

## PART 14

### SPECIFIC CRITERIA AND SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES

#### Section 1400. Applicability.

- A. In addition to the general provisions for principal, accessory and/or temporary uses, buildings, and structures within a particular zoning district established in Parts 7 through 13 of this Chapter, and the additional general provisions for uses, buildings, and structures established in the Part 4 and elsewhere in the Chapter, this Part sets forth the specific standards and supplemental regulations that shall be applied to each principal, accessory and/or temporary use identified herein. These specific use standards and supplemental regulations must be satisfied prior to approval of any application for a zoning permit, building permit, occupancy permit, temporary permit, special exception and/or conditional use. The applicant shall be required to demonstrate compliance with these standards and regulations and must furnish whatever evidence is necessary to demonstrate such compliance.
- B. All principal, accessory and/or temporary uses identified subsequently herein this Part, must comply with the general provisions for uses within a particular zoning district in which the use is to be located, unless different standards are established herein the subsequent sections of Parts 7 through 13 of this Chapter; in any case, the more restrictive of the general and specific provisions shall apply.
- C. For the purposes of this Part, any required setbacks shall be measured from the boundary line of the site for which the zoning permit, building permit, occupancy permit, temporary permit, special exception and/or conditional use is requested, regardless of whether or not this line corresponds to a property line or a lease line.
- D. For uses allowed within a specific zoning districts as “Conditional Uses” and/or “Special Exceptions”, see also the procedures and standards in Part 3 as applicable of this Chapter.

#### Section 1401. Additional Supplemental Standards and Requirements for Specific Principal Residential Uses.

- A. Apartment Conversions: Apartment conversions are permitted subject to the following criteria:
  1. The building must be a single-family detached dwelling that existed on the effective date of this Chapter, and contained (at that time) at least three thousand two hundred (3,200) square feet of habitable floor area.
  2. All principal buildings permitted as part of a residential conversion to dwelling unit/apartment uses shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) 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, excluding alleys.
  4. All apartment conversions shall comply with the minimum lot area per unit requirements for the underlying zoning district.
  5. In the R-L zoning district, no more than two (2) total dwelling units shall be permitted per lot in the applicable underlying zoning district. In all other zoning districts where apartment conversions are permitted, the total number of dwelling units permitted per lot shall be three (3).
  6. No dwelling unit shall be less than eight hundred (800) square feet.
  7. All dwelling units shall be located within the principal building.

8. All dwelling units must have separate kitchen and bathroom facilities as well as living/sleeping spaces.
  9. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
  10. The applicant shall obtain any required land development approvals.
- B. Bed and Breakfasts: Bed and Breakfasts are permitted subject to the following criteria:
1. The building must be a single-family detached dwelling.
  2. All principal buildings permitted to be bed and breakfast uses shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modification to the external appearances 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, excluding alleys.
  4. Accommodations shall be limited to no more than three (3) guest bedrooms for rent in the R-L and R-M zoning districts; and six (6) guest bedrooms for rent in other zoning districts.
  5. In no case shall more than five (5) guest bedrooms be available or used in any one structure, and no more than ten (10) total guest bedrooms shall be permitted per lot.
  6. The owner of the facility or resident manager must reside therein, and must be on the premises when guests are present.
  7. Overnight guests shall not occupy the facility for more than fourteen (14) consecutive nights in a thirty (30) day period.
  8. No cooking facilities shall be provided or permitted in individual guest bedrooms.
  9. Accessory uses, customarily incidental to the use of a bed and breakfast, shall be permitted so long as they complement the bed and breakfast use and do not encumber activities of surrounding lots.
  10. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
  11. The applicant shall obtain any required land development approvals.
- C. Boarding Houses: Boarding houses are permitted subject to the following criteria:
1. All principal buildings permitted to be boarding house facilities shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.

2. 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, excluding alleys.
3. Accommodations shall be limited to no more than six (6) tenant/guest rooms for rent, accommodating not more than twelve (12) tenants/guests. All tenant/guest rooms shall be limited to two (2) persons each.
4. All tenant/guest rooms available for boarding shall be located within the principal building.
5. All tenant/guest rooms shall contain a minimum of one hundred (100) square feet of habitable floor area per person, exclusive of common areas.
6. Meals for compensation shall be provided only to registered tenants of the boarding house. No cooking facilities shall be provided or permitted in the individual guest rooms.
7. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
8. The applicant shall obtain any required land development approvals.

