

NOTICE

Notice is hereby given to the citizens and residents of East Buffalo Township, Union County, Pennsylvania, that the Supervisors of East Buffalo Township, Union County, Pennsylvania will hold a public hearing on Monday, April 14, 2025, at 5:30 o'clock P.M. at the East Buffalo Township Municipal Building, 589 Fairground Road, Lewisburg, Pennsylvania 17837, to consider the adoption of an ordinance to comprehensively amend Chapter 27 of the Code of Ordinances of East Buffalo Township regarding Zoning in East Buffalo Township, Union County, Pennsylvania. Copies of the proposed ordinance are available during normal business hours at the East Buffalo Township Municipal Building, 589 Fairground Road, Lewisburg, Pennsylvania, 17837 and at the office of Peter L. Matson, Esquire, Solicitor for East Buffalo Township, 222 Market Street, Lewisburg, Pennsylvania.

EAST BUFFALO TOWNSHIP

Gayle Boudman
Secretary

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EAST BUFFALO TOWNSHIP

ORDINANCE NO _____

AN ORDINANCE OF EAST BUFFALO TOWNSHIP, UNION COUNTY, PENNSYLVANIA, TO COMPREHENSIVELY AMEND CHAPTER 27 OF THE CODE OF ORDINANCES OF EAST BUFFALO TOWNSHIP REGARDING ZONING IN EAST BUFFALO TOWNSHIP.

BE IT ENACTED AND ORDAINED BY THE BOARD OF SUPERVISORS OF EAST BUFFALO TOWNSHIP, UNION COUNTY, PENNSYLVANIA AND IT IS HEREBY ENACTED AND ORDAINED BY AUTHORITY OF THE SAME AS FOLLOWS:

SECTION 1: Chapter 27, Part 2 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended by adding as follows:

§201. Specific Terms.

AGRICULTURAL – The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, aquaculture, animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce (including feed mill); provided, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

AGRICULTURAL BUSINESS/AGRICULTURAL SERVICES – 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, i.e., slaughtering and butchering.

AGRITOURISM – A farm-related tourism or farm-related entertainment activity that takes place on agricultural land and allows members of the general public, whether or not for a fee, to tour, explore, observe, learn about, participate in or be entertained by an aspect of agricultural production, harvesting, husbandry or rural lifestyle that occurs on the farm.

BREWERY – A facility that holds a license to manufacture, store and distribute malt or brewed beverages as regulated by Title 47, the Pennsylvania Liquor Code, as amended.

CLUB – A nonprofit association of persons (whether or not incorporated) for a common purpose, but not including groups organized solely or primarily to render a service as a business. This term shall not include **SPORTSMAN CLUB**.

CONCENTRATED ANIMAL OPERATION (CAO) – Agricultural operations where the animal density of all livestock on the farm is between two (2) animal equivalent units (AEUs) per acre and eight (8) AEUs per acre, on an annualized basis.

CONTINUOUS CARE FACILITY – A state-licensed institutional facility providing supervised care services, including meals and full-time skilled or intermediate nursing care, for individuals for a period of not less than one (1) year, usually the elderly, i.e. assisted living facility.

DISTILLERY – Any premises or plant wherein alcohol or liquor is manufactured, made and distilled from raw materials, blended or rectified, or any place wherein alcohol or liquor is produced by any method suitable for the production of alcohol. The term shall not include a **WINERY**.

EVENT SPACE/VENUE – A building or place thereof that is designed for public or private assembly for special events or regularly scheduled programs. Such events may include, but are not limited to, lectures, performances, weddings, receptions, banquets, and fundraisers. Live music performances shall not present a nuisance to neighboring properties. All activities related thereto shall not create a public nuisance with loud noise or disorderly conduct.

FARMETTES – A small parcel of land purchased by a person or family for the enjoyment of the rural countryside and who may raise field crops or animals for pleasure or incidental income.

FORESTRY – The management of forests and timberlands when practiced in accordance with silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

GOLF COURSE – A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways and hazards. A golf course may include a clubhouse, restrooms, driving range and shelters as accessory uses.

GROUP HOME – A residence occupied by eight (8) or fewer persons unrelated by blood, marriage, adoption or guardianship who live together as a single housekeeping unit; i.e. a group family household. Such homes include, but are not limited to, homes for orphans, foster children, the elderly, mentally or physically challenged persons, battered children and women, and specialized treatment facilities providing less than primary health care. Group homes of eight (8) or fewer residents, excluding staff, shall be permitted in all districts which permit single family residential uses.

HEALTH CARE FACILITY – A facility or institution, whether public or private, principally engaged in providing services for health maintenance and the treatment of mental or physical conditions. This term shall include, but not be limited to,

CONTINUOUS CARE FACILITY, NURSING/CONVALESCENT HOME, PERSONAL CARE FACILITY and GROUP HOME.

INDOOR RECREATION – A recreational facility in which all recreational activity is conducted in an enclosed building or structure, including, but not limited to, swimming pools, exercise rooms, dance floors, basketball courts, handball courts and similar activities. This term does not include any activity involving firearms or motor vehicles.

MACROBREWERY – A brewery producing malt or brewed beverages in a quantity greater than seven thousand (7,000) barrels (US barrels) per year.

MALT OR BREWED BEVERAGES – Any beer, lager beer, ale, porter or similar fermented malt beverage containing one-half of one per centum or more of alcohol by volume, by whatever name such beverage may be called, and shall also mean alcoholic cider, fermented fruit beverage and mead.

MICROBREWERY – A brewery producing malt or brewed beverages in a quantity of seven thousand (7,000) barrels (US barrels) or less per year.

MODEL HOME – An erected structure that is intended to serve as a representation of a planned or existing home of the same kind or likeness, and that is to remain as a long-term display of the same. Said structure may contain sales offices or other similar accessory uses incidental to the purposes for which the structure has been erected and may be contained within an approved subdivision for which lots and/or dwellings are actively being marketed.

MOTORSPORTS – A recreational facility and/or area providing indoor and/or outdoor recreational activities involving motor vehicles, including, but not limited to, go-karts, automobile races, motorcycle races and similar activities.

NURSING/CONVALESCENT HOME – A state-licensed institutional establishment which provides full-time convalescent or chronic nursing and/or medical care for individuals, usually the elderly. Such facilities shall not provide surgical, obstetrical or other services generally provided by a hospital.

OUTDOOR RECREATION – The use of land for recreational activities, either of a formal, active or inactive nature, including, but not limited to, sports fields or courts, playgrounds, trails, bike paths, picnicking, table games and similar activities not taking place in an enclosed building or structure.

PAROCHIAL SCHOOL – A private school supported by a particular church or parish.

PERSONAL CARE FACILITY – A state-licensed institutional facility providing supervised care services, including meals and less than full-time skilled or intermediate nursing care, for individuals, usually the elderly.

PROFESSIONAL OFFICE – The office of a practitioner of a calling or occupation, which the Zoning Officer finds to be professional in character by virtue of specialized

knowledge, training, education and/or experience required for the practice of said calling or occupation. Said professions shall include, but not be limited to, law, medicine, chemistry, ministry, architecture, accounting, engineering, writing and education.

WINERY – A tract of land and building for the purpose of the production of wine, including facilities for the processing of juices, grapes and crops into wine and the storage and sale thereof, duly licensed by all applicable federal, local, and Commonwealth of Pennsylvania laws, ordinances, statutes, rules and regulations.

SECTION 2: Chapter 27, Part 2 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended by deleting as follows:

§201. Specific Terms.

HEAVY RECREATION
COMMERCIAL MODEL HOME
LIGHT RECREATION
PUBLIC RECREATION

SECTION 3: Chapter 27, Part 4, Section 401 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§401. Woodland Preservation (W-P).

§401.1 Permitted Principal Uses.

- (a) Game Lands, Wildlife Preserves.
- (b) Clubs for Hiking, Climbing, Hunting, Fishing, etc.
- (c) Agricultural (see §513).
- (d) Farmettes (see §524).
- (e) Plant Nurseries and Tree Farms.
- (f) Riding Stables (see §514).
- (g) Kennels (see §515).
- (h) Single Family Detached Dwellings.

- (i) Wireless Telecommunications (see §506).
- (j) Outdoor Recreation (see §516).
- (k) Forestry (see §529).
- (l) Bed and Breakfast Establishment (see §525).
- (m) Domestic Livestock (see §512).
- (n) Brewery, Distillery, Winery (see §527).

§401.2 Permitted Accessory Uses. Located on the same lot with the Principal Permitted Use:

- (a) Private garage or parking areas.
- (b) Signs (see §504).
- (c) Home Occupations (see §502).
- (d) No Impact Home Based Business (see §522).
- (e) Customary Accessory Uses and structures provided that they are demonstrably incidental to the Principal Permitted Use.

§401.3 Conditional Uses. The following uses are Conditional Uses and require the approval of the Board of Supervisors of East Buffalo Township subject to the provisions of this Chapter.

- (a) Motorsports (see §401.5(a) for Conditional Use criteria).
- (b) Sportsman's Clubs (see §401.5(b) for Conditional Use criteria).
- (c) Waste Storage, Treatment, Processing and/or Disposal Facilities (see §401.5(c) for Conditional Use criteria).
- (d) Mining and Mineral Extraction (see §401.5(d) for Conditional Use criteria)
- (e) Indoor Recreation (see §401.5(e) for Conditional Use criteria).

§401.4 Area, Yard, Coverage and Height Requirements.

(a) Game Lands and Wildlife Preserves.

- (1) Minimum Acreage – 10 acres.
- (2) Minimum Lot Width – 400 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of the total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Public Uses – 40 feet.

(b) Clubs for Hiking, Climbing, Hunting, Fishing, Gunning, etc.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 200 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) – 40 feet.

(c) Agricultural.

(1) Minimum acreage – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height –

(a) Residential Structures – 35 feet.

(b) Farm Structures – 80 feet.

(c) Non-Residential/Non-Farm Structures – 40 feet.

(d) Farmettes.

(1) Minimum Lot Size - 3 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 50 feet.

(e) Plant Nurseries and Tree Farms.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Non-Residential/Non-Farm Structures – 40 feet.

(f) Riding Stables.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Non-Residential/Non-Farm Structures – 40 feet.

(g) Kennels.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Non-Residential/Non-Farm Structures – 40 feet.

(h) Single Family Detached Dwellings.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 75 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Residential Structures – 35 feet.

(i) Telecommunications Facilities.

(1) Minimum Lot Size (outside of rights-of-way) – Minimum lot size in Zoning District OR area needed to accommodate the wireless telecommunications facility, support structures and fall zone, guy wires, equipment, building, fencing and screening, whichever is greater. Provided, however, that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted, shall comply with the minimum lot size as set forth in the Zoning District regulations in this Part 4.

(2) Setbacks (Towers outside of rights-of-way) – Setback from property lines a distance equal to the combined height of the wireless support structure and antenna OR the underlying Zoning District requirements, whichever is greater. Provided, however: 1) that the setback from property lines shall be increased to 110% of the combined height where the applicant has not demonstrated that a collapse of the support structure will not exceed the height of the support structure (see §506.4(a)(10) application requirements); 2) that the setback shall be increased by an additional 25 feet where the use abuts a residential Zoning District or residential use; and, 3) that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted shall comply with the setback requirements as provided in the Zoning District regulations set forth in this Part 4.

(3) Setbacks (Equipment and Buildings outside of rights-of-way) – Underlying Zoning District setback for principal use.

(4) Maximum Height – Wireless telecommunications facilities shall be designed to minimum functional height (see 506.4(a)(10) application requirements). Provided, however, that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted shall not exceed the height permitted for buildings in said Districts as provided in this Part 4.

(j) Outdoor Recreation.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Public Uses – None.

(k) Forestry.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Non-Residential/Non-Farm Structures – 40 feet.

(l) Bed and Breakfast Establishments.

(1) Minimum Lot Size – 3 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Non-Residential/Non-Farm Structures – 40 feet.

(m) Brewery, Distillery, Winery.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(n) Waste Storage, Treatment, Processing and/or Disposal Facilities.

(1) Minimum Lot Size – 100 acres.

(2) Minimum Lot Width – 1,000 feet measured at the edge of the right-of-way of the public or private street or road which provides ingress and egress to and from the site.

(3) Setbacks

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Non-Residential/Non-Farm Structures – 40 feet.

(6) All buildings, structures, and parking shall comply with the setbacks provided for in this Chapter.

(7) All yards shall be adequately enclosed with a fence at least 8 feet in height.

(8) One point of ingress and egress shall be permitted and constructed to prevent debris associated with the operation from being deposited on the public or private street or road.

(9) A copy of all permits and licenses from local, state, federal or other regulatory bodies or agencies shall be submitted to the Township with an application for a Zoning Permit, and each application for a renewal thereof.

(10) Compliance with all local, state, federal regulations, laws or ordinances, including but not limited to, the “Solid Waste Management Act”. If any of the same are inconsistent herewith, the provisions which are more restrictive, in the opinion of the Township, shall have priority unless otherwise prohibited by law.

(o) Mining and Mineral Extraction.

(1) Minimum Lot Size – 10 acres.

(2) Minimum Lot Width – 400 feet measured at the edge of the right-of-way of the public or private street or road which provides ingress and egress to and from the site.

(3) Setbacks

(a) Front Yard – 200 feet from the edge of the said right-of-way.

(b) Side Yard – 100 feet from the property line(s).

(c) Rear Yard – 100 feet from the property line(s).

(4) Maximum Building Height – 60 feet above the average finished grade of the immediate site.

(5) All buildings, structures, mining and mineral operations and parking shall comply with the setbacks provided for in this Chapter.

