spaces and aisles shall be covered with an all-weather material. For spaces and aisles which are not part of a parking lot as herein defined, this may include gravel or other crushed stone. However, for parking lots, the paving material shall be limited to asphalt, concrete, or similar hard surface material with all parking spaces designed with a four (4) inch white or yellow stripe painted the entire length of each space in accordance with the dimensional requirements stipulated in subsection 7.9.2 below.

A7 Section 9.2 Required Off-Street Parking Spaces. All uses and structures shall provide off-street parking spaces in an amount equal to, or greater than, the number listed below. The total number of parking spaces necessary for two or more uses on the same lot shall be the sum of that required for each use.

A7 Section 9.2.1 Exception: Village Districts. Parking areas in the Village District, excluding driveways or aisles, shall not occupy more than the equivalent of four (4) parking spaces (720 sq. ft.).

A7 Section 9.2.2 Dimensions. Each required off-street parking space shall be at least ten (10) feet wide and eighteen (18) feet long if set at an angle to the access aisle, or eight (8) feet wide and twenty-four (24) feet long if parallel to the access aisle.

A7 Section 9.2.3 Number and Computations. In computing the required number of spaces, all fractional numbers shall be increased to the next highest integer. When computation is based on the number of employees, the number employed during the largest work shift shall be used.

Use	Number of Required Spaces
1. Residential Uses	
a. Structures with less than four dwelling units	2 per dwelling unit
b. Structures with four or more dwelling units	1.5 per dwelling unit
c. Home occupations	2 per dwelling unit, plus 1 per employee, plus additional adequate parking

2. Commercial Uses

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|--|---|
| a. All retail and service establishments except those specified below | 1 per 250 sq. ft. of retail and service floor area plus 1 per employee |
| b. Furniture stores, contractor's equipment, farm equipment and feed sales, and boat & marine, mobile home, motor vehicle, and monument burial vault and casket sales. | 1 per 400 sq. ft. of enclosed retail and service floor area, plus 1 per 3000 sq. ft. of outside sales area plus 1 per employee. |
| c. Automobile service station | 2 per fuel pump if station provides for repairs, otherwise 1 per pump plus 1 per employee |
| d. Barbers and beauticians | 2 per chair |
| e. Car wash | 4 per stall |
| f. Mortuary | 1 per 4 seats, plus 1 per vehicle maintained on the premises, plus 1 per employee |
| g. Bowling alleys, billiard parlors, table tennis, pinball machines, or similar amusement enterprises | 4 per alley or table, 1 per machine, plus 1 per employee |
| h. Arenas, stadiums, auditoriums, theaters, roller rinks, ice rinks, and dance halls | 1 per four seats with fixed seats, otherwise 1 per four persons based on maximum design capacity |
| i. Business, professional, and financial offices | 1 per 400 sq. ft. of floor area |
| j. Medical and dental offices, clinics | 5 per practitioner |
| k. Eating and drinking | 1 per four persons, based on maximum design capacity |
| l. Hotels, motels, and tourist homes | 1 per room, plus 1 per four persons for restaurants and meeting rooms, based on maximum design capacity |
| m. Campgrounds | 2 plus 1 per camp rental space |

3. Industrial Uses

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| a. All industrial uses except those specified below | 1 per employee, plus 1 for each 25 required spaces |
| b. Auto wrecking, junk, and scrap establishments | 1 per employee plus 5 |
| c. Freight and trucking terminals, moving and storage, parcel delivery and express transfer stations, and wholesale distributions and warehouses | 1 per employee plus 1 per vehicle maintained on the premises |