D. Continuing Care Retirement Community Facility

1. Whenever a party or parties seeks to establish a continuing care retirement facility, the party or parties shall file a detailed statement of intent with the Borough describing the proposed use and development of the lot. Such statement shall detail the proposed number and nature of the anticipated occupants and uses. The statement shall identify how said use satisfies a demonstrative need and shall be conducted in a responsible manner without detriment to surrounding properties and neighborhood.
2. The continuing care retirement community is designed primarily for persons aged fifty five (55) and over.
3. The subject property shall front on or have direct access via a public street (excluding alleys) to an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
4. The following uses shall be permitted as principal uses within a continuing care retirement community.
  - a. Residential uses.
    - (1). Long-term care nursing centers
    - (2). Personal care centers
    - (3). Single-family attached dwellings
    - (4). Single-family detached dwellings
    - (5). Single family semi-detached dwellings
    - (6). Two family detached dwellings

- (7). Multi-family dwellings/apartments
  - b. Public-Semi-Public uses.
    - (1). Parks, Other Outdoor Recreational Uses
    - (2). Libraries and community activity buildings
    - (3). Indoor recreation uses and structures operated for the benefit or use of the community
    - (4). Post office
  - c. Institutional uses.
    - (1). Places of worship
5. The following uses shall be permitted as accessory uses in the continuing care retirement community for the use of residents and guests:
  - a. Accessory service uses:
    - (1). Daycare facilities
    - (2). Medical offices and clinics
    - (3). Common dining facilities
    - (4). Indoor recreation facilities
  - b. Accessory commercial uses.
    - (1). Banks.
    - (2). Food services.
    - (3). Retail businesses.
    - (4). Personal services
    - (5). Restaurants (no drive in or drive thru)
  - c. Each accessory use shall be located in a building occupied by residential uses or in a community activities building.
  - d. Each accessory commercial use shall not exceed two thousand five hundred (2,500) square feet of net floor area.
  - e. The total area reserved of commercial accessory uses shall not exceed four (4) percent of the total gross land area of the original tract/lot, and no more than twenty five thousand (25,000) square feet, whichever is less.
6. Continuing care retirement communities shall meet the following area, density, coverage and setback requirements:

- a. Minimum lot area shall be ten (10) acres.
  - b. Maximum density shall be twelve (12) units per acre.
  - c. Maximum impervious lot coverage shall be sixty (60) percent.
  - d. Minimum vegetative coverage shall be forty (40) percent.
  - e. No building shall be within twenty-five (25) feet of the lot or property line of the continuing care retirement community, nor within thirty-five (35) feet of an outside or public street right-of-way.
  - f. In instances where there is more than one building on a single lot shall meet the following minimum building setback requirements:
    - (1) Front to front: 70 feet.
    - (2) Front to side: 50 feet.
    - (3) Front to rear: 40 feet.
    - (4) Side to rear: 20 feet.
    - (5) Side to side: 15 feet.
    - (6) Rear to rear: 30 feet.
    - (7) Corner to corner: 20 feet.
  - g. Staging of development. When the continuing care retirement community is to be developed in stages, the following criteria must be met:
    - (1) The land development plan presented to the Borough must show the approximate location and type of use for each stage of the development.
    - (2) If nonresidential uses will be a part of the development, the sequencing shall be shown so that not all residential development is constructed prior to the construction of the nonresidential development, unless the development involves an existing continuing care retirement community that already includes existing nonresidential components, in which case the staging requirement would not apply.
7. Safe vehicular access and areas for discharging and picking up guests shall be provided.
  8. The location, orientation and lot circulation shall be coordinated with the Borough 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.
  9. Deed restrictions or covenants should be included to provide for the creation of a property owners association or board of trustees for the proper protection and maintenance of the development improvements in the future; at a minimum, all development improvements relating to internal streets, sidewalks, curbs, parks, parking areas, etc. shall remain private and the responsibility of the landowner and/or the operator. Should the a property owners association or board of trustees, or landowner and/or the operator neglect to maintain the designated improvements, as depicted on

the plan, the Borough may then maintain said areas and assess the responsible party for any costs incurred.

10. The institution 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 Borough, state, and federal regulations.
11. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
12. The applicant shall obtain any required land development approvals.