(6) All yards shall be adequately enclosed with a fence at least 8 feet in height.

(7) One point of ingress and egress shall be permitted and constructed to prevent earth, stones, mud and all other debris associated with the operation from being deposited on the public or private street or road.

(8) A copy of all permits and licenses from local, state, federal or other regulatory bodies or agencies shall be submitted to the Township with an application for a Zoning Permit, and each application for a renewal thereof.

(9) Compliance with all local, state, federal regulations, laws or ordinances, including but not limited to, “Surface Mining Conservation and Reclamation Act”, “Non-Coal Surface Mining Conservation and Reclamation Act”, “Oil and Gas Act”, and “Bituminous Mine Subsidence and Land Conservation Act”. If any of the same are inconsistent herewith, the provisions which are more restrictive, in the opinion of the Township, shall have priority unless otherwise prohibited by law.

§401.5 Conditional Use Criteria.

(a) Motorsports. In addition to all other provisions of this Chapter, the following criteria shall apply to Motorsports:

(1) Minimum of 50 contiguous acres.

(2) Setbacks.

Front Yard – 200 feet from the right-of-way line abutting the subject lot or tract.

Side Yard – 100 feet from property line.

Rear Yard – 100 feet from property line.

(3) Screening – Entire tract enclosed by a 14 feet solid wall or fence with conifer trees planted on the exterior of the wall or fence at a maximum of 15 foot intervals.

(4) No overnight accommodations will be permitted.

(5) All activity shall cease between 10:00 P.M. and 8:00 A.M., except for emergencies.

(6) Security shall be provided during operating hours.

(7) Applicant shall establish to the satisfaction of the Township that there is an adequate water supply for the intended use and that adequate provisions are made for sewage disposal.

(8) Applicant shall submit a plan for the said development that shall include all of the information required for Preliminary Plan approval as set forth in the Township's Subdivision and Land Development Ordinance.

(9) Compliance with all applicable laws.

(b) Sportsman Clubs. In addition to all other provisions of this Chapter, the following criteria shall apply to Sportsman Clubs:

(1) Minimum of 10 contiguous acres.

(2) Setbacks. Facilities shall be setback 200 feet from adjacent occupied dwellings.

(3) Applicant shall establish, to the satisfaction of the Township, that there is an adequate water supply for the intended use and that adequate provisions are made for sewage disposal.

(4) Applicant shall submit a plan for the said development that shall include all of the information required for Preliminary Plan approval as set forth in the Township's Subdivision and Land Development Ordinance.

(5) For purposes of the granting of a Conditional Use, all activities involving firearms shall be considered under this subsection.

(c) Waste Storage, Treatment, Processing and/or Disposal Facilities. Ten (10) copies of all Plans, Documents and Reports shall be submitted with the Application for Conditional Use (Sewage Treatment Facilities, Animal Waste Facilities and Farm Dumps shall be exempt from these requirements).

(1) No facilities considered for Conditional Use under this Section shall be processed unless fully permitted by the Pennsylvania Department of Environmental Resources, the United States Environmental Protection Agency, and such other Federal, State, County or Municipal Agencies as may be required under the applicable Statutes, Regulations, or Ordinances.

(2) All facilities considered for Conditional Use under this Section shall not be sited in the following locations (All distances from a facility or structure shall be measured from the property line(s) of the facility):

(a) Within ½ mile of a well or spring used for a community water supply.

(b) Within ½ mile of either side of a stream or impoundment for a distance of 5 stream miles upstream of a surface water intake for a community water supply.

(c) Within ½ mile of a private or non-community water supply or as otherwise provided by local, state, federal ordinances, statutes, laws, regulations or rules.

(d) Within any 100 year flood plain or a larger area that the flood of record has inundated.

(e) Within any wetland areas.

(f) Over any active or inactive oil or gas wells or storage areas.

- (g) Over any formations of carbonate bedrock.
- (h) Within ½ mile of any National Landmark or historic site as listed on the National Register of Historic Places.
- (i) Within any Agricultural Security Area.
- (j) In farmlands identified as Class I agricultural lands.
- (k) Within ½ mile of any school, church, hospital, clinic, daycare facility, prison, jail, halfway house, rehabilitation facility, airport, retail center, nursing home, or government building.
- (l) In Exceptional Value Watersheds.
- (m) Within ½ mile of any designated Well-Head Protection Area or any designated Aquifer Protection Area.
- (n) Within ½ mile of persons certified as “at-risk” by at least two physicians licensed by the Commonwealth of Pennsylvania.

(3) All facilities considered for Conditional Use under this Section shall submit a “Community and Environmental Impact Analysis”, which shall include the following information:

- (a) Hydrologic Analysis and Information.
- (b) Geologic Analysis and Information.
- (c) Soils Analysis and Information.
- (d) Location of Mineral Bearing Areas.
- (e) Land Use Impacts.
- (f) Transportation and Traffic Impacts.
- (g) Emergency Management and Public Safety Impacts.
- (h) Economic Impact Analysis, including specific information concerning impacts upon agriculture.
- (i) Air Quality Impact Analysis, including specific information concerning impacts upon human health, animals and vegetation.
- (j) Community Character Impact Analysis.

(4) Standards for the above listed impact analysis shall conform to the following provisions:

(a) Transportation and Traffic Impact Analysis shall contain the following:

(1) A description of the Transportation and Traffic Impact Area, including its major roads and potential traffic generation rates to be determined by current acceptable traffic generation references. The impact area shall incorporate all roads, which will be used by vehicles, which will either originate or have a destination at the proposed facility. Existing 24-hour and peak hour traffic volume data will be provided for all streets which provide access to the proposed facility, and for all the collector and arterial streets, which will serve the facility, as well as any major intersections within the impact area. The designation of the impact area, intersections and roads which are to be part of the study shall be subject to review and approval by the Planning Commission.

(2) Estimates of the total number of vehicle trips to be generated by the proposed use for typical 24-hour period, typical A.M. and P.M. peak periods, and maximum 24-hour and peak-hour periods.

(3) Assignment of future 24-hour and peak-hour volumes to the road network and other streets which will serve the proposed facility based upon the projection of increased traffic volumes within the impact area.

(4) Projected 24-hour and peak-hour turning movements for all access points to the proposed facility at any major intersection used by traffic originating or destined for the proposed facility.

(5) A capacity and level of service analysis on the major intersections and roadways which will be impacted by the additional volumes generated by the proposed use.

(6) Accident analysis of all intersections and roadways within the impact area, categorized by accident type at each location.

(7) Structural analysis of intersections and roadways which will be used by traffic originating at or destined for the proposed facility, including designation of areas of inferior design, inadequate maintenance, and the ability of the existing roads to carry traffic of the volumes and weights which will be using the roadway for access to or from the proposed facility.

(8) A description of any street or road improvements which would be required in order to avoid problems or traffic congestion, traffic safety or deterioration to existing streets and roads because of increased traffic volume or weight of traffic.

(9) The cost estimates of any proposed improvements that may be required.

(10) Description of any action proposed or offered by the applicant to correct or alleviate the impact of the proposed facility on the transportation network.

(11) The report shall contain the source of the standards used, a description of the procedures and analysis undertaken and the recommendations and conclusions of the professionals who prepared the report.

(12) Should the applicant's transportation system include non-road systems, the report shall contain the above analysis for said system(s).

(b) Environmental Impact Study. An Environmental Impact Study shall be prepared and submitted with the Application. The Environmental Impact Study shall describe, identify and analyze all environmental aspects of the site and of neighboring properties which may be affected by the proposed operations or the ultimate use proposed to be conducted on the site. The limits of the impact area to be studied shall be reviewed and approved by the Planning Commission. The Environmental Impact Study shall include, but not be limited to:

(1) Underlying geology and soils, including depth, locations, types, characteristics and permeability or rock and soils types. All Class I soil types shall be mapped and identified.

(2) Existing surface water, including ponds and streams, shall be mapped and identified. The analysis shall include sources and destinations of surface water runoff, pre and post development runoff volumes and rates, analysis of chemical additives, erosion and sedimentation control plans, stormwater management facilities for the 2, 5, 10, 25, 50 and 100 year frequency storms to prevent any increase in runoff volumes and rates.

(3) Existing and proposed impervious ground cover and the extent and type of existing and proposed vegetative ground cover.

(4) Existing wetlands and the changes or steps proposed which would modify or protect the existing wetlands and their continued viability.

(5) Existing and proposed elevations and contours, areas of slope in excess of 15%, and proposals to prevent erosion and damage to such steep slope areas.

(6) Existing and proposed potable water and sanitary or industrial sewage disposal and/or treatment facilities.

(7) An analysis of the impact of the proposed facility on existing plant and marine species, animal species, wildfowl and other birds, drainage and runoff, ground and surface water quantity and quality, wetlands, historic, cultural or archaeology sites.

(8) The study shall identify all critical impact areas on site or off the site which may be impacted by the proposed or ultimate use of the facility, including the impact on the critical areas, the protective measures and procedures to protect the critical areas from damage, and the actions to be taken to minimize environmental damage to the critical areas on the site and surrounding areas during and after completion of the operation. Critical impact areas include, but are not limited to, stream corridors, streams, wetlands, slopes in excess of 15%, Class I Agricultural lands, highly acidic or erodible soils, carbonate or highly fractured bedrock, aquifer recharge and discharge areas, areas of unique or protected vegetation, wildlife habitat, and areas of historic, cultural and/or archeological significance.

(c) Air Quality Study. An Air Quality Study shall be prepared and submitted with the Application which shall include analysis of the existing and predicted air quality levels, including smoke, odors, fumes, dust and pollutants, at the site, prepared by experts acceptable to the Township. A report of the expert(s) shall contain the sources of the information, the data and background tests which were conducted, and the conclusions and recommendations of the professionals preparing the report which would be required to maintain the air quality at a level

equal to or better than the existing background level prior to the proposed use.

(d) Acoustics Study. An Acoustics Study shall be prepared and submitted with the Application. The Study shall be prepared by an acoustic expert(s) acceptable to the Township. The Study shall identify the existing background level of noise and the anticipated noise impact from the proposed use. The report shall contain measures of existing ambient measurements, estimates or the noise measurements to be anticipated from the type of operations and equipment, which are proposed for the use, and if there are any significant increases in the noise levels. The report shall also contain specific proposals, which are intended to reduce noise levels emanating off the site. The Study shall be based upon actual sound level measurements and estimates of potential noise impact at the property lines of the site proposed for the proposed use.

(e) Hydrogeologic Study. A Hydrogeologic Study shall be prepared and submitted with the Application. The Study shall be prepared by a hydrogeologist acceptable to the Township. The Study shall evaluate the existing surface and subsurface hydrogeology, based upon historical data and on-site investigation and studies where such historical data, in the judgment of the Planning Commission, is inadequate. The Study shall identify ground water discharge and recharge areas which may be affected by the proposed use, map the groundwater table and analyze and delineate the effects of the proposed use on the hydrology, including surface and ground water quantity and quality.

(5) All facilities considered for Conditional Use under this Section shall submit the following information:

(a) A description of the specific types of waste(s) the applicant proposes to accept for storage, treatment, processing or disposal at the site.

(b) A description of the specific technology(ies) and procedures the applicant proposes to utilize at the facility.

(c) Preliminary specifications and architectural drawings of all structures and appurtenances to be located on the site.

(d) An approved site or land development plan.

(e) A statement of qualifications to operate a waste storage, treatment or disposal facility.

(f) A complete compliance history for any and all facilities owned and/or operated by the Applicant, any parent, subsidiary or cooperative owner/operator of waste storage, treatment, processing or disposal facilities as per Pa. DEP Form HW_C (Compliance History and Instructions).

(g) Any and all information supplied to the Pa. Department of Environmental Protection or the U.S. Environmental Protection Agency regarding the proposed site and/or facility.

(h) The names and addresses of any person, cooperation or partnership having any financial interest in the construction, permitting, operation and/or closure of such facility.

(i) Any and all royalty and/or contingent payment agreements related to siting, permitting and/or operation of such facility.

(j) All documents required under Federal, State, County or Municipal Statutes, Regulations and/or Ordinances.

(k) All insurance policies, closure accounts and/or documents relating to self-insurance for the subject application.

(l) A proposed (DRAFT) siting agreement specifying the terms, conditions and provisions under which the facility shall be constructed,

maintained and operated, including but not limited to the following terms, conditions and provisions:

(1) Facility construction and maintenance procedures.

(2) Operating procedures and practices, the design of the facility and its associated activities.

(3) Monitoring procedures, practices and standards necessary to assure and continue to demonstrate that the facility will be operated safely.

(4) The services to be offered by the applicant to the Township.

(5) The compensation, services and special benefits to be provided to the Township by the applicant and the timing and conditions of their provision.

(6) Provisions for renegotiation of any term, condition or provision of the siting agreement, or of the entire agreement.

(7) Provisions for resolving any disagreements in the construction and interpretation of the siting agreement that may arise between the parties.

(8) Provisions for compensation to be paid to abutting landowners, residents, occupants, or impacted municipalities, landowners, residents or occupants.

(9) Provisions for direct monetary payments to the Township and special services to be provided for demonstrable adverse impact.

(10) Provisions to assure the health, safety, comfort, convenience and social and/or economic security of the residents of the Township.

(11) Provisions to assure the continuing economic viability of the project.

(12) Provisions to assure the protection of environmental and natural resources.

(13) Provisions to provide landowners, residents, occupants, businesses, industries and governmental bodies for adverse economic impact demonstrably attributable to the facility.

(14) Provisions to compensate the Township, the County and/or other governmental bodies or agencies for the review costs incurred due to the applicant's proposal.