4. Public and Quasi-Public Uses

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| a. Ambulance, taxi and limousine service | 1 per vehicle maintained on the premises plus 1 per employee |
| b. Bus passenger station | 1 per employee plus 1 per 100 sq. ft. of waiting room |
| c. Child day care center | 1 per employee plus 1 per five children |
| d. Churches and other places of worship | 1 per four seats, based on maximum capacity of the nave |
| e. Clubs, lodges, fraternal organizations; community centers | 1 per three persons, based on maximum capacity |
| f. Commercial cemeteries | 25 plus one per employee |
| g. Golf courses and driving ranges | 2 per tee |
| h. Hospitals | 1 per bed |
| i. Nursing homes and other | 1 per 10 patients, based on maximum capacity, plus 1 per employee |
| j. Public libraries, museums, art galleries, visitor centers. | 1 per 800 sq. ft. |
| k. Schools-institutions of higher education and post secondary schools | 1 per employee plus 1 per student |
| -nursery, kindergarten, elementary | 2 per classroom |
| -secondary schools | 1 per 10 students |

- l. Group Home 1 per staff employee or care giver, plus 1 per client, maximum of 5
- m. Personal care boarding home for adults 1 per unit
- n. Community Center or Halfway House 1 per 3 persons, based on maximum capacity

A7 Section 9.3 Parking Lots. For the purposes of this Ordinance, parking lots are defined as facilities providing off-street parking space for five or more motor vehicles. All parking lots shall meet the design and maintenance standards specified below. All applications for a zoning permit to use land, in whole or in part, as a parking lot as herein defined shall be accompanied by a site plan as stipulated in Article IX.

A7 Section 9.3.1 Dimensions. All parking spaces shall comply with the dimensions specified in subsection 9.2 above. The minimum dimensions of all aisles providing access to parking lot spaces shall be as follows:

Permitted Angles of Parking Space to Aisle (in degrees)	Aisle Width (in feet)	
	One Way	Two Way
Parallel	12	20
30 (150)	12	20
45 (135)	15	20
60 (120)	18	20
90 (90)	24	24

The above permitted angles of parking spaces shall be the only permitted angles. No portion of any parking space shall intrude into the required aisle width. For aisles providing access to parking spaces set at angles other than those specified above, the required aisle width shall be that of the nearest specified angle of parking. If equidistant from specified angles, the greatest aisle width of the two nearest angles shall apply.

A7 Section 9.3.2 Obstructions. Parking lots shall be designed to permit each motor vehicle to proceed to and from all unoccupied parking spaces without requiring the moving of any other parked motor vehicle.

A7 Section 9.3.3 Ingress and Egress. Entrance and exit driveways and aisles linking parking lots to public streets shall comply with the standards for motor vehicle access stipulated in Section 8 of this Article. Parking spaces shall be designed to prevent motor vehicles from backing onto a public street in order to leave the lot.

A7 Section 9.3.4 Location and Yard Requirements. All parking lots shall meet the location requirements stipulated in subsection 9.1.2 above. All yards surrounding the parking lot, exclusive of driveways providing ingress and egress to the lot, shall be bordered by a curb six inches high along the sides of the yard area abutting the parking lot, including spaces and aisles. Such curb may consist of bumpers at the end of each parking space. Setback areas shall be planted with grass or similar vegetative material and may include shrubs, fences, or walls provided they are not placed closer than three feet from any parking space.

A7 Section 9.3.5 Structures. Utility poles, light standards, and similar structures shall not be permitted within any aisle or parking space. Any structure located elsewhere within a parking lot shall be surrounded on all sides abutting the spaces or aisles by a curb six inches high, separated from the structure by at least three feet, the distance to be measured from the broadest point on each side exclusive of any portion greater than ten feet from the ground.

A7 Section 9.3.6 Maintenance. All parking lots shall be kept free of litter and trash. Any vegetative material required herein which dies shall be replaced as soon as recommended seasonal conditions occur for the replacement of the species.

A7 Section 9.3.7 Drainage. All parking spaces shall have a storm water management facilities plan designed to prevent excessive flow of water to public streets, alleys or adjoining properties. This plan must be submitted to the Township Engineer for approval.

A7 Section 9.3.8 Perimeter Planting.