E. Group Care

1. Whenever a party or parties seeks to occupy a dwelling or other building as a group care facility, the party or parties shall file a detailed statement of intent with the Borough describing the proposed use of the dwelling or building. Such statement shall detail the proposed number and nature of the anticipated occupants. The statement shall identify how said use satisfies a demonstrative need and shall be conducted in a responsible manner without detriment to surrounding properties and neighborhood.
2. No portion of a group care facility shall be located within five hundred (500) feet of another group care facility, group home facility, half way house and/or treatment center, but in no case shall be located within the same block.
3. All principal structures permitted to be group care uses shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
4. 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, excluding alleys.
5. A group 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 group care facility.
6. Under no circumstances shall any uses qualifying for or falling under the definition of a "half-way house" or "treatment center" be considered a group care facility.
7. The location, orientation and lot circulation shall be coordinated with the Borough 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.
8. The institution 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 Borough, state, and federal regulations.

9. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
10. The applicant shall obtain any required land development approvals.

F. Group Home

1. Whenever a party or parties seeks to occupy a dwelling or other building as a group home facility, the party or parties shall file a detailed statement of intent with the Borough describing the proposed use of the dwelling or building. Such statement shall detail the proposed number and nature of the anticipated occupants. The statement shall identify how said use satisfies a demonstrative need and shall be conducted in a responsible manner without detriment to surrounding properties and neighborhood.
2. No portion of a group home shall be located within five hundred (500) feet of another group home facility, group care facility, half way house and/or treatment center, but in no case shall be located within the same block.
3. All principal structures permitted to be group home uses shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
4. 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, excluding alleys.
5. Under no circumstances shall any uses qualifying for or falling under the definition of a “half-way house” or “treatment center” be considered a group home facility.
6. Occupants of the group home facility shall live as a family unit.
7. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

G. Long Term Care Nursing Home or Personal Care Facility

1. Whenever a party or parties seeks to establish a long term nursing home or personal care facility on a lot or occupy a dwelling or other building as a long term nursing home or personal care facility, the party or parties shall file a detailed statement of intent with the Borough describing the proposed use and development of the lot or dwelling or building. Such statement shall detail the proposed number and nature of the anticipated occupants. The statement shall identify how said use satisfies a demonstrative need and shall be conducted in a responsible manner without detriment to surrounding properties and neighborhood.
2. In addition to residential units (living and sleeping quarters with or without kitchen facilities), the following accessory uses may be provided for the exclusive use of residents and their guests:
  - a. Dispensaries
  - b. Medical offices and clinics

- c. Common dining facilities
  - d. Community gardens
  - e. Parks and other non-commercial recreation uses
  - f. Indoor recreation uses
  - g. Daycare
  - h. Bank
  - i. Retail business
  - j. Food Service
  - k. Personal Service
3. Buildings on the same lot shall meet the following minimum setback requirements between buildings:
- a. Front to front: 70 feet
  - b. Front to side: 50 feet
  - c. Front to rear: 20 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
3. Minimum vegetative coverage shall be 40%.
4. All principal structures permitted to be long term nursing homes and personal care facilities shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
5. 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, excluding alleys.
6. The location, orientation and lot circulation shall be coordinated with the Borough 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.
7. A long term nursing 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 long term nursing home or personal care facility.
8. The institution 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 Borough, state, and federal regulations.

9. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
10. The applicant shall obtain any required land development approvals.

H. Mobile Home Park: Mobile home parks are permitted subject to the following criteria:

1. Minimum lot area shall be ten (10) acres.
2. Maximum density in a mobile home park shall be (7) units per acre.
3. Each mobile home stand/pad (or lot if provided on individual lots) shall contain no more than one (1) mobile home, not more than one (1) family, and be at least four thousand, two hundred fifty (4,250) square feet of lot area provided for siting each mobile home dwelling unit.
4. Each mobile home stand/pad (or lot if provided on individual lots) shall have a minimum required:
  - a. Lot width of forty (40) feet
  - b. Front building setback of twenty (20) feet,
  - c. Rear building setback of fifteen (15) feet, and
  - d. Two (2) side building setbacks of ten (10) feet each.
5. In no case shall the distance between any two (2) mobile home units be less than twenty (20) feet (these setbacks shall also apply to the mobile home park office, service, utility, or other buildings).
6. No mobile home stand/pad (or lot if provided on individual lots), or building shall be within twenty-five (25) feet of the lot or property line of the mobile home park, nor within thirty-five (35) feet of an outside public street right-of-way.
7. Protective skirting shall be placed around the area between the stand surface and the floor level of each mobile home so as to prevent that area from forming a harborage for rodents, creating a fire hazard, or exposing unsightly conditions.
8. Individual mobile homes shall have a pitched roof with a slope of no less than 4:12, instead of a flat roof.
9. Individual mobile home owners may install accessory or storage sheds, extensions and additions to mobile homes, and exterior patio areas. Any such facilities so installed shall not intrude into any required front, side, or rear building setbacks, and, in every case, shall substantially conform in style, quality, and color to the existing mobile homes.
10. Each mobile home shall be erected and connected to utilities in accordance with the Chapter 9 relating to buildings and Chapter 22 relating to subdivision and land development of the Codified Ordinances of the Borough of Highspire, and all applicable state and federal requirements.

