**CHAPTER 27**

**ZONING**

**Part 11**

**Responsibilities of the Township Supervisors**

**§1101. Amendments to Zoning Ordinance or Map.** The Township may amend, supplement, change, modify or replace any provisions of this Ordinance, including the Zoning Map, in accordance with the provisions of the Pennsylvania Municipalities Planning Code as amended from time to time.

**§1102. Conditional Uses.** The Township Supervisors may grant Condition Use approval for only those uses set forth in the District Regulations, pursuant to the express standards and criteria outlined in the Supplementary Use Regulations. In addition, the Supervisors may attach such reasonable conditions and safeguards as they deem appropriate to protect the public welfare and implement the purposes of this Chapter.

(1) Application Procedure. Applications for any Condition Use permitted by this Chapter shall be made to the Zoning Officer who shall refer such applications to the Township Supervisors and forward a copy of the application to the Township Planning Commission for their review and recommendation. The Planning Commission shall conduct its review and make its recommendations within 15 days after the date of the Commission meeting at which the application was reviewed.

(2) Written Statement. All applications for Conditional Uses shall include a written statement describing the tract of land and its intended use. Such statement shall include the following information:

(a) The location of the tract of land;

(b) The present use of the tract for which the conditional use is requested;

(c) The present use of adjoining tracts;

(d) The type of conditional use for which the application is made;

(e) A brief description of the type and extent of the proposed activities;

(f) An estimate of the total development cost of the conditional use; and,

(g) The names of the applicant, the owner of the tract, the developer of the conditional use and the person or organization who will operate the conditional use.

(3) Site Plan. All applications for Conditional Uses shall include a site plan of the proposed development as set forth below. The site plan shall be drawn to a scale not more than 50 feet to the inch and shall be on a sheet no smaller than 18”x24” and no larger than 24”x36”. If the site plan is drawn in two (2) or more sections, a key map showing the locations of the sections shall be placed on each sheet. The site plan shall include:

(a) Title block containing the name of the developer or landowner, date, scale, north arrow and the name and profession of the preparer of the plan;

(b) Tract boundaries showing bearings and distances;

(c) Existing significant natural or man-made features of the site;

(d) Existing and proposed streets, rights-of-way, easements, means of access and setback lines;

(e) Existing buildings, sewers, water mains, culverts, transmission lines, and fire hydrants on or adjacent to the site;

(f) Existing contours at vertical intervals of five (5) feet or less and the datum to which the elevations refer;

(g) Proposed grading and drainage plans;

(h) Proposed plan of any landscaping of the tract showing all paved and planted areas, screens or fences and erosion control measures;

(i) Plans of any proposed sanitary sewer or storm sewer systems and water supply systems; and,

(j) Location, size and floor plan of all proposed buildings or structures and proposed use of all buildings or structures and open or unenclosed areas of the tract.

In cases where little site improvement or development is required or proposed for a conditional use, the Township Planning Commission may authorize waiving the requirement for submittal of certain information that is deemed unnecessary for review of the application. In all cases however, the information submitted shall be adequate for review of the conditional use request.

(4) Hearing Requirements. The Board of Supervisors shall conduct such haring and give such notices as shall be required by the Pennsylvania Municipalities Planning Code as amended from time to time.

(5) Criteria for Conditional Uses. The Supervisors shall, in making decisions on each application for a Conditional Use, consider the following general criteria, in addition to the special criteria established elsewhere in this Chapter:

(a) The purpose of the zone in which the requested conditional use is to be located and the compatibility of the requested conditional use with existing and potential land uses on adjacent tracts of ground;

(b) Whether the specific site is an appropriate location for the use, structure or condition;

(c) Whether the use developed will adversely affect the neighborhood;

(d) Whether the use will create undue nuisance or serious hazard to vehicles or pedestrians;

(e) Whether adequate and appropriate facilities and services will be provided to ensure the proper operation of the proposed use;

(f) The economic, noise, glare or odor effects of the conditional use on adjoining properties and properties generally in the district; and,

(g) Whether satisfactory provision and arrangement has been made concerning the following:

(1) Ingress and egress to the property and structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow, control and access in case of fire or other emergency;

(2) Off-street parking and loading areas;

(3) Waste collection, storage and disposal;

(4) Utilities, with reference to location, availability and compatibility;

(5) Screening and buffering with reference to type, dimensions and character;

(6) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district; and,

(7) Required yards and open spaces.

(6) Decisions. The Board of Supervisors shall render its decision or make its findings in accordance with the provisions of the Pennsylvania Municipalities Planning Code as amended from time to time.

(7) Failure to Hold Required Hearing or Render Decision. In the event the Board of Supervisors fails to act in accordance with the provisions of this Ordinance or the Pennsylvania Municipalities Planning Code with regard to Conditional Use Application the consequence of the same shall be as provided for in the Pennsylvania Municipalities Planning Code as amended from time to time.

(8) Expiration of Decision. Unless otherwise specified by the Supervisors at the time of their action, a Conditional Use authorization shall expire if the applicant fails to obtain any necessary Zoning Permit or comply with the conditions of said authorization within two (2) years from the date of authorization. The Supervisors may grant a longer period of time to obtain a Zoning Permit at the time of their action or at any time prior to the expiration of the period within which the said permit must be obtained for good cause shown. Financial consideration shall not be cause.

(9) Appeals. Nothing in this Section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

(Ordinance No. 99-1, adopted July 20, 1999)