A7 Section 9.3.8.1 The perimeter of all parking areas shall be landscaped with living plant materials to a minimum width of five (5) feet measured from the back of the parking area curb towards the property line or building wall, except where the perimeter is adjacent to a public street, in which case the minimum width shall be seven (7) feet. However, in the C-1 Zone, the front yard to a depth of up to thirty (30) feet measured from the front property line may also be required to be landscaped and shall be planted with approved perimeter planting. The perimeter planting shall include a combination of shrubs, deciduous and coniferous trees, all selected to provide shade and a view-restrictive screen for parking areas. Special consideration shall be given to form, color, texture, density, growth habits and maintenance requirements.

A7 Section 9.3.8.2 Trees and shrubs shall be an integral part of this perimeter planting. Walls, earth mounds and fences or any combination thereof may be included with living plant materials to produce a view-restrictive screen. Headlights of parked vehicles must be obscured from the public way. Grass or other living ground cover shall be planted, mulched and maintained on all portions of the landscaped strip not occupied by other landscape material.

A7 Section 9.3.8.3 A minimum of one (1) tree shall be planted within the perimeter planting area for every forty-five (45) feet of the perimeter of the parking area, exclusive of driveway widths. Required perimeter trees shall be planted no less than twenty-five (25) feet nor greater than fifty (50) feet apart.

A7 Section 9.3.8.4 Trees and shrubs need not be required between parking areas and buildings where said buildings screen the parking areas from adjacent properties. However, in certain areas trees and shrubs may be required in such locations to screen first-floor windows in said buildings. The linear feet of such exempted areas shall not be used to calculate the required number of trees or to determine proper tree spacing, nor shall the trees required for the remaining perimeter be located in the exempted area.

A7 Section 9.3.9 Tree Specifications.

A7 Section 9.3.9.1 Existing trees, if properly located, may be used to satisfy the requirements above for perimeter and interior plantings. Existing trees located closer together than the twenty-five foot minimum shall, for the purpose of calculating the required number of trees, be counted as one (1) tree. No required tree shall be planted closer than twenty (20) feet to an existing columnar tree or twenty-five (25) feet to an existing tree of other shape.

A7 Section 9.3.9.2 The size of all trees shall be a minimum of two and one-half (2 1/2) inches to three (3) inches caliper, measured six (6) inches above ground level. These shall be planted a minimum of three (3) feet from the back of any curbing.

A7 Section 9.3.9.3 All plant material and installation shall follow the American Standard for Nursery Stock and the Code of Standards currently recommended by the American Association of Nurserymen.

A7 Section 9.3.9.4 Trees and shrubs need not be required between parking areas and buildings where said buildings screen the parking areas from adjacent properties. However, in certain areas trees and shrubs may be required in such locations to screen first floor windows in said buildings. The linear feet of such exempted areas shall not be used to calculate the required number of trees or to determine proper tree spacing, nor shall the trees required for the remaining perimeter be located in the exempted area. All trees, shrubs and other site improvements shall be properly maintained with replacements, if necessary.

A7 Section 9.3.10 Sight Distance. At intersections between driveways and/or parking lot aiseways and between driveways and streets, all earth banks and vegetation shall be cut or removed when such will impede vision between a height of two and one-half (2 1/2) and ten (10) feet above the driveways within an area bounded by the edge of the driveway and/or street cartway lines and a line joining points of these lines twenty-five (25) feet from their intersection.

A7 Section 9.3.11 Building structures or ramps. Motor vehicles parked within, under or on top of buildings, parking structures or on ramps shall be screened from public view. On street level, living plant material is required in the setback areas. Walls, earth mounds, fences or any combination thereof may also be included with the plant material. All floors or levels about the street shall be screened by walls, fences or other improved materials.

A7 Section 9.3.12 Walkways. Walkways adjacent to or within off-street parking areas shall be wide enough to provide a minimum of four (4) feet clear horizontal passage exclusive of car overhang, parking meters or other obstructions.

A7 Section 9.4 Loading Regulations. Space for the loading and unloading of vehicles shall be provided when required below. Each required space shall be at least 12 feet in width, 45 feet in length, and have a vertical clearance of at least 14 feet. Spaces shall be located no closer than 10 feet from a public right-of-way and 5 feet from any other lot line, and shall be paved with an all-weather material.