11. All mobile homes shall abut on a street of the mobile home park's internal street system. In no case shall access to such mobile homes and mobile home stands/pads or lots be provided directly to or abutting public streets.
12. All internal streets shall, as a minimum, comply with local streets standards of Chapter 22 of the Codified Ordinances of the Borough of Highspire relating to subdivision and land development.
13. The location, orientation and lot circulation shall be coordinated with the Borough 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.
14. Curbs, gutters and sidewalks shall be constructed and installed on both sides of each street within the mobile home park (whether public or private), in addition to installation of street trees, in accordance with Chapter 22 relating to subdivision and land Development and/or Chapter 25 relating to trees of the Codified Ordinances of the Borough of Highspire.
15. There shall be a minimum of fifteen (15) percent of the gross acreage of the mobile home park devoted to active and/or passive common recreational facilities. Responsibility for maintenance of the recreational areas shall be with the landowner and/or the operator, or property owners association.
16. Deed restrictions or covenants should be included to provide for the creation of a property owners association for the proper protection and maintenance of the development improvements in the future; at a minimum, all development improvements relating to internal streets, sidewalks, curbs, active and/or passive common recreational facilities, parking areas, etc. shall remain private and the responsibility of the landowner and/or the operator. Should the a property owners association, or landowner and/or the operator neglect to maintain the designated improvements, as depicted on the plan, the Borough may then maintain said areas and assess the responsible party for any costs incurred.

I. Multi-Family Dwelling/Apartment

1. All principal buildings permitted to be multi-family dwelling/apartment facilities shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.
2. 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, excluding alleys.
3. There shall be no more than:
  - a. Six (6) dwelling units permitted on a lot in the R-M zoning district;
  - b. Eight (8) dwelling units permitted on a lot in the MN/C zoning district; and
  - c. Twelve (12) dwelling units permitted on a lot in the CBD zoning district.
4. In those instances where more than one multi-family dwelling/apartment building is located on the same lot, the following separation distances will be provided between each building:
  - a. Front to front, rear to rear, parallel buildings shall have at least forty five (45) feet between faces of the building. If the front or rear faces are obliquely aligned, the above distances may be decreased by as much as ten (10) feet at one end if increased by similar or greater distance to the other end.

- b. A minimum distance of twenty-five (25) is required between end walls of buildings. If the buildings are at right angles to each other, the distance between the corners of the end walls of the building may be reduced to a minimum of fifteen (15) feet.
  - c. A minimum distance of twenty five (25) feet is required between end walls and front or rear faces of buildings.
  - d. All multi-family dwelling/apartment buildings shall be set back a minimum of fifteen (15) feet from any interior access drives or parking facilities contained on commonly held lands.
  - e. In no case shall there be more than twelve (12) dwelling units per building.
5. In the CBD zoning district, multi-family dwelling/apartment units shall be permitted on second or higher floors, above ground or first floor permitted non-residential uses.
  6. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
  7. The location, orientation and lot circulation shall be coordinated with the Borough 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.
  8. The applicant shall obtain any required land development approvals.
- J. Single Family Attached Dwelling: Single family attached dwellings are permitted shall be subject to the following criteria:
1. All principal structures permitted to be single family attached dwellings shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
  2. The maximum number of dwelling units in a row shall be six (6), but where four (4) or more dwelling units are in a row, then no more than sixty (60) percent shall have the same front setback and roofline that generally parallel the ground along the same horizontal plane
  3. No more than two (2) abutting units shall have the same front setback and roofline that generally parallel the ground along the same horizontal plane.
  4. The minimum front setback variation shall be four (4) feet.
  5. Single family attached dwellings and buildings shall have a pitched roof with a slope of no less than 4:12, instead of a flat roof.
  6. To the extent feasible, for buildings located on corner lots with single family attached units, there shall be at least one dwelling unit with its primary front facade, orientation or location of the main or everyday entrance, and its address, on each of the intersecting streets (excluding alleys).
  7. The location, orientation and lot circulation shall be coordinated with the Borough 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.
  8. The applicant shall obtain any required land development approvals.