(15) Provisions to provide site access to any and all Township, County, State or Federal Employees and/or consultants hired by those governmental bodies regarding review of the proposal or the site.

(6) All facilities considered for Conditional Use under this Section shall require a minimum of 100 acres, exclusive of 100 year floodplain, jurisdictional wetlands, Prime Agriculture Lands (USDA/SCS Class I and II soils) and slopes in excess of 15%.

(7) All facilities considered for Conditional Use under this Section shall require a minimum buffer distance of 300 feet surrounding wetlands, Class I Agricultural lands, hydric soils and aquifer or ground water recharge areas from the facility boundary.

(8) No facility considered for Conditional Use under this Section shall be within 1,000 feet of the West Branch of the Susquehanna River or Buffalo Creek or within 500 feet of any other body of surface water.

(9) All facilities considered for Conditional Use under this Section shall limit groundwater intake from carbonate aquifers to 100,000 gallons per day.

(10) All facilities considered for Conditional Use under this Section proposing groundwater usage shall submit a groundwater management plan for review and approval.

(11) The adequacy of applicant submissions shall be determined by the Township Engineer and/or Consultant(s) as designated by the Township Supervisors.

(12) All applications for Conditional Use under these Sections shall include the following certification:

“I, the undersigned, under the pains and penalties of perjury, certify that I have personally examined and am familiar with the information submitted in and with this application and the attached and/or enclosed documents supporting the application, prepared by or under the action of the applicant/developer, and that the information contained in the application and supporting documents is true, accurate and complete.”

This certification is to be signed by the Chief Executive Officer of the Application Entity.

(13) Compliance with all local, state and federal regulations, laws or ordinances, including but not limited to the “Solid Waste Management Act”. If any of the same are inconsistent herewith, the provisions which are more strict, in the opinion of the Township, shall have priority unless otherwise prohibited by law.

(d) Mining and Mineral Extraction. In addition to all other provisions of this Chapter, the following criteria shall apply to Mining and Mineral Extraction:

(1) Minimum lot area – 10 acres.

(2) Minimum lot width – 400 feet, measured at the edge of the public or private street/road edge right-of-way which provides ingress and egress to the site.

(3) Setbacks.

(a) Front Yard – 200 feet from the edge of the said right-of-way.

(b) Side Yard – 100 feet from the property line(s).

(c) Rear Yard – 100 feet from the property line(s).

(4) Maximum Building Height – 60 feet above the average finished grade of the immediate site.

(5) All buildings, structures, mining and mineral extraction operations, and parking shall comply with the setbacks provided for in this Chapter.

(6) All yards shall be adequately enclosed with a fence at least eight (8') feet in height.

(7) One point of ingress and egress shall be permitted and constructed to prevent earth, stones, mud and all other debris associated with the operation from being deposited on the public or private street or road.

(8) A copy of all permits and licenses from local, state, federal or other regulatory bodies or agencies shall be submitted to the Township with an application for a Zoning Permit, and each application renewal thereof.

(9) Compliance with all local, state and federal regulations, laws or ordinances, including but not limited to “Surface Mining Conservation and Reclamation Act”, “Non-Coal Surface Mining Conservation and Reclamation Act”, “Oil and Gas Act” and “Bituminous Mine Subsidence and Land Conservation Act”. If any of the same are inconsistent herewith, the provisions which are more strict, in the opinion of the Township, shall have priority unless otherwise prohibited by law.

(e) Indoor Recreation. The Board of Supervisors shall attach appropriate conditions and safeguards related to dimensional criteria and operations for the proposed facility including, but not limited to the following:

(1) Minimum lot area – 2 acres.

(2) Setbacks.

(a) Front Yard – 30 feet from the edge of the public right-of-way line.

(b) Side Yard – 15 feet from the property line.

(c) Rear Yard – 20 feet from the property line.

(3) The hours of operation for the facility shall be from 9 a.m. until 9 p.m.

SECTION 4: Chapter 27, Part 4, Section 402 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§402. Agricultural Preservation (A-P).

§402.1 Permitted Principal Uses.

- (a) Agricultural (see §513).
- (b) Agricultural Business/Agricultural Services.
- (c) Single Family Dwellings (Non-Agricultural).
- (d) Wireless Telecommunications (see §506).
- (e) Principal Solar Energy System (see §509).
- (f) Small Cell Wireless Facility (see §510).
- (g) Animal Husbandry.
- (h) Concentrated Animal Operation (see §520).
- (i) Bed and Breakfast Establishment (see §525).
- (j) Brewery, Distillery, Winery (see §527).
- (k) Forestry (see §529).
- (l) Farmettes (see §524).

§402.2 Permitted Accessory Uses. Located on the same lot with the Principal Permitted Use:

- (a) Seasonal roadside stands for the sale of farm products, grown or produced on the premises and within the normal growing season for said produce. Off street parking shall be provided (see §521).
- (b) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).
- (c) Home Occupations (see §502).
- (d) Signs (see §504).
- (e) No Impact Home Based Business (see §522).

- (f) Parochial School (see §523).
- (g) Agritourism (see §526).
- (h) Event Space/Venue (see §528).

§402.3 Conditional Uses. The following uses are Conditional Uses and require the approval of the Board of Supervisors of East Buffalo Township subject to the provisions of this Chapter.

- (a) Indoor Recreation (see §402.5(a) for Conditional Use criteria).

§402.4 Area, Yard, Coverage and Height Requirements.

- (a) Agricultural (non-residential buildings or structures).

- (1) Minimum Acreage – 35 acres.

- (2) Setbacks

- (a) Front Yard – 50 feet from the edge of the public right-of-way, or 75 feet from the centerline of the road, whichever is greater.

- (b) Side Yard – 40 feet from the property line.

- (c) Rear Yard – 40 feet from the property line.

- (d) Setbacks for animal confinement, feeding, sheltering, manure storage treatment and/or breeding facilities shall be in compliance with the provisions of the “Nutrient Management Act” or any similar act as amended from time to time, or 100 feet, whichever is greater.

- (3) Maximum Impervious Coverage – 10% of the gross contiguous acreage.

- (4) Maximum Building Height – 100 feet above the average finished grade of the immediate site.

- (b) Agricultural Business/Agricultural Services.

- (1) Minimum Lot Size – 1 acre; Maximum Lot Size – 5 acres.

- (2) Minimum Lot Width – 200 feet measured at the edge of the right-of-way of the public or private street or road which provides ingress or egress to and from the site.

(3) Setbacks

(a) Front Yard – 50 feet from the edge of the public right-of-way or 75 feet from the centerline of the road, whichever is greater.

(b) Side Yard – 40 feet from the property line.

(c) Rear Yard – 40 feet from the property line.

(4) Maximum Impervious Coverage – 80% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height – 35 feet above the average finished grade of the site. Silos for grain and feed storage are exempt from height requirements but shall not be greater than the distance from the location of the silo to the property line.

(7) Parking pursuant to the provisions of this Chapter.

(8) Adequate year round visual screening shall be installed on the side(s) and rear of any area used for the outside storage of new or used equipment or merchandise.

(c) Single Family Dwellings (Non-Agricultural).

(1) Minimum Lot Size – 1 acre; Maximum Lot Size – 2 acres.

(2) Minimum Lot Width – 200 feet measured at the edge of the right-of-way of the public or private street or road which provides ingress and egress to and from the site.

(3) Setbacks

(a) Front Yard – 50 feet from the edge of the public right-of-way or 75 feet from the centerline of the road, whichever is greater.

(b) Side Yard – Principal Structure – 40 feet from the property line; Accessory Structure – 20 feet from the property line.

(c) Rear Yard – Principal Structure – 40 feet from the property line; Accessory Structure – 20 feet from the property line.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height – 35 feet above the average finished grade of the site.

(d) Wireless Telecommunications.

(1) Minimum Lot Size (outside of rights-of-way) – Minimum lot size in Zoning District OR area needed to accommodate the wireless telecommunications facility, support structures and fall zone, guy wires, equipment, building, fencing and screening, whichever is greater. Provided, however, that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted, shall comply with the minimum lot size as set forth in the Zoning District regulations in this Part 4.

(2) Setbacks (Towers outside of rights-of-way) – Setback from property lines a distance equal to the combined height of the wireless support structure and antenna OR the underlying Zoning District requirements, whichever is greater. Provided, however: 1) that the setback from property lines shall be increased to 110% of the combined height where the applicant has not demonstrated that a collapse of the support structure will not exceed the height of the support structure (see §506.4(a)(10) application requirements); 2) that the setback shall be increased by an additional 25 feet where the use abuts a residential Zoning District or residential use; and, 3) that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted shall comply with the setback requirements as provided in the Zoning District regulations set forth in this Part 4.

(3) Setbacks (Equipment and Buildings outside of rights-of-way) – Underlying Zoning District setback for principal use.

(4) Maximum Height – Wireless telecommunications facilities shall be designed to minimum functional height (see 506.4(a)(10) application requirements). Provided, however, that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted shall not

exceed the height permitted for buildings in said Districts as provided in this Part 4.

(e) Principal Solar Energy System.

(1) Minimum Lot Size – 5 acres; Maximum Lot Size – 50% of the tract of land not otherwise used for structures, driveways, parking lots or other similar uses, not to exceed 50 acres.

(2) Setbacks

(a) Fence – 25 feet.

(b) Panels –

(1) Front Yard – 50 feet.

(2) Side Yard – 50 feet.

(3) Rear Yard – 50 feet.

(c) In all cases, there shall be a minimum distance of 100 feet between the boundary line of adjacent non-participating lands utilized for residential purposes or situate in the R-1, R-2, H-C, G-C and I Zoning Districts and any component of the PSES including buildings, panels, fencing, screening and other equipment.

(d) In the case where the PSES development encompasses multiple tracts of land, the setback requirements shall apply to the development and not the individual tracts of land. The setbacks shall apply to the perimeter of the entire development.

(3) Maximum Impervious Coverage –

(a) The area beneath the ground mounted PSES is considered pervious cover. However, use of impervious construction materials under the system shall be considered impervious and subject to the impervious surfaces limitations provided for in the applicable Zoning District, statutes, ordinances, rules and regulations and if the PSES impervious surface exceed the permitted impervious area, the developer shall comply with the said statutes, ordinances, rules and regulations.

(b) The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the proposed project:

(1) Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

(2) All mechanical equipment of PSES including any structure for batteries or storage cells. **FOR ZONING PURPOSES ONLY**, the solar modules themselves, however, are not included as impervious cover.

(3) Gravel or paved access roads servicing the PSES.

(4) Maximum Height – Ground mounted PSES shall not exceed 10 feet in height as measured vertically from the top of the component and the ground below the component.

(f) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

(g) Animal Husbandry.

(1) Minimum Lot Size – 50 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

- (4) Maximum Impervious Coverage – 20% of total gross lot area.
- (5) Maximum Building Coverage – 10% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 40 feet.

(h) Concentrated Animal Operation.

- (1) Minimum Lot Size – 50 acres.
- (2) Minimum Lot Width – 150 feet.
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 50 feet.
- (b) Side Yard – 50 feet.
- (c) Rear Yard – 50 feet.

- (4) Maximum Impervious Coverage – 20% of total gross lot area.
- (5) Maximum Building Coverage – 10% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 40 feet.

(i) Bed and Breakfast Establishments.

- (1) Minimum Lot Size – 3 acres.
- (2) Minimum Lot Width – 150 feet.
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 50 feet.
- (b) Side Yard – 20 feet.
- (c) Rear Yard – 25 feet.

- (4) Maximum Impervious Coverage – 20% of total gross lot area.
- (5) Maximum Building Coverage – 10% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 40 feet.

(j) Brewery, Distillery, Winery.

- (1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(k) Farmettes.

(1) Minimum Lot Size - 3 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 50 feet.

(l) Event Space/Venue. An Event Space/Venue shall be permitted as an accessory use, subject to the following:

(1) Minimum Lot Size – 5 acres.

(2) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

- (b) Side Yard – 100 feet.
- (c) Rear Yard – 100 feet.
- (d) All structures shall be setback 150 feet from buildings located on adjacent properties.
- (e) Parking – there shall be a buffer yard of 75 feet from any building or structure.
- (3) Maximum Impervious Coverage – 40% of total gross lot area.
- (4) Maximum Building Coverage – 10% of total gross lot area.
- (5) Maximum Building Height – 40 feet.

§402.5 Conditional Use Criteria.

(a) Indoor Recreation. The Board of Supervisors shall attach appropriate conditions and safeguards related to dimensional criteria and operations for the proposed facility including, but not limited to the following:

- (1) Minimum lot area – 2 acres.
- (2) Setbacks.
 - (a) Front Yard – 30 feet from the edge of the public right-of-way line.
 - (b) Side Yard – 15 feet from the property line.
 - (c) Rear Yard – 20 feet from the property line.
- (3) The hours of operation for the facility shall be from 9 a.m. until 9 p.m.

§402.6 Subdivision of Land in the Agricultural-Preservation District. The subdivision of lands within the Agricultural-Preservation District shall be in compliance with Chapter 22 of the Code of Ordinances of East Buffalo Township and the following provisions:

(a) The number of acres that may be subdivided from a tract of land in the Agricultural-Preservation District for uses other than Agricultural and Forestry shall depend on the size of the tract on May 1, 1996, and shall be in accordance with the following schedule:

<u>Parent Tract size as of May 1, 1996</u>	<u>Total acres permitted</u>
10-15 acres	1
16-50 acres	2

51-100 acres	3
101-180 acres	4
181-260 acres	5
More than 260 acres	5 plus 1 acre for each 80 acres above 260 acres

This schedule shall not apply when the land to be subdivided shall be used for Agricultural or Forestry.