A7 Section 9.4.1 One off-street loading space is required for all non-residential uses with a floor area of at least 5000 sq. ft. but less than 20,000 sq. ft. For non-residential uses which have a floor area of 20,000 sq. ft. or more, one additional space shall be provided for each additional 20,000 sq. ft., or fraction thereof.

A7 Section 9.4.2 Required off-street parking spaces shall not be used for loading and unloading purposes except during hours when business operations are suspended.

A7 Section 9.4.3 All required loading and unloading spaces shall be located on the same property as the use they serve.

A7 Section 9.4.4 The provisions of subsections 9.1.3 and 9.1.4 above pertaining to off-street parking space shall also pertain to all required off-street loading and unloading spaces.

A7 SECTION 10. HISTORIC PROPERTIES

The following additional regulations shall apply to any property listed on the National Register of Historic Places or to any property or portion thereof located within five hundred (500) feet of such historic property:

A7 Section 10.1 The following uses are prohibited regardless of other zoning district regulations for the lands so affected:

A7 Section 10.1.1 Retail establishments for the sale and service and rental of aircraft, boat and marine supplies, contractors' and farm equipment, mobile homes and accessories, motor vehicles and accessories, including automobile service stations and garages, and swimming pools.

A7 Section 10.1.2 All drive-in primary and/or accessory commercial uses.

A7 Section 10.1.3 Beer distributors.

A7 Section 10.1.4 Convenience food stores.

A7 Section 10.1.5 Fast-food restaurants.

A7 Section 10.1.6 Lumberyards and glass distributors.

A7 Section 10.1.7 Animal hospitals and veterinary offices.

A7 Section 10.1.8 All mobile homes, even if placed on permanent foundations.

A7 Section 10.2 No structure shall exceed thirty-five (35) feet in height, subject, however, to the exception and computation provisions specified in this Ordinance.

A7 Section 10.3 For all commercial, industrial and multifamily primary and accessory uses located within five hundred (500) feet of an historic property, a buffer yard of evergreen trees is required along the property boundary (or portion thereof within the five-hundred-foot limit) to the extent necessary to form a visual screen of said uses from the historic property. Such buffer yard shall be installed at the time of development, change in use or expansion in ground coverage by fifty percent (50%) or more of any commercial, industrial or multifamily primary and/or accessory structure or use in accordance with applicable design standards of this Ordinance.

A7 SECTION 11. TEMPORARY USES

Temporary uses shall be permitted by the zoning officer only in the zoning districts specified and according to the requirements of this section and shall be required to obtain a zoning permit. This section shall not apply to accessory uses allowed under the district regulations nor to temporary uses that are clearly incidental to a permanent use. Other temporary uses not specifically allowed by this section are prohibited.

A7 Section 11.1 Temporary uses permitted. The following temporary uses are permitted according to the requirements specified and only for the period of time given:

A7 Section 11.1.1 Carnival or circus.

(a) Permitted in the rural or commercial districts or in the Village District.

(b) The maximum time shall be fifteen (15) days.

(c) No such temporary use shall be located within five hundred (500) feet of any dwelling unit within a residential zoning district.

A7 Section 11.1.2 Christmas tree sales.

(a) Permitted in the rural or commercial districts or in the Village District.

(b) The maximum time shall be forty-five (45) days.

A7 Section 11.1.3 Contractor's office or storage shed.

(a) Permitted in any district only where the use is incidental to a construction project.

(b) Temporary use shall be removed within thirty (30) days after the project is completed or cancelled.

A7 Section 11.1.4 Educational, artistic or recreational events.

(a) Permitted in any district.

(b) The maximum time shall be ninety (90) days.

A7 Section 11.1.5 Religious services.

(a) Permitted in any district.

(b) The maximum time shall be thirty (30) days.

A7 Section 11.1.6 Seasonal sale of farm produce, horticultural products or seafood products.

(a) Permitted in the rural or commercial districts or in the Village District.

(b) The maximum time shall be two hundred seventy (270) days.

A7 Section 11.1.7 Public auctions.