K. Single Family Detached Dwelling

1. All principal structures permitted to be single family detached dwellings shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
2. Single family detached dwellings and buildings shall have a pitched roof with a slope of no less than 4:12, instead of a flat roof.

L. Single Family Semi-Detached Dwelling

1. All principal structures permitted to be single family semi-detached dwellings shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
2. Single family semi-detached dwellings and buildings shall have a pitched roof with a slope of no less than 4:12, instead of a flat roof.
3. To the extent feasible, for buildings located on corner lots with single family semi-detached units, there shall be at least one dwelling unit with its primary front facade, orientation or location of the main or everyday entrance, and its address, on each of the intersecting streets (excluding alleys).
4. The location, orientation and lot circulation shall be coordinated with the Borough 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.

M. Two-Family Detached Dwelling

1. All principal structures permitted to be two family detached dwellings shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood
2. Two family detached dwellings shall have a pitched roof with a slope of no less than 4:12, instead of a flat roof.
3. For buildings located on corner lots with two-family detached units, there shall be at least one dwelling unit with its primary front facade, orientation or location of the main or everyday entrance, and its address, on each of the intersecting streets (excluding alleys).
4. The location, orientation and lot circulation shall be coordinated with the Borough 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.

**Section 1402. Additional Supplemental Standards and Requirements for Specific Principal Non-Residential Uses.**

A. Adult Related Uses. Adult-related uses are permitted, subject to the following criteria:

1. No portion of an adult related use shall be located within five hundred (500) feet of an adult related use, but in no case shall be located within the same block.
2. No portion of a building occupied by an adult-related use shall be located within two hundred fifty (250) feet of adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.

3. No portion of a building occupied by an adult-related use shall be located within one thousand (1,000) feet of any property which contains any one (1) or more of the following specified land uses where minors may congregate:
    - a. Commercial recreation facility, Indoor/Outdoor;
    - b. Daycare facility primarily for children;
    - c. Library;
    - d. Park, Playground, Playfield;
    - e. Place of Worship;
    - f. School, Private/Public;
    - g. Swimming Pool, Public; or
    - h. Other lands, buildings, and uses where minors are permitted to congregate.
  4. No materials, merchandise, or film offered for sale, rent lease, loan, or for view upon the premises shall be exhibited or displayed outside of a building or structure.
  5. Any building or structure used and occupied as an adult related establishment shall be windowless, or have an opaque covering over all windows or doors of any area in which materials, merchandise, or film are exhibited or displayed, and no sale materials, merchandise, or film shall be visible from outside of the building or structure.
  6. All signs shall comply with Part 18 of this Chapter. No sign shall be erected upon the premises pictorially depicting or giving a visual representation of the type of materials, merchandise or film offered therein.
  7. Each entrance to the premises shall be posted with a notice specifying that persons under the age of eighteen (18) years are not permitted to enter therein and warning all other persons that they may be offended upon entry.
  8. No adult-related use may change to another adult related use, except upon additional approval by the entity with jurisdiction for initial approval.
  9. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate.
  10. No unlawful sexual activity or conduct shall be permitted.
  11. No more than one (1) adult related use may be located within one (1) building or on one lot.
  12. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
- B. Agriculture Operation
1. Minimum lot area shall be ten (10) acres.

2. All agriculture-related building shall not be closer to any lot line than one hundred fifty (150) feet.
  3. Surface water run-off from areas where animals are enclosed shall be diverted away from adjacent properties and shall not contaminate downstream watercourses.
  4. Any new operation or expansion of an existing agricultural operation shall not be approved by the Borough until a Soil Erosion and Sedimentation control plan has been prepared and found satisfactory by the County Conservation District.
  5. A list of all chemicals utilized in the propagation and care of farm products shall be filed annually with the Zoning Officer.
- C. All Other Uses. If a use clearly is not permitted by right, as a special exception use, or as a conditional use by this Chapter within any zoning district, the use is prohibited, except that the Zoning Hearing Board may permit such use as a special exception if the applicant specifically proves to the Zoning Hearing Board that all of the following terms would be met:
1. The proposed use is in general conformity with the most recent version of the Highspire Borough Comprehensive Plan and harmony with the area and neighborhood in which it is proposed.
  2. The proposed use would be equal to or less intensive in external impacts than uses that are permitted in the zoning district.
  3. The proposed use would not endanger the public health and safety if located where proposed and that the use will not deteriorate the environment or generate nuisance conditions such as traffic congestion, noise, dust, smoke, glare or vibration.
  4. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
  5. The proposed use is not specifically prohibited in that zoning district where it is proposed.
  6. The proposed use would meet the standards that apply under Part 3 of this Chapter pertaining to Special Exception.
  7. The applicant shall provide a detailed description of the proposed use in each of the following topics:
    - a. The nature of the on-site activities and operations, the type of products, materials, equipment and/or processes involved in the proposed use.
    - b. The number of employees. The total number of employees on each shift.
    - c. The floor area of the building or gross area of the lot devoted to the proposed use.
    - d. The magnitude of walk-in trade.
    - e. The disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
    - f. The traffic and environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative

impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Part 4 of this Chapter.

- g. The hours of operation.
- h. The extent of pervious and impervious surfaces in relationship to that currently present on adjacent lots and the overall block in which the use and development is proposed.
- i. A schematic architectural drawing of the principal building's front façade.
- j. Site plans required in Section 306.B of this Chapter.
- k. How the proposed use and development complies items 1-6 herein this subsection above.

D. Animal Hospital, Veterinary Office: Animal hospital/veterinary clinics are permitted, subject to the following criteria:

1. Minimum Lot Area. Unless animals are kept inside within in an enclosed building at all times, each lot shall contain at least one (1) acre; otherwise, the minimum lot area requirement of the applicable zoning district shall apply.
2. Within the MN/C and CBD zoning districts, all activities shall be performed within a completely enclosed building.
3. All structures where animals are kept and/or examined shall be completely enclosed and soundproofed in a manner to prevent sound and odor from traveling outside, such as solid core doors, sound absorbent ceilings and forced air ventilation.
4. In the C-G zoning district, all structures where animals are kept that are not completely enclosed, and also including any outdoor animal pens, stalls, and runways shall not be located between the principal building and the public street (excluding alleys), and within all zoning districts, they shall not be located within any required building setbacks. These outside and unenclosed facilities shall be a minimum of fifty (50) feet from all lot lines, and one hundred (100) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
5. Where outdoor animal pens, stalls, or runways are permitted, animals shall be permitted to exercise outside daily between the hours of 8:00 am to 8:00 pm.
6. The applicant shall furnish evidence of effective means of animal and veterinary waste collection and disposal that shall be implemented.

E. Automobile, Heavy Equipment and Similar Motor Vehicle Rental/Sales, Repair/Service, Washing, and/or Fuel/Gasoline Sales. Automobile, heavy equipment and similar motor vehicle rental/sales, repair/service, washing and/or fuel/gasoline sales are permitted, subject to the following criteria:

1. The subject property shall front on or have direct access via a public street (excluding alleys) to an arterial or collector road or to Industrial Road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
2. Automobiles, boats, heavy equipment, mobile homes, recreational vehicles or similar motor vehicles offered for rent/sale, in any state of being fixed/serviced, or washed/dried, or otherwise stored, displayed or serviced shall not occupy any part of the existing or future street right-of-way (including sidewalks and alleys) or required off-street parking areas.

3. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
4. On-lot traffic circulation channels, storage, inventory/display/sales, and parking areas shall be clearly delineated. Additionally, any fuel delivery shall not impede traffic-flow patterns.
5. All areas used for the storage, inventory/display/sales, parking, and otherwise permitted servicing of automobiles, boats, heavy equipment, mobile homes, recreational vehicles or similar motor vehicles shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
6. All areas used for the storage, inventory/display/sales, parking, and otherwise permitted servicing of automobiles, boats, heavy equipment, mobile homes, recreational vehicles or similar motor vehicles shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface, unless an alternative material and/or design as part of an readily accepted stormwater BMP is approved by the Borough Engineer.
7. All buildings and structures (including fuel/gasoline pumps, but excluding permitted signs) shall be setback at least twenty five (25) feet from any street right-of-way or lot line.
8. All permitted activities except for the inventory/display/sales, parking, and those normally required to be performed at the gasoline/fuel and air pumps, and washing and vacuuming areas shall be performed within a completely enclosed building.
9. Where outside automobile, boat, heavy equipment, mobile home, recreational vehicle or similar motor vehicle sales/rental inventory/display areas abut a street right-of-way, a perimeter landscape strip, a minimum of five (5) feet in width planted with a hedge, masonry wall, and/or other desirable planting of at least two (2) feet in height, along with grass or other living ground cover shall be planted, mulched and maintained on all portions of the perimeter landscape strip, and shall be provided and protected by permanent curbing, or otherwise comply with Part 4 of this Chapter
10. In no case shall any automobile, boat, heavy equipment, recreational vehicle or similar motor vehicle in any state of servicing/repair, be permitted to be stored between the principal building and the public street (excluding alleys) in the C-G zoning district.
11. Outside automobile, boat, heavy equipment, mobile home, recreational vehicle or similar motor vehicle sales/rental inventory/display areas and unenclosed storage facilities shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
12. All materials and activities not within completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
13. No more than three (3) such vehicles may be stored per repair/service bay.
14. All ventilation equipment outlets, fume collection, and other similar equipment associated with the service/repair work area(s) and/or service/repair and wash bay doors/opening shall not be located or oriented directly toward any abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
15. The demolition or junking of automobiles, boats, heavy equipment, mobile homes, recreational vehicles or similar motor vehicles is prohibited. The storage of inoperable automobiles, boats,