(b) All contiguous land held in the same ownership as of May 1, 1996 shall be considered as one tract for purposes of this Section 402.6. Man-made or natural boundaries such as streets, roads, waterways, survey lines or symbolic separators shall be ignored for the purpose of determining if tracts are contiguous.

(c) Prior to the subdivision of the Parent Tract, the owner shall prepare a plan setting forth all proposed lots or tracts to be subdivided from the Parent Tract, showing location and size. While this plan of proposed lots shall not be binding, it shall be considered in the review and approval of all future subdivisions of the Parent Tract. Any deviation from the same must be explained.

(d) All lots or tracts subdivided from the Parent Tract must be contiguous and have frontage on an existing state, local or other public road. Where possible, the area to be subdivided shall be the least desirable agricultural lands.

(e) The subdivision plan for the lots or tracts to be subdivided shall include all the information required by Chapter 22 of the Code of Ordinances of East Buffalo Township, plus the following:

- (1) Size of the Parent Tract on May 1, 1996.
- (2) Total acreage permitted to be subdivided under this Section 402.6.
- (3) The size and location of all lots or tracts previously subdivided from the Parent Tract and the date of the approval of the subdivision
- (4) The proposed location and size of any additional lots or tracts.
- (5) A statement, where appropriate, that the right to subdivide additional acreage in keeping with the above schedule is either reserved to the portion of the

Parent Tract remaining or transferred with the tract or tracts being subdivided. Such a statement shall be included in any deed transferring the tract that was subdivided.

(6) The restriction as to the number of acres that can be subdivided and utilized for residential purposes is a function of the Township Zoning Ordinance and not a private covenant or restriction. The restriction may only be enforced by the Township and shall remain in effect until the tract or tracts of land are rezoned or the Township zoning provisions change to provide otherwise.

(f) This §402.6 shall not apply to PSES installation, provided the area utilized for PSES is not subdivided and ownership is transferred.

SECTION 5: Chapter 27, Part 4, Section 403 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§403. Agricultural Residential (A-R).

§403.1 Permitted Principal Uses.

- (a) Agricultural (see §513).
- (b) Riding Stables (see §514).
- (c) Kennels (see §515).
- (d) Veterinary Clinics (see §507).
- (e) Outdoor Recreation (see §516).
- (f) Churches.
- (g) Single Family Detached Dwellings.
- (h) Bed and Breakfast Establishments (see §525).
- (i) Wireless Telecommunications (see §506).
- (j) Principal Solar Energy System (see §509).
- (k) Small Cell Wireless Facility (see §510).
- (l) Animal Husbandry.
- (m) Concentrated Animal Operation (see §520).
- (n) Farmettes (see §525).
- (o) Brewery, Distillery, Winery (see §527).

- (p) Event Space/Venue (see §528).
- (q) Domestic Livestock (see §512).
- (r) Model Homes.

§403.2 Permitted Accessory Uses.

- (a) Farm stands for the sale of farm products grown on the premises, provided at least two (2) off-street parking spaces are available for customers (see §521).
- (b) Private garage or parking areas.
- (c) Signs (see §504).
- (d) Home Occupations (see §502).
- (e) Customary accessory uses and buildings, provided such are clearly incidental to the principal use and do not include any activity commonly conducted as a business pursuant to this Chapter (see §503).
- (f) Cemeteries, as an accessory use to Churches (see §517).
- (g) No Impact Home Based Business (see §522).
- (h) Parochial School (see §523).
- (i) Agritourism (see §526).

§403.3 Conditional Uses. The following uses are Conditional Uses and require the approval of the Board of Supervisors of East Buffalo Township subject to the provisions of this Chapter.

- (a) Indoor Recreation (see §403.5(a) for Conditional Use criteria).

§403.4 Area, Yard, Coverage and Height Requirements.

- (a) Agricultural (non-residential buildings or structures).

- (1) Minimum acreage – 35 acres.
- (2) Minimum Lot Width – 150 feet.
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 50 feet.
- (b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(d) Setbacks for animal confinement, feeding, sheltering, manure storage treatment and/or breeding facilities shall be in compliance with the provisions of the “Nutrient Management Act” or any similar act as amended from time to time or 100 feet, whichever is greater.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 100 feet.

(b) Riding Stables.

(1) Minimum Lot Size – 10 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(c) Kennels.

(1) Minimum Lot Size – 3 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

- (4) Maximum Impervious Coverage – 20% of total gross lot area.
- (5) Maximum Building Coverage – 10% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 40 feet.

(d) Veterinary Hospitals.

- (1) Minimum Lot Size – 3 acres.
- (2) Minimum Lot Width – 150 feet.
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 50 feet.
- (b) Side Yard – 20 feet.
- (c) Rear Yard – 25 feet.

- (4) Maximum Impervious Coverage – 20% of total gross lot area.
- (5) Maximum Building Coverage – 10% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 40 feet.

(e) Outdoor Recreation.

- (1) Minimum Lot Size – 1 acres.
- (2) Minimum Lot Width – 150 feet.
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 50 feet.
- (b) Side Yard – 20 feet.
- (c) Rear Yard – 25 feet.

- (4) Maximum Impervious Coverage – 20% of total gross lot area.
- (5) Maximum Building Coverage – 10% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 50 feet.

(f) Churches.

- (1) Minimum Lot Size – 2 acres; Maximum Lot Size – 5 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 50 feet.

(g) Single Family Detached Dwellings.

(1) Minimum Lot size – 2 acres; Maximum Lot size – 5 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(h) Bed and Breakfast Establishments.

(1) Minimum Lot Size – 3 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(7) Bed and Breakfast Establishments shall comply with the off-street parking schedule contained in §505.3 of this Chapter.

(i) Wireless Telecommunications.

(1) Minimum Lot Size (outside of rights-of-way) – Minimum lot size in Zoning District OR area needed to accommodate the wireless telecommunications facility, support structures and fall zone, guy wires, equipment, building, fencing and screening, whichever is greater. Provided, however, that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted, shall comply with the minimum lot size as set forth in the Zoning District regulations in this Part 4.

(2) Setbacks (Towers outside of rights-of-way) – Setback from property lines a distance equal to the combined height of the wireless support structure and antenna OR the underlying Zoning District requirements, whichever is greater. Provided, however: 1) that the setback from property lines shall be increased to 110% of the combined height where the applicant has not demonstrated that a collapse of the support structure will not exceed the height of the support structure (see §506.4(a)(10) application requirements); 2) that the setback shall be increased by an additional 25 feet where the use abuts a residential Zoning District or residential use; and, 3) that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted shall comply with the setback requirements as provided in the Zoning District regulations set forth in this Part 4.

(3) Setbacks (Equipment and Buildings outside of rights-of-way) – Underlying Zoning District setback for principal use.

(4) Maximum Height – Wireless telecommunications facilities shall be designed to minimum functional height (see 506.4(a)(10) application requirements). Provided, however, that DAS and DCU facilities installed in Zoning Districts where wireless telecommunications are not permitted shall not exceed the height permitted for buildings in said Districts as provided in this Part 4.

(j) Principal Solar Energy Systems.

(1) Minimum Lot Size – 5 acres; Maximum Lot Size – 50% of the tract of land not otherwise used for structures, driveways, parking lots or other similar uses, not to exceed 50 acres.

(2) Setbacks

(a) Fence – 25 feet.

(b) Panels –

(1) Front Yard – 50 feet.

(2) Side Yard – 50 feet.

(3) Rear Yard – 50 feet.

(c) In all cases, there shall be a minimum distance of 100 feet between the boundary line of adjacent non-participating lands utilized for residential purposes or situate in the R-1, R-2, H-C, G-C and I Zoning Districts and any component of the PSES including buildings, panels, fencing, screening and other equipment.

(d) In the case where the PSES development encompasses multiple tracts of land, the setback requirements shall apply to the development and not the individual tracts of land. The setbacks shall apply to the perimeter of the entire development.

(3) Maximum Impervious Coverage –

(a) The area beneath the ground mounted PSES is considered pervious cover. However, use of impervious construction materials under the system shall be considered impervious and subject to the

impervious surfaces limitations provided for in the applicable Zoning District, statutes, ordinances, rules and regulations and if the PSES impervious surface exceed the permitted impervious area, the developer shall comply with the said statutes, ordinances, rules and regulations.

(b) The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the proposed project:

(1) Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

(2) All mechanical equipment of PSES including any structure for batteries or storage cells. **FOR ZONING PURPOSES ONLY**, the solar modules themselves, however, are not included as impervious cover.

(3) Gravel or paved access roads servicing the PSES.

(4) Maximum Height – Ground mounted PSES shall not exceed 10 feet in height as measured vertically from the top of the component and the ground below the component.

(k) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

(l) Animal Husbandry.

(1) Minimum Lot Size – 50 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(m) Concentrated Animal Operation.

(1) Minimum Lot Size – 50 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(n) Farmettes.

(1) Minimum Lot Size - 3 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 50 feet.

(o) Brewery, Distillery, Winery.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(p) Event Space/Venue. An Event Space/Venue shall be permitted as an accessory use, subject to the following:

(1) Minimum Lot Size – 5 acres.

(2) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 100 feet.

(c) Rear Yard – 100 feet.

(d) All structures shall be setback 150 feet from buildings located on adjacent properties.

(e) Parking – there shall be a buffer yard of 75 feet from any building or structure.

- (3) Maximum Impervious Coverage – 40% of total gross lot area.
- (4) Maximum Building Coverage – 10% of total gross lot area.
- (5) Maximum Building Height – 40 feet.

(q) Model Homes.

- (1) Minimum Lot size – 2 acres; Maximum Lot size – 5 acres.
- (2) Minimum Lot Width – 150 feet.
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).
 - (a) Front Yard – 50 feet.
 - (b) Side Yard – 20 feet.
 - (c) Rear Yard – 25 feet.
- (4) Maximum Impervious Coverage – 20% of total gross lot area.
- (5) Maximum Building Coverage – 10% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 35 feet.

§403.5 Conditional Uses. The following uses are Conditional Uses and require the approval of the Board of Supervisors of East Buffalo Township subject to the provisions of this Chapter.

(a) Indoor Recreation. The Board of Supervisors shall attach appropriate conditions and safeguards related to dimensional criteria and operations for the proposed facility including, but not limited to the following:

- (1) Minimum lot area – 2 acres.
- (2) Setbacks.
 - (a) Front Yard – 30 feet from the edge of the public right-of-way line.
 - (b) Side Yard – 15 feet from the property line.
 - (c) Rear Yard – 20 feet from the property line.
- (3) The hours of operation for the facility shall be from 9 a.m. until 9

p.m.

§403.6 Subdivision of Land in the Agricultural-Residential District. The subdivision of lands within the Agricultural-Residential District for residential purposes shall be in compliance with Chapter 22 of the Code of Ordinances of East Buffalo Township and the following provisions:

(a) The number of acres that may be subdivided from a tract of land in the Agricultural-Residential District for residential uses shall depend on the size of the tract on May 1, 1996, and shall be in accordance with the following schedule:

<u>Parent Tract size as of May 1, 1996</u>	<u>Total acres permitted</u>
10-15 acres	2
16-50 acres	4
51-100 acres	6
101-180 acres	8
181-260 acres	10
More than 260 acres	10 plus 2 acres for each 80 acres above 260 acres

(b) All new lots or tracts created through the subdivision of lands shall have a minimum lot size of two (2) acres and a maximum lot size of five (5) acres.

(c) All new lots or tracts created through the subdivision of lands must be contiguous and must have frontage on an existing state, local or other public road as of April 14, 2025. Where possible, the area to be subdivided shall be the least desirable agricultural lands.

SECTION 6: Chapter 27, Part 4, Section 404 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§404. Low-Density Residential (R-1).

§404.1 Permitted Principal Uses.

- (a) Single Family Detached Dwellings.
- (b) Horticulture.
- (c) Churches.
- (d) Private and Public Schools (see §519).
- (e) Outdoor Recreation.
- (f) Open Space Subdivision (see Part 9 of this Chapter).

- (g) Small Cell Wireless Facility (see §510).
- (h) Keeping of Chickens (see §511).
- (i) Domestic Livestock (see §512).
- (j) Personal Care Facility (if less than 40 beds) (see §532).
- (k) Group Home (see §531).

§404.2 Permitted Accessory Uses.

- (a) Private Garage or parking areas.
- (b) Signs (see §504).
- (c) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).
- (d) No Impact Home Based Business (see §522).
- (e) Home Occupations (see §502).

§404.3 Conditional Uses. The following uses are Conditional Uses and require the approval of the Board of Supervisors of East Buffalo Township subject to the provisions of this Chapter.

- (a) Indoor Recreation (see §404.5(a) for Conditional Use criteria).

§404.4 Area, Yard, Coverage and Height Requirements.

(a) Single Family Detached Dwelling.

- (1) Minimum Lot Size –
 - (a) On-lot sewage system – 30,000 sq. ft.
 - (b) Public sewage system – 15,000 sq. ft.
- (2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 100 feet.
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 30 feet.
- (b) Side Yard – 15 feet.
- (c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(b) Horticulture; Churches; Private and Public Schools; Outdoor Recreation.

(1) Minimum Lot Size –

(a) On-lot sewage system – 88,000 sq. ft.

(b) Public sewage system – 44,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 30 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 30% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(c) Open Space Subdivision.

(1) Minimum Lot Size – 10 acres.

(2) Minimum Lot Width – 150 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 25 feet.

(4) Maximum Impervious Coverage – 20% of total gross lot area.

(5) Maximum Building Coverage – 10% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(d) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

(e) Domestic Livestock. The keeping of Domestic Livestock for noncommercial, personal uses shall be subject to the provisions of §512 of this Chapter and the following conditions:

(1) Minimum Lot Size – ten (10) acres, excluding public street rights-of-way.