(a) Permitted in the rural or commercial districts or in the Village District.

(b) The maximum time shall be fifteen (15) days.

A7 Section 11.1.8 Livestock exhibition.

(a) Permitted in the rural districts.

(b) The maximum time shall be fifteen (15) days.

(c) No such temporary use shall be located within five hundred (500) feet of any dwelling unit within a residential zoning district.

A7 Section 11.1.9 Flea markets.

(a) Permitted in commercial districts.

(b) The days of the week for use shall be limited to weekends only (Friday, Saturday and Sunday).

A7 Section 11.2 General Regulations. All temporary uses shall meet the following requirements:

A7 Section 11.2.1 The above temporary uses shall at least meet the minimum lot and yard requirements listed in the zoning district in which they are located.

A7 Section 11.2.2 The above temporary uses shall be required to provide off-street parking spaces sufficient to meet the expected number of patrons arriving in vehicles, plus sufficient parking for employees or participants, but shall be exempt from all other parking regulations in Article VII. The above temporary uses shall provide the following number of parking spaces:

Use	Number of Spaces
Carnival or circus	1 per 4 persons based on maximum capacity
Christmas tree sales	1 per 250 square feet of retail area, plus 1 per employee
Contractor's office	1 per employee
Educational, artistic or recreational events	1 per 4 persons based on maximum capacity
Religious services	1 per 4 persons based on maximum capacity
Seasonal sale of farm produce	1 per 250 square feet of retail floor area, plus 1 per employee
Auction or livestock exhibition	1 per 4 persons based on maximum capacity

A7 Section 11.2.3 The above temporary uses shall meet the motor vehicle access requirements of Article VII, Section 8.

A7 Section 11.2.4 Temporary uses that are required to submit a site plan under Article IX, Section 4, may be exempted from said requirement by the action of municipality's Planning Commission, upon request of the Applicant.

A7 Section 11.2.5 All temporary uses shall be provided with adequate sanitary facilities in the ratio of 1 toilet for 25 employees and 1 toilet per 75 persons.

A7 Section 11.2.6 At the end of the specified allowed time period, the temporary use and all debris shall be removed. A cash bond for a minimum of twenty-five dollars (\$25) and not to exceed five thousand dollars (\$5,000.00) shall be posted or a signed contract with a disposal firm licensed by the Centre County Solid Waste Authority shall be required as a part of the application for the temporary use to ensure that all debris is removed. Portions of the cash bond may also be required to ensure the repair of any damage done to a township right-of-way.

A7 Section 11.2.7 At the end of the allowed time period, the temporary use shall be removed. A new permit allowing the same temporary use at the same location may not be issued for a period of ten (10) months from the date the original permit was issued.

A7 Section 11.2.8 No zoning permit shall be issued for a temporary use unless all regulations governing peddling and soliciting has been met by the applicant.

A7 SECTION 12. ADULT BUSINESSES AND ENTERTAINMENTS

A7 Section 12.1 Definition. An adult business or entertainment is any establishment which:

A7 Section 12.1.1 In whole or in part sells, leases, dispenses or displays publications, photographs, drawings, posters, films, videos, or reproductions of any type depicting explicit or implicit sex acts or lewdness; or

A7 Section 12.1.2 Exhibits or permits the exhibition of live sexual acts or implied sexual acts, or solicits or permits solicitation, of persons and/or animals for purposes of indulging in sexual relations or implied sexual relations.

A7 Section 12.2 Special Exception. An adult business or entertainment shall be permitted only as a special exception in the Industrial District.

A7 Section 12.3 Criteria. A special exception shall be granted by the Zoning Hearing Board if the following criteria are met:

A7 Section 12.3.1 No adult business or entertainment shall be located within 750 feet of any 1) residential district; 2) church or other place of worship; 3) cemetery; 4) one (1) mile from school or park;

A7 Section 12.3.2 One parking space shall be provided for each 100 square feet of building area. Parking shall be located in front of the establishment, but not in the front yard setback.