heavy equipment, mobile homes, recreational vehicles or similar motor vehicles and related parts shall be within a completely enclosed building.

16. The outdoor storage automobiles, boats, heavy equipments, recreational vehicles and similar motor vehicles on the property without current registration is prohibited.
17. No automobile, boat, heavy equipment, mobile home, recreational vehicle or similar motor vehicle, except those with current registration and offered for sales/rental, shall be stored upon the site for more than thirty (30) days.
18. The applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
19. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval
20. In addition to the aforementioned criteria herein this subsection above, automobile, boat, heavy equipment, mobile home, recreational vehicle or similar motor vehicle washing facilities are permitted, subject to the following additional criteria:
  - a. All uses must provide sufficient stacking areas for waiting motor vehicles, which shall be a minimum of three (3) stacking spaces per washing bay, prior to entering such washing bay.
  - b. All uses must provide an area of at least eight hundred (800) square feet beyond the exit end of the washing building to be used for hand finishing operations of the washing process.
  - c. The applicant shall provide evidence that adequate measures will be in place to prevent pollutants from being washed into the groundwater or waterways. Any chemicals that may be hazardous to aquatic life shall be stored within an area that will completely contain any leaks or spills.
  - d. Gray water recycling is mandatory.
  - e. Water from the vehicle wash operation shall not flow onto sidewalks or streets in such a manner as could cause ice hazards.
  - f. Exterior trash and recycling receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.

F. Automobile Wrecking, Junk and Scrap Storage and Sales

1. Minimum lot area shall be five (5) acres.
2. All junk, scrap, machinery or equipment stored outside shall be at least fifty (50) feet from any abutting lot line.
3. All junk, scrap, machinery and equipment stored outside shall be at least two hundred (200) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.

4. All completely enclosed buildings used to store junk, scrap, machinery and equipment shall be set back at least fifty (50) feet from all lot lines.
  5. No junk, scrap, machinery or equipment of any kind shall be stored in required front, side, or rear setback areas. All unpaved building setback areas shall be covered with grass or similar vegetative material and shall at all times be clean, vacant and well maintained.
  6. All materials and activities not within completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
  7. No material shall be placed in any establishment in such a manner that it is capable of being transferred off the premises by wind, water or other natural causes.
    - a. All paper, cloth and rags and other fibers, and activities involving the same other than loading and unloading, shall be within fully enclosed building.
  8. All junk shall be stored or arranged so as to permit access by firefighting equipment and to prevent the accumulation of water, and with no junk, scrap, machinery or equipment piled to a height greater than ten (10) feet.
  9. No material may be stored or stacked so that it is visible from abutting properties or adjoining street rights-of-way.
  10. No material shall be burned or incinerated at any time.
  11. No automotive wrecking, junk, scrap storage and sales establishments shall be located on land with a slope in excess of five (5) percent.
  12. All vehicles within the automotive wrecking, junk, scrap storage and sales establishments shall be completely drained of fuel, lubricants, battery fluid, transmission fluid, brake fluids, coolants, and air conditioning fluids.
  13. All additional Federal and State laws shall be satisfied.
  14. The establishment shall at all times be maintained in such a manner as to prevent:
    - (i) any menace to public health and safety;
    - (ii) offensive or obnoxious odors;
    - (iii) the breeding, harboring or infestation of rats and other rodents and vermin; and
    - (iv) violation of any health, sanitary law, ordinance, or regulation of the Borough of Highspire or the Commonwealth of Pennsylvania.
  15. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval
  16. Every structure erected upon the lot after the effective date of this Chapter shall be of fireproof construction with the exception of fences.
- G. Boat Launching Facility, Boat Storage Facility, and Marina