(2) Setbacks. All buildings or structures used to house or shelter Domestic Livestock and all storage of manure shall be set back:

(a) At least one hundred (100') feet from property line(s);

(b) At least two hundred (200') feet from occupied buildings or structures other than those occupied by the person or persons keeping the said Domestic Livestock;

(c) At least one hundred (100') feet from any public right-of-way; and

(d) At least one hundred (100') feet from any water course or body of water.

No pasturing area, grazing area, outdoor feed lot or similar activity shall be permitted within twenty-five (25') feet of any property line(s).

(3) Slaughtering and butchering of Domestic Livestock shall be prohibited.

(4) Areas in which Domestic Livestock are to be kept shall be secured to prevent Domestic Livestock from escaping from said areas and to prevent others from entering the said areas.

(5) A written narrative providing the number of animals to be kept upon the tract of land, the method of handling, storing and disposing of manure, description of the provisions for the handling, storage and delivery of feed and the placement and size of outdoor lighting, if any, shall be provided.

(6) Traffic generated by the keeping of Domestic Livestock, especially traffic arising from the delivery of feed or the disposition of manure, shall not create a nuisance or an unsafe condition for the residents of the Township or the travelling public, nor shall equipment or vehicles utilized or operated that will create noise, dust, fumes, or vapors that are a nuisance to adjacent landowners.

(f) Personal Care Facility; Group Home.

(1) Minimum Lot Size – 88,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

§404.5 Conditional Use criteria.

(a) Indoor Recreation. The Board of Supervisors shall attach appropriate conditions and safeguards related to dimensional criteria and operations for the proposed facility including, but not limited to the following:

(1) Minimum lot area – 2 acres.

(2) Setbacks.

- (a) Front Yard – 30 feet from the edge of the public right-of-way line.
- (b) Side Yard – 15 feet from the property line.
- (c) Rear Yard – 20 feet from the property line.
- (3) The hours of operation for the facility shall be from 9 a.m. until 9 p.m.
- (4) Screening for parking areas in compliance with this Chapter may be required.

SECTION 7: Chapter 27, Part 4, Section 405 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§405. Medium-Density Residential (R-2).

§405.1 Permitted Principal Uses.

- (a) Single Family Detached Dwellings.
- (b) Single Family Semi-Detached Dwellings.
- (c) Duplex Dwellings.
- (d) Multi-Family Dwellings (not to exceed four (4) units per structure).
- (e) Churches.
- (f) Public or Quasi-Public Uses.
- (g) Private and Public Schools (see §519).
- (h) Public Libraries.
- (i) Funeral Homes.
- (j) Small Cell Wireless Facility (see §510).
- (k) Personal Care Facility (see §532).
- (l) Group Home (see §531).

§405.2 Permitted Accessory Uses.

- (a) Private Garage or Parking Areas.
- (b) Home Occupation (see §502).
- (c) Signs (see §504).

(c) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).

(d) No Impact Home Based Business (see §522).

§405.3 Conditional Uses. The following uses are Conditional Uses and require the approval of the Board of Supervisors of East Buffalo Township subject to the provisions of this Chapter.

(a) Residential Conversions (see §405.5(a) for Conditional Use criteria).

(b) Indoor Recreation (see §405.5(b) for Conditional Use criteria).

§405.4 Area, Yard, Coverage and Height Requirements. All uses must have access to Central Sewage and Water.

(a) Single Family Detached Dwelling.

(1) Minimum Lot Size – 8,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(b) Single Family Semi-Detached Dwelling.

(1) Minimum Lot Size – 10,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 60 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(c) Duplex Dwelling.

(1) Minimum Lot Size – 10,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 80 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(d) Multi-Family Dwelling (not to exceed four (4) units per structure).

(1) Minimum Lot Size – 3,000 sq. ft. per unit

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 100 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(e) Churches; Public or Quasi-Public Uses; Private or Public Schools; Public Libraries; Funeral Homes.

(1) Minimum Lot Size – 20,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 100 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 40 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 30% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(f) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

(g) Personal Care Facility; Group Home.

(1) Minimum Lot Size – 88,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

§405.5 Conditional Use Criteria.

(a) Residential Conversions. In addition to all other provisions of this Chapter, the following criteria shall apply to Residential Conversions:

(1) Minimum lot area per dwelling unit shall be four thousand (4,000) square feet for the first two (2) dwelling units, and three thousand (3,000) square feet for each additional dwelling unit.

(2) Each dwelling unit shall require two (2) off-street parking spaces.

(3) Minimum open space on the lot proposed for conversion shall be five hundred (500) square feet per dwelling unit.

(4) Off-site parking shall be permitted within five hundred (500') feet of the lot proposed for conversion.

(b) Indoor Recreation. The Board of Supervisors shall attach appropriate conditions and safeguards related to dimensional criteria and operations for the proposed facility including, but not limited to the following:

(1) Minimum lot area – 2 acres.

(2) Setbacks.

(a) Front Yard – 30 feet from the edge of the public right-of-way line.

- (b) Side Yard – 15 feet from the property line.
- (c) Rear Yard – 20 feet from the property line.
- (3) The hours of operation for the facility shall be from 9 a.m. until 9 p.m.

SECTION 8: Chapter 27, Part 4, Section 406 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§406. Residential-Urban (R-U).

§406.1 Permitted Principal Uses.

- (a) Single Family Detached Dwellings.
- (b) Single Family Semi-Detached Dwellings.
- (c) Duplex Dwellings.
- (d) Multi-Family Dwellings.
- (e) Planned Residential Developments (not including commercial uses).
- (f) Private and Public Schools (see §519).
- (g) Public Parks or Playgrounds.
- (h) Churches.
- (i) Public Uses.
- (j) Bed and Breakfast Establishments (see §525).
- (k) Indoor Recreation.
- (l) Outdoor Recreation.
- (m) Open Space Subdivision (see Part 9 of this Chapter).
- (n) Sewage Treatment Facilities.
- (o) Business and Professional Offices.
- (p) Small Cell Wireless Facility (see §510).
- (q) Continuous Care Facility (see §530).
- (r) Nursing/Convalescent Home (see §532).
- (s) Personal Care Facility (see §532).
- (t) Group Home (see §531).

§406.2 Permitted Accessory Uses.

- (a) Home Occupation (see §502).
- (b) Private Recreation Areas.
- (c) Signs (see §504).
- (d) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).
- (e) No Impact Home Based Business (see §522).

§406.3 Reserved for future Conditional Uses.

§406.4 Area, Yard, Coverage and Height Requirements. All new subdivisions of five (5) or more lots shall provide Central Sewage and Water. The Minimum Lot Size for all residential uses listed below shall be determined per dwelling unit.

(a) Single Family Detached Dwelling.

(1) Minimum Lot Size –

- (a) On-lot sewage and water – 44,000 sq. ft.
- (b) Central Sewage *or* Water – 15,000 sq. ft.
- (c) Central Sewage *and* Water – 8,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) –

- (a) On-lot sewage and water – 150 feet
- (b) Central Sewage *or* Water – 100 feet
- (c) Central Sewage *and* Water – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 25 feet.
- (b) Side Yard – 10 feet.
- (c) Rear Yard – 30 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 25% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(b) Single Family Semi-Detached Dwelling.

(1) Minimum Lot Size –

- (a) On-lot sewage and water – 30,000 sq. ft.
- (b) Central Sewage *or* Water – 10,000 sq. ft.
- (c) Central Sewage *and* Water – 6,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) –

- (a) On-lot sewage and water – 150 feet
- (b) Central Sewage *or* Water – 100 feet
- (c) Central Sewage *and* Water – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 25 feet.
- (b) Side Yard – 10 feet.
- (c) Rear Yard – 30 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 25% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(c) Duplex Dwelling.

(1) Minimum Lot Size –

- (a) On-lot sewage and water – 30,000 sq. ft.
- (b) Central Sewage *or* Water – 12,000 sq. ft.
- (c) Central Sewage *and* Water – 5,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) –

- (a) On-lot sewage and water – 150 feet
- (b) Central Sewage *or* Water – 100 feet
- (c) Central Sewage *and* Water – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 30 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 30% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(d) Multi-Family Dwelling.

(1) Minimum Lot Size –

(a) On-lot sewage and water – 20,000 sq. ft.

(b) Central Sewage *or* Water – 10,000 sq. ft.

(c) Central Sewage *and* Water – 4,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) –

(a) On-lot sewage and water – 150 feet

(b) Central Sewage *or* Water – 100 feet

(c) Central Sewage *and* Water – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 30 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(e) Planned Residential Developments (not including commercial uses)(see Part 6 of this Chapter).

(f) Private or Public Schools (must be connected to Central Sewage and Water).

- (1) Minimum Lot Size – 88,000 sq. ft.
- (2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).
 - (a) Front Yard – 50 feet.
 - (b) Side Yard – 15 feet.
 - (c) Rear Yard – 50 feet.
- (4) Maximum Impervious Coverage – 60% of total gross lot area.
- (5) Maximum Building Coverage – 40% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 40 feet.

(g) Public Parks and Playgrounds.

- (1) Minimum Lot Size – 44,000 sq. ft.
- (2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).
 - (a) Front Yard – 50 feet.
 - (b) Side Yard – 15 feet.
 - (c) Rear Yard – 50 feet.
- (4) Maximum Impervious Coverage – 60% of total gross lot area.
- (5) Maximum Building Coverage – 40% of total gross lot area.
- (6) Maximum Building Height (above natural grade) – 40 feet.

(h) Churches (must be connected to Central Sewage and Water).

- (1) Minimum Lot Size – 40,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade; church steeples shall not be included in the height calculation) – 40 feet.

(i) Public Uses (must be connected to Central Sewage and Water).

(1) Minimum Lot Size – 25,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(j) Bed and Breakfast Establishments.

(1) Minimum Lot Size – 20,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) –

(a) On-lot sewage and water – 150 feet

(b) Central Sewage *or* Water – 100 feet

(c) Central Sewage *and* Water – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 30 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(k) Indoor Recreation.

(1) Minimum Lot Size – 88,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(l) Outdoor Recreation.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Public Uses – None.

(m) Open Space Subdivisions (see Part 9 of this Chapter).

(n) Sewage Treatment Facilities.

(1) Minimum Lot Size – 2 acres.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet

(3) Setbacks – All setbacks shall be measured from the property line(s).

(a) Front, Side and Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(7) Open tanks shall be protected by a well-maintained locked security fence of between eight (8') feet and twelve (12') feet in height.

(o) Business and Professional Offices.

(1) Minimum Lot Size – 60,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

(p) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

(q) Continuous Care Facility; Group Home; Nursing/Convalescent Home; Personal Care Facility.

(1) Minimum Lot Size – 88,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

§406.5 Reserved for future Conditional Use Criteria.

SECTION 9: Chapter 27, Part 4, Section 407 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§407. Bucknell University (B-U).

§407.1 Permitted Principal Uses.

- (a) University Buildings for Classroom, Laboratory, Administrative, Maintenance, Cultural or related uses.
- (b) Single Family Detached Dwellings.
- (c) Single Family Semi-Detached Dwellings.
- (d) Duplex Dwellings.
- (e) Multi-Family Dwellings (not to exceed four (4) units per structure).
- (f) Fraternity or Sorority Houses.
- (g) Outdoor Recreation.
- (h) Golf Course.
- (i) Agriculture (see §513).
- (j) Wireless Telecommunications (see §506).
- (k) Public or Quasi-Public Uses.
- (l) Principal Solar Energy System (see §509).
- (m) Small Cell Wireless Facility (see §510).
- (n) Bed and Breakfast Establishments (see §525).

§407.2 Permitted Accessory Uses.

- (a) Private Garage or Parking Areas.
- (b) Signs (see §504).
- (c) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).
- (d) No Impact Home Based Business (see §522).

§407.3 Reserved for future Conditional Uses.

§407.4 Area, Yard, Coverage and Height Requirements. The following requirements shall be applicable to all uses within the B-U District, subject to any specific limitations contained therein and pursuant to this Chapter.

(a) Single Family Detached Dwelling.

(1) Minimum Lot Size – 8,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(b) Single Family Semi-Detached Dwelling.

(1) Minimum Lot Size – 10,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 60 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(c) Duplex Dwelling.

(1) Minimum Lot Size – 10,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 80 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(d) Multi-Family Dwelling (not to exceed four (4) units per structure).

(1) Minimum Lot Size – 3,000 sq. ft. per unit

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 100 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 25 feet.

(b) Side Yard – 10 feet.

(c) Rear Yard – 20 feet.

(4) Maximum Impervious Coverage – 35% of total gross lot area.

(5) Maximum Building Coverage – 20% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(e) Bed and Breakfast Establishments.

(1) Minimum Lot Size – 30,000 sq. ft.

(2) Minimum Lot Width – None

(3) Setbacks –

(a) Front Yard – 75 feet from the centerline of any public road or 50 feet from the edge of any public right of way, whichever is greater.

(1) For lands abutting S. 7th Street between Moore Avenue and River Road, the Front Yard Setback shall be 20 feet.

(b) Side Yard – None

(1) Where the Side Yard abuts real estate not owned by Bucknell University, the Side Yard Setback shall be 50 feet.

(c) Rear Yard – None

(1) Where the Rear Yard abuts real estate not owned by Bucknell University, the Rear Yard Setback shall be 50 feet.

(f) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

(g) Outdoor Recreation.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width – 300 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 100 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 100 feet.

(4) Maximum Impervious Coverage – 5% of total gross lot area.

(5) Maximum Building Height (above natural grade) –

(a) Public Uses – None.