A7 Section 12.3.3 The premises shall be screened on the sides and rear by evergreen plantings at least 5 feet in height at time of planting.

A7 Section 12.3.4 Adult businesses must provide a guard at all times in the video area to prevent sexual contacts or solicitations or more than one person occupying a booth.

A7 Section 12.3.5 No personal contact in the form of providing sexual services shall be permitted.

A7 Section 12.3.6 No more than one person shall be permitted in a video booth at any one time.

A7 Section 12.3.7 No closure or latching devices will be permitted on any booths.

A7 Section 12.3.8 No adult business may be located in a premises licensed to sell alcoholic beverages.

A7 SECTION 13. AIRPORT DISTRICT

A7 Section 13.1 Definitions. As used in this section unless the context otherwise requires; the following terms shall have the meaning assigned:

A7 Section 13.1.1 Airport Elevation. The highest point of an airport's usable landing area measured in feet from sea level.

A7 Section 13.1.2 Approach Surface. A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Subsection C of this Section. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

A7 Section 13.1.3 Approach, Transitional, Horizontal and Conical Zones. These zones are set forth in this section.

A7 Section 13.1.4 Conical Surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

A7 Section 13.1.5 Hazard to Air Navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

A7 Section 13.1.6 Horizontal Surface. A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

A7 Section 13.1.7 Larger Than Utility Runway. A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

A7 Section 13.1.8 Nonprecision Instrument Runway. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in Nonprecision instrument approach procedure has been approved or planned.

A7 Section 13.1.9 Obstruction. Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in this section.

A7 Section 13.1.10 Precision Instrument Runway. A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

A7 Section 13.1.11 Primary Surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in this section. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

A7 Section 13.1.12 Transitional Surfaces. These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at a 90 degree angles to the extended runway centerline.

A7 Section 13.1.13 Utility Runway. A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

A7 Section 13.1.14 Visual Runway. A runway intended solely for the operation of aircraft using visual approach procedures.

A7 Section 13.2 Airport Zones. In order to carry out the provisions of this Section, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to airports in the municipality. Such zones are shown approximately on the zoning map. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

A7 Section 13.2.1 Utility Runway Visual Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

A7 Section 13.2.2 Utility Runway Nonprecision Instrument Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

A7 Section 13.2.3 Runway Larger than Utility Visual Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

A7 Section 13.2.4 Runway Larger than Utility with a Visibility Minimum Greater than 3/4 Mile Nonprecision Instrument Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

A7 Section 13.2.5 Runway Larger than Utility with A Visibility Minimum As Low as 3/4 Mile Nonprecision Instrument Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

A7 Section 13.2.6 Precision Instrument Runway Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

A7 Section 13.2.7 Transitional Zones - The transitional zones are the areas beneath the transitional surfaces.

A7 Section 13.2.8 Horizontal Zone - The horizontal zone is established by swinging arcs of 5,000 feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

A7 Section 13.2.9 Conical Zone - The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

A7 Section 13.3 Airport Zone Height Limitations. Except as otherwise provided in this section, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this section to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

A7 Section 13.3.1 Utility Runway Visual Approach Zone - Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

A7 Section 13.3.2 Utility Runway Nonprecision Instrument Approach Zone - Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

A7 Section 13.3.3 Runway Larger than Utility Visual Approach Zone - Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

A7 Section 13.3.4 Runway Larger than Utility with a Visibility Minimum Greater than 3/5 Mile Nonprecision Instrument Approach Zone - Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

A7 Section 13.3.5 Runway Larger than Utility with a Visibility Minimum as Low as 3/4 Mile Nonprecision Instrument Approach Zone - Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

A7 Section 13.3.6 Precision Instrument Runway Approach Zone - Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.

A7 Section 13.3.7 Heliport Approach Zone - Slopes 8 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.

A7 Section 13.3.8 Transitional Zones - Slope 7 feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 1,241 feet above mean

sea level. In addition to the foregoing, there are established height limits sloping 7 feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping 7 feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

A7 Section 13.3.9 Heliport Transitional Zones - Slope 2 feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface centerline and heliport approach zones centerline.

A7 Section 13.3.10 Horizontal Zone - Established at 150 feet above the airport elevation.

A7 Section 13.3.11 Conical Zone - Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

A7 Section 13.4. Use Restrictions. Notwithstanding any other provisions of this Section, no use may be made of land or water within any zone established by this section in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

A7 SECTION 14. QUARRYING AND MINING REGULATIONS

Use of land for quarrying or mining in the I-1 District shall be permitted as a Conditional Use, provided the Board of Supervisors determines in each instance that such use is essential to the general welfare of the community; that the proposed location will offer reasonable protection to the neighborhood in which the mining operation will occur against possible detrimental effects of the mining operations, taking into consideration the physical relationship of the proposed mining site to surrounding properties and permitted land uses, access to the site from public roads, streets and other public rights-of-way that must be travelled in removing minerals from the site, and the effect of the mining operations on the public water supply. In granting a use permit under this provision, the Board of Supervisors may impose such conditions upon the location of the mining operation as are shown to be necessary and appropriate to protect the public health, safety and welfare. No permit granted under this provision shall be valid unless the mine operator also has secured a valid permit to conduct mining operations from the appropriate state or federal agency having regulatory authority over the conduct of mining operations.

A7 Section 14.1 Standards. Use of land for surface mining in the I-1 District shall be permitted as a conditional use, provided the applicant can show that the mining operation including the affected area:

A7 Section 14.1.1 Will not occur within 200 feet of a public road right-of-way;

A7 Section 14.1.2 Will not occur within 600 feet of land zoned or used other than I-1;

A7 Section 14.1.3 Will not occur within 300 feet of any public park, public building or other public institution, places having unique historic or patriotic interest or value (unless the owner of the site or the governmental body having jurisdiction over the site has consented to the mining operation);

A7 Section 14.1.4 Will result in the land area subject to the application being restored to a condition adequate for residential, industrial or commercial development;

A7 Section 14.1.5 Will provide a bond or other acceptable security in the amount of 100 percent of the cost or improvements for approved screening, which will be returned after the improvements have been satisfactorily installed and have been in place for one year. Acceptability shall be determined on advice of the Township Solicitor. Adequacy as to amount shall be determined by the Township Engineer.

A7 Section 14.1.6 Will provide a bond or other acceptable security in an amount set by the Township Engineer to cover the cost of repairs to any Township roads to be used by the applicant or by other haulers from the site. The amount of such bond will be reviewed annually and any unused portion shall be returned within one year after the site is no longer in use.

A7 Section 14.1.7 Will provide a bond or other acceptable security to ensure that land will be restored as required in item (4) above.

A7 Section 14.2 Requirements. In considering an application for mining, the Board of Supervisors shall consider evidence presented by the applicant and other interested parties. Before granting a permit, the Board shall be satisfied based on the evidence provided that the proposed use:

A7 Section 14.2.1 Will not substantially injure or detract from the lawful existing or permitted uses of neighboring properties;

A7 Section 14.2.2 Will not injure any (public, private, residential or agricultural) water supply source;

A7 Section 14.2.3 Will not adversely affect any fragile environmental system of particular significance to the Township or the region of which it is a part.

A7 Section 14.2.4 Will not adversely affect the logical, efficient and economical extension of public services and facilities throughout the municipality; and,

A7 Section 14.2.5 Will meet such reasonable conditions and safeguards as the Board of Supervisors may require to protect the public health, safety and welfare in accordance with the intent and purposes of the zoning ordinance, including, but not limited to, setback requirements, buffer zones, provisions for adequate access to the mine site and the routing and hours of operation of trucks and other vehicles serving the mine operation through the municipality; the minimizing of noxious, offensive and hazardous conditions resulting from the existence and operation of the mine, and guarantees that the land shall be subject to reclamation after the operation so as to render the land again useful.