(h) All Other Uses.

(1) Minimum Lot Size – None

(2) Minimum Lot Width – None

(3) Setbacks –

(a) Front Yard – 75 feet from the centerline of any public road or 50 feet from the edge of any public right of way, whichever is greater.

(1) For lands abutting S. 7th Street between Moore Avenue and River Road, the Front Yard Setback shall be 20 feet.

(b) Side Yard – None

(1) Where the Side Yard abuts real estate not owned by Bucknell University, the Side Yard Setback shall be 50 feet.

(c) Rear Yard – None

(1) Where the Rear Yard abuts real estate not owned by Bucknell University, the Rear Yard Setback shall be 50 feet.

(4) Maximum Impervious Coverage – 50% of total land area owned by or leased by Bucknell University.

(5) Maximum Building Coverage – None

(6) Maximum Building Height (above natural grade) – 60 feet.

(7) Notwithstanding anything herein to the contrary, a structure utilized to illuminate or light Outdoor Recreation Facilities shall not exceed 80 feet above the existing natural grade.

§407.5 Reserved for future Conditional Use Criteria.

SECTION 10: Chapter 27, Part 4, Section 408 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§408. Highway-Commercial (H-C). All non-residential and multi-family uses shall be required to submit an approved Land Development Plan, pursuant to Chapter 22, Subdivision and Land Development Regulations with the application for a Zoning Permit.

§408.1 Permitted Principal Uses.

- (a) Restaurants.
- (b) Hotels and Motels.
- (c) Business and Professional Offices.
- (d) Golf Courses and Miniature Golf Courses.
- (e) Retail Stores.
- (f) Wholesale Operations.
- (g) Financial Institutions.
- (h) Gasoline and/or Diesel Fuel Service Stations.
- (i) Car and Truck Sales with Accessory Use Service Facilities (see §503).
- (j) Public Uses.
- (k) Model Homes.
- (l) Indoor Recreation.
- (m) Personal Storage Warehouse.
- (n) Mixed Use Structures.
- (o) Shopping Centers or Malls.
- (p) Small Cell Wireless Facility (see §510).

§408.2 Permitted Accessory Uses.

- (a) Off-Street Parking (see §505).
- (b) Signs (see §504).
- (c) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).
- (d) No Impact Home Based Business (see §522).
- (e) Service Facilities for Car and Truck Sales (see §503).

§408.3 Reserved for future Conditional Uses.

§408.4 Area, Yard, Coverage and Height Requirements.

- (a) Restaurants; Hotels and Motels; Business and Professional Offices; Golf Courses and Miniature Golf Courses; Retail Stores; Wholesale Operations; Financial Institutions; Gasoline and/or Diesel Fuel Service Stations; Car and Truck Sales; Public

Uses; Model Homes; Indoor Recreation; Personal Storage Warehouse; Mixed Use Structures.

(1) Minimum Lot Size – 40,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 200 ft.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 30 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 50% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(b) Shopping Centers or Malls.

(1) Minimum Lot Size – 5 acres.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 200 ft.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 20 feet.

(c) Rear Yard – 30 feet.

(4) Maximum Impervious Coverage – 50% of total gross lot area.

(5) Maximum Building Coverage – 50% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(c) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

§408.5 Reserved for future Conditional Use Criteria.

§408.6 Parking, Residential Uses and Mixed Use Structures.

(a) Off-Street Parking and Loading.

(1) All Off-Street Parking and Loading Facilities shall comply with the provisions of this Chapter.

(2) No more than 50% of any required yard depth may be used for Off-Street Parking or Loading.

(3) No Off-Street Parking shall be permitted within 25 feet of a right-of-way of any arterial or collector street.

(4) Screening shall be provided in accordance with this Chapter.

(b) Residential Uses.

(1) Residential Uses shall only be permitted in this district in existing structures.

(2) Residential Uses shall only be permitted on collector or local streets. No Residential Uses shall be permitted on arterial roads.

(c) Mixed Use Structures.

(1) Mixed Use (Residential/Commercial) Structures shall only be permitted in existing structures.

(2) Mixed Use Structures shall be treated as non-residential structures for the purposes of this Chapter.

§408.7 Traffic Access and Controls.

(a) Common curb cuts may be required as a condition of approval.

(b) All means of ingress and egress shall be located at least 200 feet from any street intersection.

(c) The purchase and erection of any traffic control or safety structures or devices shall be at the developer's expense.

(d) The Board of Supervisors may attach additional conditions based upon a "Traffic Impact Study" required to be submitted with the Land Development Plan.

§408.8 Use and Maintenance of Yards. All required yard areas not required for screening or parking and loading areas shall be kept clear of obstructions and shall be planted in grass, suitable landscaping and/or trees.

§408.9 Screening. All uses provided for in this Zoning District shall comply with the screening requirements set forth in this Chapter.

SECTION 11: Chapter 27, Part 4, Section 409 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended to provide as follows:

§409. General-Commercial (G-C). All uses shall be required to submit an approved Land Development Plan, pursuant to Chapter 22, Subdivision and Land Development Regulations with the application for a Zoning Permit.

§409.1 Permitted Principal Uses.

- (a) Retail Stores.
- (b) Business and Professional Offices.
- (c) Financial Institutions.
- (d) Restaurants.
- (e) Car and Truck Sales with Accessory Use Service Facilities (see §503).
- (f) Car Wash.
- (g) Bed and Breakfast Establishments (see §5265).
- (h) Model Homes.
- (i) Public School Affiliated Programs (see §409.4(b)).
- (j) Veterinary Clinics (see §507).
- (k) Indoor Recreation.

- (l) Personal Storage Warehouse.
- (m) Public or Quasi-Public Use.
- (n) Small Cell Wireless Facility (see §510).
- (o) Brewery, Distillery, Winery (see §527).
- (p) Continuous Care Facility (see §530).
- (q) Nursing/Convalescent Home (see §532).
- (r) Personal Care Facility (see §532).

§409.2 Permitted Accessory Uses.

- (a) Off-Street Parking and Loading Areas (see §505).
- (b) Signs (see §504).
- (c) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).
- (d) No Impact Home Based Business (see §522).
- (e) Service Facilities for Car and Truck Sales (see §503).

§409.3 Reserved for future Conditional Uses.

§409.4 Area, Yard, Coverage and Height Requirements.

(a) Retail Stores; Business and Professional Offices; Financial Institutions; Restaurants; Car and Truck Sales; Car Wash; Bed and Breakfast Establishments; Model Homes; Public School Affiliated Programs; Veterinary Clinics; Indoor Recreation; Personal Storage Warehouse; Public or Quasi-Public Uses; Brewery, Distillery, Winery.

- (1) Minimum Lot Size – 30,000 sq. ft.
- (2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 200 ft.
- (3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

- (a) Front Yard – 50 feet.
- (b) Side Yard – 30 feet.
- (c) Rear Yard – 30 feet.

(d) These requirements may be altered for Planned Residential Developments, Cluster Subdivisions and Open Space Subdivisions.

(4) Maximum Impervious Coverage – 65% of total gross lot area.

(5) Maximum Building Coverage – 50% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 35 feet.

(b) Public School Affiliated Programs. Public School Affiliated Programs involving no more than thirty (30) students, grade seven (7) or above, shall be permitted, provided: 1) such programs provide drop-off/pick-up sites located only in the side yards of structures not facing a public street, road or alley, and 2) such activities occur only inside structures.

(c) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

(d) Continuous Care Facility; Nursing/Convalescent Home; Personal Care Facility.

(1) Minimum Lot Size – 88,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

§409.5 Reserved for future Conditional Use Criteria.

§409.6 Off-Street Parking and Loading Area Requirements. Off-Street Parking and Loading Areas shall comply with the provisions of this Chapter.

§409.7 Traffic Access and Controls. All uses shall comply with the provisions of this Chapter.

§409.8 Use and Maintenance of Yards. All uses shall comply with the provisions of this Chapter.

§409.9 Screening. All uses provided for in this Zoning District shall comply with the screening requirements set forth in this Chapter.

SECTION 12: Chapter 27, Part 4, Sections 410.1 through 410.6 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, are amended to provide as follows:

§410. Industrial (I-1). All uses shall be required to submit an approved Land Development Plan, pursuant to Chapter 22, Subdivision and Land Development Regulations with the application for a Zoning Permit.

§410.1 Permitted Principal Uses.

- (a) Wholesale Commercial Operations.
- (b) Business and Professional Offices.
- (c) General Industrial Uses.
- (d) Retail Uses.
- (e) Public Uses.
- (f) Wireless Telecommunications (see §506).
- (g) Indoor Recreation.
- (h) Personal Storage Warehouse.
- (i) Warehousing Facility.
- (j) Financial Institutions.

(k) Medical Marijuana Grower/Processor and Medical Marijuana Dispensary (see §508).

(l) Principal Solar Energy System (see §509).

(m) Small Cell Wireless Facility (see §510).

(n) Continuous Care Facility (see §530).

(o) Nursing/Convalescent Home (see §532).

(p) Personal Care Facility (see §532).

§410.2 Permitted Accessory Uses.

(a) Off-Street Parking and Loading Areas (see §505).

(b) Signs (see §504).

(c) Restaurants, cafeterias or recreational facilities to be used only by employees of the Permitted Principal Use.

(d) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).

(e) Unenclosed Storage.

§410.3 The following uses are Conditional Uses and require the approval of the Board of Supervisors of East Buffalo Township subject to the provisions of this Chapter.

(a) Adult Uses (see §410.5(a) for Conditional Use criteria).

§410.4 Area, Yard, Coverage and Height Requirements. All uses must have Central Sewage and Water. Wholesale Commercial Operations, General Industrial Uses and Retail Uses shall be conducted in an enclosed building.

(a) Wholesale Commercial Operations; Business and Professional Offices; General Industrial Uses; Retail Uses; Public Uses; Wireless Telecommunications; Indoor Recreation; Personal Storage Warehouse; Warehousing Facility; Financial Institutions; Medical Marijuana Grower/Processor and Medical Marijuana Dispensary.

(1) Minimum Lot Size – 44,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 150 ft.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 60 feet.

(b) Side Yard – 40 feet.

(c) Rear Yard – 40 feet.

(d) Side and Rear Yards adjoining the R-1 or R-2 District –

(1) Setbacks shall be 50 feet.

(2) The twenty (20) feet of the said Side and Rear Yards immediately adjoining the R-1 or R-2 Districts shall be landscaped to visually screen the use from the R-1 or R-2 District pursuant to the screening provisions of this Chapter.

(4) Maximum Impervious Coverage – 80% of total gross lot area.

(5) Maximum Building Coverage – 60% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 60 feet.

(b) Principal Solar Energy System.

(1) Minimum Lot Size – 5 acres; Maximum Lot Size – 50% of the tract of land not otherwise used for structures, driveways, parking lots or other similar uses, not to exceed 50 acres.

(2) Setbacks

(a) Fence – 25 feet.

(b) Panels –

(1) Front Yard – 50 feet.

(2) Side Yard – 50 feet.

(3) Rear Yard – 50 feet.

(c) In all cases, there shall be a minimum distance of 100 feet between the boundary line of adjacent non-participating lands utilized for residential purposes or situate in the R-1, R-2, H-C, G-C and I

Zoning Districts and any component of the PSES including buildings, panels, fencing, screening and other equipment.

(d) In the case where the PSES development encompasses multiple tracts of land, the setback requirements shall apply to the development and not the individual tracts of land. The setbacks shall apply to the perimeter of the entire development.

(3) Maximum Impervious Coverage –

(a) The area beneath the ground mounted PSES is considered pervious cover. However, use of impervious construction materials under the system shall be considered impervious and subject to the impervious surfaces limitations provided for in the applicable Zoning District, statutes, ordinances, rules and regulations and if the PSES impervious surface exceed the permitted impervious area, the developer shall comply with the said statutes, ordinances, rules and regulations.

(b) The following components of a PSES shall be considered impervious coverage and calculated as part of the impervious coverage limitations for the proposed project:

(1) Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

(2) All mechanical equipment of PSES including any structure for batteries or storage cells. **FOR ZONING PURPOSES ONLY**, the solar modules themselves, however, are not included as impervious cover.

(3) Gravel or paved access roads servicing the PSES.

(4) Maximum Height – Ground mounted PSES shall not exceed 10 feet in height as measured vertically from the top of the component and the ground below the component.

(c) Small Cell Wireless Facility.

(1) Maximum Height (existing utility pole) – not more than 5 feet above the existing utility pole.

(2) Maximum Height (new or replacement utility pole) – the maximum permitted height of the facility, which shall include the utility pole and small wireless facility, shall not be taller than 50 feet above ground level.

(e) Continuous Care Facility; Nursing/Convalescent Home; Personal Care Facility.

(1) Minimum Lot Size – 88,000 sq. ft.

(2) Minimum Lot Width (to be measured at Front Yard Setback Line) – 75 feet.

(3) Setbacks – All setbacks shall be measured from the edge of the public right-of-way of the affected parcel. If there is no public right-of-way, setbacks shall be measured from the property line(s).

(a) Front Yard – 50 feet.

(b) Side Yard – 15 feet.

(c) Rear Yard – 50 feet.

(4) Maximum Impervious Coverage – 60% of total gross lot area.

(5) Maximum Building Coverage – 40% of total gross lot area.

(6) Maximum Building Height (above natural grade) – 40 feet.

§410.5 Conditional Use Criteria.

(a) Adult Uses.

(1) No Adult Use shall be located within five hundred (500') feet of any residential use or district.

(2) No Adult Use shall be located within one thousand (1,000') feet of any public park or playground, school or church.

(3) No Adult Use shall be located within five hundred (500') feet of any other Adult Use.

(4) No Adult Use shall be conducted in any manner that permits the observation of any material depicting, describing or related to specified sexual activities or specified anatomical areas from any public way or from any property not utilized as an Adult Use. This provision shall apply to any display, decoration, sign, show window, door or other opening.

(5) No Adult Use shall be conducted in any manner that violates any of the provisions of this Chapter.

(6) The entire perimeter of any lot containing an Adult Use shall be screened in compliance with the provisions of this Chapter, except for parking lot entrance and exit.

(7) For purposes of compliance with this Chapter, Adult Uses shall be classified as a Public Auditorium/Theater.

(8) Setbacks –

(a) Front Yard – 75 feet.

(b) Side Yard – 50 feet.

(c) Rear Yard – 50 feet.

§410.6 Screening. All uses provided for in this Zoning District shall comply with the screening requirements set forth in this Chapter.

SECTION 13: Chapter 27, Part 4, Section 411 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, are amended to provide as follows:

§411. Open Space (O-1). This District shall include those lands situated within any floodplain as designated on the most recent East Buffalo Township Floodplain Map. This District shall be an overlay to the Official Zoning Map of East Buffalo Township.

§411.1 Permitted Principal Uses.

(a) Those uses which are permitted within the underlying district within which the land is situate and which do not conflict with the East Buffalo Township Floodplain Management Regulations.

(b) Agriculture, Horticulture, pasturing and similar uses.

(c) Water related uses such as docks, piers, wharves and bridges.

(d) Recreational trails, bike paths and nature walks.

§411.2 Permitted Accessory Uses.

(a) Accessory Uses customary and incidental to the principal use located on the same parcel or tract of land (see §503).

§411.3 Additional Safeguards.

(a) No part of any on-lot sewage disposal system shall be constructed in any lands situate in the O-1 District.

(b) No materials that are subject to float or that are explosive or toxic to humans, animals or vegetation shall be stored in the O-1 District.

§411.4 Area, Yard, Coverage, Height and Sign Requirements. Such requirements shall be the same as the requirements of the underlying district in which the parcel is situate. If the parcel lies within two underlying districts, the more restrictive requirements shall apply.

SECTION 14: Chapter 27, Part 5 of The Code of Ordinances of East Buffalo Township, Union County, Pennsylvania, is amended by adding as follows:

§513. Agricultural Uses. All agricultural uses initiated after the effective date of this Chapter shall be subject to the following safeguards and regulations. The following general regulations shall apply to all agricultural or family farming uses, as appropriate.

(1) Private gardens shall be permitted in all zoning districts.

(2) The maintenance of livestock (including cattle, horses, pigs, etc.) and poultry may be authorized in the W-P, A-P and A-R Districts, as provided in the District Regulations. Commercial animal husbandry activities however may only be authorized in A-P and A-R Districts and only as provided in the District Regulations. (See also Section 521 below.) In the W-P District, livestock or poultry shall be limited to household pets or other animals intended for personal, domestic use.

(3) In the A-P and A-R Districts, no hazardous materials, compost, manure or other similar storage shall be located closer than 100 feet to any occupied dwelling (other than the

owner's residence), nor closer than 50 feet to any property line, stream, water body or wetland area.

(4) For the purposes of this Chapter, the first building constructed on a farm in the A-P and A-R Districts which is devoted to agricultural use will be considered to be the principal structure on the tract, and any subsequently constructed buildings on the same parcel which are associated with agricultural operations will be considered to be accessory structures. No land development approval will be required for the addition of such accessory structures.

(5) All waste storage ponds, waste storage structures (including waste storage tanks and waste stacking facilities), and waste treatment lagoons established after the effective date of this Chapter shall be planned, designed, constructed, operated and maintained in accordance with all applicable Federal and State standards and specifications.

(6) To avoid potential safety problems, cultivation activities shall not be located within the clear sight triangle of any public street intersection.

(7) Nothing contained in this Chapter shall prohibit a farmer from carrying out normal farming activities, including the spreading of manure.

§514. Riding Stables. The keeping of horses either at a Commercial Riding Stable or for personal use shall require adequate housing or pasture based on the number of horses maintained on the premises. Adequate sanitation shall be maintained at all times and stables or fencing shall secure horses so that they do not become a nuisance or safety hazard to neighbors or to the public.

(1) The fenced area and structure for the housing of horses shall be at least 50 ft. away from any habitable structure on adjoining property.

(2) Manure shall be collected and maintained in a sanitary manner so as to prevent offensive odors, fly breeding or other nuisances. A written manure management plan including the disposal location shall be provided to the Zoning Officer. Said manure management plan shall be subject to the approval of the Union County Conservation District.

§515. Kennels. Kennels, where permitted, shall comply with all local, state and federal ordinances, laws, statutes and regulations and the following standards:

(1) Prior to the issuance of a Zoning Permit, applicant shall deliver to the Township copies of all permits or licenses required by any agency or government entity for the operation of a kennel and shall deliver copies of any renewals of said permit or licenses as the same one issued as well as any new licenses and permits.

(2) Any and all outdoor lighting shall be mounted and shielded in such a way so as to avoid causing glare on adjacent lots or properties.

(3) All outdoor kennel areas shall be completely enclosed with a chain link fence or other suitable fence or wall.

(4) Outdoor kennel areas shall be located at least 250 feet from any residential structure, other than the owner's dwelling.

(5) Adequate arrangements shall be made by the applicant for the collection, storage and disposal of excrement, animal parts and other solid waste generated by the use to the satisfaction of the Township and the state agencies. Such arrangements shall be submitted to the Township for review as a part of the application evaluation process. Such wastes shall not create odor, dust or other noxious effects that could be considered public nuisances.

§516. Outdoor Recreation. If specific recreational facilities are not specified or regulated elsewhere in this Chapter, the following standards shall apply:

(1) A plan showing the proposed facilities and/or design of the recreational facility shall be provided by the applicant with his application for the use.

(2) Where appropriate, outdoor security lighting shall be provided for the facility. Such lighting shall be installed and shielded however to eliminate direct glare on adjacent properties or upon public streets.

(3) The proposed hours, rules, and security arrangements for the facility shall be included with the application for any such use. Consideration shall be given not only to the convenience of the users, but the convenience, safety and welfare of the neighborhood or area in which the facility is to be located.

(4) Where the proposed activity involves a commercial or institutional recreation development or presents a potentially hazardous situation, additional precautions shall be taken by the applicant to ensure the safety of the public and such uses shall require Conditional Use

approval from the Township Supervisors. In all such circumstances, the Supervisors shall review the precautions being proposed and shall determine their adequacy before authorizing the Conditional Use.

§517. Cemeteries. Cemeteries may be permitted only as authorized in the District Regulations, and shall be subject to the following standards. For the purposes of this Section, such standards shall be utilized for both public or private facilities.

(1) The minimum area required for a cemetery shall be 5,000 sq. ft. An additional 40 sq. ft. shall be required for each burial plot exceeding the minimum number.

(2) Every burial plot shall have a minimum dimension of 4 feet by 8 feet, and a minimum of four (4) burial plots shall be required for a cemetery.

(3) Cemeteries shall be set back 50 feet from any street right-of-way or waterway, and 25 feet from all side and rear lot lines.

(4) Private cemeteries shall be for the use of immediate family members only.

§518. Mining and Mineral Extraction. Mineral extraction, including the excavation and/or removal of sand, gravel, clay, shale, rock of other similar natural deposits shall be in compliance with all local, state and federal ordinance, laws, statutes and regulations, including but not limited to, the "Surface Mining Conservation and Reclamation Act", "Non-Coal Surface Mining Conservation and Reclamation Act", "Oil and Gas Act" and "Bituminous Mine Subsistence and Land Conservation Act", and all required permits shall be obtained prior to commencement of such activities and shall be maintained for as long as such activities continue. Copies of said permits shall be delivered to the Township prior to the commencement of such activities and at such other times as the Township shall request.

(1) Mineral extraction operations shall abut on or provide direct access to a street or highway capable of accommodating heavy trucks and employee traffic. Truck access to any excavation site shall be arranged to minimize danger to traffic and nuisance to surrounding properties.

(2) The Township Supervisors may require the applicant to post a highway performance bond in order to assure the maintenance of local municipal roads used for access and transportation of resources, materials and products of the operation. The amount of the

bond shall be set by the Township Supervisors and shall be valid for one (1) year. An annual renewal and update of the Zoning Permit for the activity, including the amount of the bond, shall be required. The bond shall be administered in accordance with the provisions of the PA Municipalities Planning Code, as amended, relating to improvement agreements.

(3) The applicant shall submit plans which indicate what precautions will be taken to avoid soil erosion and sedimentation problems wherever any excavation is proposed. The applicant shall consult the County Conservation District concerning these plans and shall obtain a report on the soil characteristics of the site and the acceptability of his erosion control plans. Exposed ground surfaces shall be stabilized or protected with a vegetative cover to prevent soil erosion, unless other erosion control techniques are approved.

(4) Screen plantings, buffering, and/or fencing shall be provided along the perimeter of the excavation site as may be required by State or Federal regulations. Where not specifically regulated by State or Federal standards, a buffer yard of 50 feet and screening in accordance with this Part shall be provided. In addition, in the case of open excavation, a fence, at least six (6) feet in height, shall completely surround the excavation area.

(5) The minimum performance standards for Manufacturing and Industrial Uses set forth in this Chapter shall be met by such operations or activities.

(6) The minimum performance standards contained in this Part shall be met by such operations.

(7) Where permitted, rock crushers, batching or mixing plants, or other grinding, polishing or cutting machinery shall be setback a minimum of 150 feet from all property lines and public rights-of-way and shall be subject to such additional conditions and safeguards deemed necessary by the Township Supervisors to protect the public health, safety and welfare.

(8) Following the extraction operation, the applicant shall restore the area to the contour satisfactory to the Township Supervisors. The applicant shall provide plans and proposals to the Township indicating the process to be followed to bring about this restoration as a part of his application for such a use.

(9) Compliance with all local, state and federal regulations, laws or ordinances, including but not limited to "Surface Mining Conservation and Reclamation Act", "Non-Coal

Surface Mining Conservation and Reclamation Act”, “Oil and Gas Act” and “Bituminous Mine Subsidence and Land Conservation Act”. If any of the same are inconsistent herewith, the provisions which are more strict, in the opinion of the Township, shall have priority unless otherwise prohibited by law.

§519. Private and Public Schools. The following requirements shall apply:

(1) Limited to day school, nursing school, school for the blind, mentally or physically handicapped.

(2) Minimum lot size shall be five (5) acres.

(3) Shall have direct access to an arterial or collector street or major road.

§520. Concentrated Animal Operation. Concentrated animal operations (CAO) may only be permitted in an Agricultural District, and all new or expanded CAO shall require Conditional Use approval from the Township Supervisors prior to the issuance of a Zoning Permit for the activity. In addition, all applications for CAO shall satisfy the requirements of the Pennsylvania Nutrient Management Act (Act 38 of 2005)(Act), as may be hereafter amended, and the following criteria:

(1) All CAO shall meet the requirements set forth in the Act, as may hereafter be amended, for the preparation and submission of Nutrient Management Plans. In particular, all such operations shall meet the standards established in the Nutrient Management Act pertaining to nutrient application, manure management, and manure storage facilities.

(2) All applications to the Township for new or expanded CAO shall include the following information:

(a) A detailed written description of the type and size of operation being proposed, including number of animal equivalent units (AEUs) for the proposed operation;

(b) A site plan illustrating the proposed location of all outdoor feedlots, animal confinement buildings, manure storage facilities, and manure application areas, and their relation to existing occupied dwellings (other than the owner’s residence); and

(c) A copy of the applicant's Nutrient Management Plan, reviewed and approved by the Union County Conservation District, their designated Nutrient Management Specialist, or other identified agent.

(3) Buildings in which livestock and/or poultry are to be housed (temporarily or permanently) shall be set back 50 feet from front, side and rear property lines and hereafter shall not be erected within 250 feet of adjacent residential dwellings. All other agricultural buildings shall be set back at least 20 feet from side and rear lot lines in an Agricultural Zone and at least 25 feet from side and rear lot lines in a Woodland Zone.

(4) No outdoor feedlot, compost, manure or other similar unenclosed storage shall be located closer than 100 feet to any occupied dwelling (other than the owner's residence), nor closer than 50 feet to any property line, stream, water body or designated wetland.

§521. Roadside/Farm Stands. The Temporary or permanent roadside stands or shelters shall meet the following criteria:

(1) Temporary stands shall not exceed 400 square feet in size and shall be removed during the season when not in use for the sale or display of products.

(2) A minimum of two (2) off-street parking spaces shall be provided where a temporary roadside stand is established. The off-street parking requirements set forth in this Chapter for such structures shall apply to all permanent stands.

(3) Roadside stands shall not be placed within any street right-of-way, shall be set back 5 feet from any property line and shall not be located within the clear sight triangle of any public street intersection.

(4) All signs used to advertise such facilities shall meet the requirements set forth in this Chapter.

§522. No Impact Home Based Business. The business or commercial activity must satisfy the following requirements:

(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% of the habitable floor area;

(8) The business may not involve any illegal activity.

§523. Parochial School. Any land utilized for a parochial school shall be privately owned or subject to a lease between private person(s) and/or entities.

§524. Farnettes. The raising of livestock and/or poultry for personal use provided for in the District Regulations (see Chapter 27, Part 4) shall be subject to the following:

(1) Livestock shall include both domesticated and wildlife animals that are four-legged and hoofed.

(2) Poultry shall include both domesticated and wildlife birds.