A7 Section 14.3 Evidence. Prior to the issuance of any Conditional Use under this ordinance for mining, the Board of Supervisors shall determine that the proposed use will not adversely affect the public health or safety of the Township. In reaching this determination, the Board of Supervisors shall consider the following information as supplied by the applicant or any other party to the proceeding:

A7 Section 14.3.1 The location of the proposed mining operation;

A7 Section 14.3.2 The anticipated depth of any excavations;

A7 Section 14.3.3 The depth of the existing water table;

A7 Section 14.3.4 The probable effect of the mining operation on the existing water table or confined aquifer;

A7 Section 14.3.5 The relationship of the mine site to surface watercourses and bodies of water;

A7 Section 14.3.6 The established water quality of surface waters which may be affected by the mining operation;

A7 Section 14.3.7 The probable effect of the mining operation on the quality of those surface waters;

A7 Section 14.3.8 The nature and content of the overburden to be removed in the course of mining;

A7 Section 14.3.9 The underlying strata in which the minerals to be mined are located;

A7 Section 14.3.10 The probably effect of blasting and other excavation methods upon lawful existing and permitted uses in the areas surrounding the proposed mine site;

A7 Section 14.3.11 The proposed plans by the applicant regarding hours of operation, noise control, dust and traffic, showing specifically how the plans are intended to minimize or eliminate the effects of the activity on residential properties within 1,500 feet of the boundaries of the mining operation; and

A7 Section 14.3.12 Such other information as the Board of Supervisors may require by rule and which examination of the application may reveal to be necessary in order to determine that the proposed Surface Mining operation will comply with the requirements of this zoning ordinance.

A7 Section 14.4 Procedure.

A7 Section 14.4.1 The Board of Supervisors shall forward one copy of all applications for a conditional use for mining to the Township Planning Commission immediately upon receipt for review and comment on all aspects of the application as they relate to the purposes and requirements of this ordinance. The Planning Commission shall prepare a report on the application within 45 days of the receipt of the application, which report shall be presented to the Board of Supervisors during or prior to the public hearing held on the application for conditional use. Copies of the report shall be made available to any party to the proceeding before the Board of Supervisors at a reasonable cost for duplication or reproduction.

A7 Section 14.4.2 No mining operations shall be conducted under a permit issued pursuant to this ordinance unless the mine operator shall have a currently valid permit to conduct the mining operation issued by the appropriate state or federal agency having regulatory authority over the conduct of mining operations.

A7 Section 14.4.3 It is understood that the applicant will submit a copy of its DER application to the Township no later than submission to DER and that, upon receipt by the applicant of conditional approval from DER, the Township will not require further review except as changes in the conditionally approved permit affect the particular concerns of the Township as stated in A7 Section 14.4.1, A7 Section 14.4.2, and A7 Section 14.4.3 above.

A7 Section 14.5 Applications. Each application for a Conditional Use for Surface Mining shall contain the following information:

A7 Section 14.5.1 Present uses of the land to be included in the requested permit.

A7 Section 14.5.2 A location map showing:

A7 Section 14.5.2.1 The extent of the area to be excavated.

A7 Section 14.5.2.2 Boundaries of land to be affected by the Surface Mining operation, including the locations of (i) storage sites for overburden, (ii) access and haulage roads, (iii) storage sites for equipment, and (iv) offices and other structures to be used in conjunction with the mining operations.

A7 Section 14.5.2.3 Boundaries of lands within 500 ft. of the affected area owned by persons other than the applicant and the existing uses of those adjoining lands.

A7 Section 14.5.2.4 The location of all watercourses, bodies of water, public rights-of-way, public buildings, public recreation areas or other public property on or within 2,000 feet of the boundaries of land to be affected by the Surface Mining operation; and

A7 Section 14.5.2.5 Physical or topographical relationship of the land area encompassed within the boundaries described in (2)(b) to those features described in (2)(D).

A7 Section 14.5.3 A post-mining land use plan of the area within 300 feet of any highway, showing:

A7 Section 14.5.3.1 Proposed use or uses of the land following the Surface Mining operations.

A7 Section 14.5.3.2 Proposed topography of land following the Surface Mining operations (indicated by contour lines of no greater interval than 10 feet).