(3) The minimum lot area shall be three (3) acres and the tract of land shall be suitable lands for the raising and keeping of said animals.

(4) No more than three (3) hoofed, four-legged animals and thirty (30) birds shall be permitted, except one (1) hoofed animal shall be permitted for each acre in excess of three (3) acres.

(5) The boarding or breeding of livestock and poultry shall be for the personal use and consumption of the occupiers of the lot or tract of land upon which the same shall occur.

(6) The raising of livestock and poultry other than for the purposes and in the manner and quantity set forth in this Section shall be an agricultural use and shall comply with the applicable provisions of this Chapter.

(7) Buildings in which livestock and/or poultry are to be housed shall not hereafter be erected within twenty (20') feet from the side and rear lot lines and must meet the required front setback in the District.

(8) No outdoor feedlot, compost, manure, or other similar unenclosed storage shall be located closer than one hundred (100') feet to any occupied dwelling (other than the owner's residence), nor closer than fifty (50') feet to any property line, stream, body of water or designated wetland.

(9) Must obtain a manure management plan through soil conservation.

(10) Pasture area for livestock must be provided.

§525. Bed and Breakfast Establishments. Bed and Breakfast Establishments may be permitted only in those Zoning Districts as specified in this Chapter. In addition, the following standards shall also be met:

(1) Bed and Breakfast Establishments in the W-P, A-P and A-R Zoning Districts shall have a minimum lot area of three (3) acres. Bed and Breakfast Establishments in the R-U Zoning District shall have a minimum lot area of 20,000 sq. ft. Bed and Breakfast Establishments in the G-C and B-U Zoning Districts shall have a minimum lot area of 30,000 sq. ft.

(2) The operator of the facility shall reside on the premises while guests are attending.

(3) The maximum number of guests per bedroom shall not exceed two (2) adults and any children under the age of eighteen (18) years accompanying them.

(4) Dining facilities and services shall only be available to lodgers.

(5) Exterior alterations and expansion to existing structures shall be limited to those customarily associated with residential uses.

(6) Satisfactory evidence shall be provided by the applicant for a zoning permit indicating that the proposed facility will conform to all applicable state and local regulations (including regulations of the Pennsylvania Department of Health and Pennsylvania Department of Labor and Industry).

(7) Bed and Breakfast Establishments must comply with the requirements of §505.3 related to Off-Street Parking. In addition, motor vehicles of guests at Bed and Breakfast Establishments shall be parked for no more than ninety (90) days.

§526. Agritourism. Types of Agritourism shall include: farm markets/roadside stands, “U-pick” operations, ice cream/bakery facilities, Christmas tree farm/”cut your own”, local products retail operations (i.e., local crafts, food products), corn mazes, farm-related interpretive facilities and exhibits, agriculturally related educational and learning experiences, agriculturally related events/fairs/festivals, on-site farm, garden and nursery tours, walking and bicycling tours and trails, farm stays, recreation related operations (i.e., outfitters, cross country skiing, fishing and hunting facilities, bird watching), and horseback riding. Agritourism Operators shall also be subject to the following:

(1) Farm must be an existing and operating working farm.

(2) Agritourism operation must be incidental to and directly supportive of the agricultural use of the property and will not have significant impacts on the agricultural viability or rural character of neighboring properties.

(3) Permanent farm structures shall meet the requirements of the applicable Zoning District.

(4) Agritourism Operator is required to provide proof that all required governmental permits and licenses have been obtained for proposed agricultural enterprises.

(5) Requirement of a sketch plan identifying the location and dimensions of all structures, parking areas, existing and proposed driveways, parking and vehicular turning areas, sanitary facilities, areas where visitors will be permitted and restricted, and landscaping, if required to buffer adjacent properties.

(6) Adequate off-street parking shall be provided. Parking areas and driveways shall be treated as necessary to control dust. Parking areas shall be screened from neighboring properties.

(7) No vehicles may be parked on adjacent shoulders of roads.

§527. Brewery, Distillery, Winery. A brewery, distillery, or winery shall meet the following standards:

(1) Breweries, Distilleries, or Wineries in the W-P, A-P and A-R Zoning Districts shall have a minimum lot area of five (5) acres. Breweries, Distilleries, or Wineries in the G-C Zoning District shall have a minimum lot area of 30,000 sq. ft.

(2) Permitted brewery, distillery, or winery activities shall be restricted to: 1) indoor and outdoor tasting and sale, by either glass or container; and, 2) sale of glassware, gifts, clothing, artwork and similar items related to breweries, distilleries, or wineries and/or vineyards, advertising or promoting the name and/or place of the permitted brewery, distillery, or winery.

(3) The sale of light food, snacks, cheeses and similar items customarily eaten in conjunction with a brewery, distillery or winery are permitted.

(4) Receptions, festivals, cultural events and similar activities, with or without entertainment, may be held, provided, any food provided for meals shall be prepared off premises.

(5) Parking requirements shall be calculated one (1) space per employee in the maximum shift, plus additional spaces in an amount equal to thirty-three percent (33%) of the occupancy load of the facility capacity.

(6) Buffering shall be required when the brewery, distillery, or winery abuts a residential district or occupied residential property. A building and/or structure, principal or accessory, shall be setback one hundred (100') feet from the property line(s).

(7) Buffer planting shall be provided along a property line where there is an abutting residence, and which are intended to screen views, lights and noise from the operation. Any proposed parking facilities located within one hundred (100') feet of any occupied residential structure shall be effectively screened to provide visual relief. All screening shall be a minimum of eight (8') feet at the time of planting in locations to visibly obscure affected neighboring properties. Planting shall be specified in the required sketch plan/land development.

(8) Outdoor lighting shall be installed and shielded to avoid causing glare on adjacent properties or creating a hazard for passing motorists. Outdoor lighting be reduced by 75% between the hours of closing and dawn.

(9) A brewery, distillery, or winery shall have a maximum occupancy of three hundred (300) people.

(10) All activities of breweries, distilleries, or wineries shall be in compliance with all applicable federal, state, local, and Commonwealth of Pennsylvania statutes, laws, ordinances, rules and regulations.

§528. Event Space/Venue. An Event Space/Venue shall be defined as a building or place thereof that is designed for public or private assembly for special events or regularly scheduled programs. Such events may include, but not be limited to, lectures, performances, weddings, receptions, banquets and fundraisers. Live music performances shall not present a nuisance to neighboring properties. All activities related thereto shall not create a public nuisance with loud noise or disorderly conduct. An Event Space/Venue shall also comply with the following:

(1) An Event Space/Venue in the W-P, A-P and A-R Zoning Districts shall have a minimum lot area of five (5) acres. An Event Space/Venue in the G-C and B-U Zoning Districts shall have a minimum lot area of 30,000 sq. ft.

(2) Buffering shall be required when the Event Space/Venue abuts a residential district or occupied residential property. A building and/or structure, principal or accessory, shall be setback one hundred (100') feet from the property line(s).

(3) Buffer planting shall be provided along a property line where there is an abutting residence, and which are intended to screen views, lights and noise from the operation. Any proposed parking facilities located within one hundred (100') feet of any occupied residential structure shall be effectively screened to provide visual relief. All screening shall be a minimum of eight (8') feet at the time of planting in locations to visible obscure affected neighboring properties. Planting shall be specified in the required sketch plan/land development.

(4) All ingress/egress and parking areas shall be located in such a manner to minimize traffic hazards associated with entering and exiting the public roadway.

(5) The increase in traffic generated by the commercial activity shall not create a nuisance to nearby residents by the way of traffic, noise, or significant increases in parking on the public ways.

(6) Parking requirements shall be calculated at a rate of one (1) per employee in the maximum shift, plus additional spaces in an amount equal to thirty-three percent (33%) of the occupancy load of the facility capacity.

(7) Outdoor lighting shall be installed and shielded to avoid causing glare on adjacent properties or creating a hazard for passing motorists. Outdoor lighting shall be reduced by 75% between the hours of closing and dawn.

(8) Amplified music and dancing are permitted only within the provided structure. Township noise ordinances shall be complied with.

(9) An outdoor site for conducting ceremonies is permitted on the property.

(10) Adequate sanitary facilities must always be provided.

(11) Temporary structures/tents are permitted to be used in association with the event.

(12) On premises lodging may be provided for no longer than three (3) consecutive days. Reservations shall only be provided to event host or bridal party.

(13) An Event Space/Venue shall have a maximum occupancy of three hundred (300) people.

§529. Forestry. The prevailing best silvicultural practices shall be followed as they relate to replanting.

§530. Continuous Care Facility.

(1) In instances where there is more than one building on a single lot, the following minimum setback requirements between buildings shall be satisfied:

- (a) Front to front: 70 feet
- (b) Front to side: 50 feet
- (c) Front to rear: 40 feet
- (d) Side to rear: 20 feet
- (e) Side to side: 15 feet
- (f) Rear to rear: 30 feet

(g) Corner to corner: 20 feet

(2) The lot or tract of land upon which the facility is located shall front upon or have direct access via a public street to an arterial or collector road.

(3) Safe vehicular access and areas for discharging and picking up guests shall be provided.

(4) The location, orientation and lot circulation shall be coordinated with the Township in order to minimize the disturbance of adjacent land uses and neighborhood, and traffic flow and ingress/egress shall not cause traffic hazards on adjacent streets.

(5) The facility shall submit a copy of its emergency operations plan (EOP) to the local and county emergency management agency coordinator. The EOP shall also include detailed information regarding solid, medical and hazardous materials and waste handling, including a listing of all medical and hazardous materials and wastes used and generated on site and evidence indicating the disposal of all materials and wastes will be accomplished in a manner that complies with Township, state and federal regulations.

(6) The applicant shall obtain any required land development approvals in accordance with the requirements of Chapter 22 of the Code of Ordinances of East Buffalo Township.

§531. Group Home.

(1) No portion of a Group Home shall be located within five hundred (500') feet of another Group Home.

(2) All principal structures for this use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modification to the external appearance of the building (except fire and safety requirements) which would alter its residential character shall be permitted.

(3) Fire escapes, where required, shall be located in the rear of the building and shall not be located on any wall facing a street right-of-way.

(4) Group Home shall not include any use that may be considered to be a "half-way house" or "substance abuse treatment center".

(5) Occupants of a Group Home shall live as a family unit.

§532. Nursing/Convalescent Home; Personal Care Facility.

(1) In instances where there is more than one building on a single lot, the following minimum setback requirements between buildings shall be satisfied:

- (a) Front to front: 70 feet
- (b) Front to side: 50 feet
- (c) Front to rear: 40 feet
- (d) Side to rear: 20 feet
- (e) Side to side: 15 feet
- (f) Rear to rear: 30 feet
- (g) Corner to corner: 20 feet

(2) All principal structures for this use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modification to the external appearance of the building (except fire and safety requirements) which would alter its residential character shall be permitted.

(3) Fire escapes, where required, shall be located in the rear of the building and shall not be located on any wall facing a street right-of-way.

(4) The location, orientation and lot circulation shall be coordinated with the Township in order to minimize the disturbance of adjacent land uses and neighborhood, and traffic flow and ingress/egress shall not cause traffic hazards on adjacent streets.

(5) A long-term Nursing/Convalescent Home or Personal Care Facility shall be directly affiliated with a parent institution or organization, which shall provide full-time supervision and administration to the residents of the facility.

(6) The facility shall submit a copy of its emergency operations plan (EOP) to the local and county emergency management agency coordinator. The EOP shall also include detailed information regarding solid, medical and hazardous materials and waste handling, including a listing of all medical and hazardous materials and wastes used and generated on site and evidence indicating the disposal of all materials and wastes will be accomplished in a manner that complies with Township, state and federal regulations.

(7) The applicant shall obtain any required land development approvals in accordance with the requirements of Chapter 22 of the Code of Ordinances of East Buffalo Township.

SECTION 15: ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith ARE HEREBY REPEALED.

SECTION 16: THIS ORDINANCE SHALL BE EFFECTIVE FIVE (5) DAYS AFTER ADOPTION.

ENACTED THIS _____ DAY OF _____, 2025, by the Board of Supervisors of East Buffalo Township, Union County, Pennsylvania.

ATTEST:

**BOARD OF SUPERVISORS OF
EAST BUFFALO TOWNSHIP**

BY: _____

Secretary

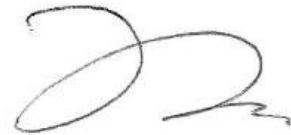
Chairman

PETER L. MATSON, P.C.
ATTORNEYS AT LAW
222 MARKET STREET
LEWISBURG, PA 17837
GENERAL
570/523-3285
REAL ESTATE
570/523-9285
570/524-5900 FAX

ATTESTATION

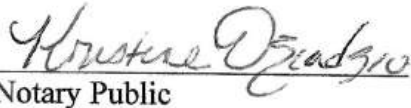
COMMONWEALTH OF PENNSYLVANIA *
* SS.
COUNTY OF UNION *

PETER L. MATSON, Solicitor of East Buffalo Township, Union County, PA,
personally appearing before the undersigned officer, and after being duly sworn according to
law, doth depose and say that he is the Solicitor of East Buffalo Township, Union County, PA,
and that the attached is a true and correct copy of the original proposed ordinance that is in his
possession.



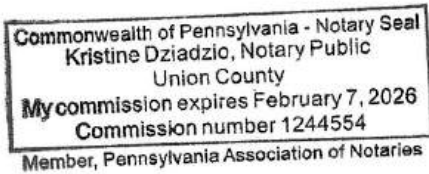
Peter L. Matson
Solicitor
East Buffalo Township

Sworn to and subscribed
before me this 26th day
of March, 2025.



Notary Public

My Commission Expires:



PETER L. MATSON, P.C.
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