1. Outside areas for dry storage, repair and/or maintenance of watercraft shall be set back one fifty (50) feet from any lot line and screened from abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district and screened. Otherwise the required building setback shall be twenty five (25) feet.
2. All materials and activities not within completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
3. Major repairs (i.e. fiberglassing, spray painting, sanding) shall be permitted only within a completely enclosed building.
4. Each interior street or road, parking area and walkway shall be designed to preserve natural features.
5. Lighting from buildings shall not cause reflections on the surface of the water that will constitute a hazard to navigation or cause reflections or glare on adjoining properties or streets.
6. If camping or other land based overnight accommodations are provided as part of the this use, then such use shall comply with all applicable provisions of campgrounds herein this Part,
7. Exterior trash and recycling receptacles shall be provided. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
8. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

#### H. Campgrounds or Camps

1. The minimum lot area shall be five (5) acres.
2. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
3. All campsites shall be located at least twenty five (25) feet from any side or rear lot line and at least fifty (50) feet from any public street right-of-way.
4. Each campsite shall be at least two thousand (2,000) square feet in size.
5. An internal road system shall be provided. All roads, streets, and access drives shall be designed and constructed in accordance with Chapter 22 Subdivision and Land Development Ordinance and construction and materials specifications standards.
6. All outdoor play areas shall be set back fifty (50) feet from any lot line and screened from adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district. Such outdoor play areas shall be used exclusively by registered guests and their visitors.
7. All campgrounds shall furnish centralized sanitary and garbage collection facilities that shall be set back a minimum of one hundred (100) feet from any lot line. Such facilities shall be screened adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district;

8. Any accessory retail or service commercial uses shall be set back a minimum of fifty (50) feet from any lot line. Such accessory commercial uses shall be solely designed and constructed to serve only the campground's registered guests and their visitors. Any parking spaces provided for these commercial uses shall only have vehicular access from the campground's internal road rather than the public street right-of-way. All accessory commercial uses and related parking shall be screened abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district;
9. A minimum of twenty (20) percent of the gross area of the campground shall be devoted to active and passive recreational facilities, which shall not be located within fifty (50) feet of any lot line. Responsibility for maintenance of the recreation area shall be with the landowner;
10. During operation every campground shall have an office in which shall be located the person responsible for operation of the campground.
11. No permanent structures shall be permitted on any campsite other than fire places, pad for recreational vehicles, and required utility facilities.
12. No recreational vehicles may be parked within a campground for more than one hundred eighty (180) consecutive days.
13. No persons shall be permitted to permanently reside on any campsite.
14. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

I. Cemetery

1. The minimum lot area shall be two and one half (2.5) acres.
2. The total impervious to coverage shall not exceed ten (10) percent of the lot area.
3. All burial plots and all structures shall be located at least twenty five (25) feet from any lot line or street right-of-way line.
4. No burial plot shall be permitted in any floodplain or flood fringe area.
5. Where permitted, any materials not within completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
6. The applicant shall file a site plan with the Borough to demonstrate the design and layout of the proposed cemetery or cemetery expansion specifically illustrating: the proposed drainage plan, the internal circulation plan, and the location of accessory building(s).
7. The owner(s) and operator(s) of a cemetery shall incorporate Best Managements Practices as outlined in the most recent version of the Pennsylvania Stormwater Best Management Practices Manual (as amended or replaced from time to time by PADEP) to minimize negative impacts of erosion, siltation and surface water and groundwater contamination.
8. At no time shall a corpse be exposed or visible from a public right-of-way or adjacent property.

9. Any escrow account provided for by state or federal law shall be established in favor of the Borough.

10. The use shall comply with all applicable state laws.

J. Clinic, Medical

1. In the MN/C zoning district, any accessory services, including laboratories and pharmacies for the use of patients visiting medical practitioners in the clinic, may be permitted as part of the clinic facility, subject to the following specific conditions:

a. All entrances and access to parts of the building in which these accessory services are provided shall be from within the building and shall not be directly accessible without passing through the principal building.

b. The hours during which these services are provided shall be the same as those during the regular operation of the principal medical or dental clinic.

2. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.

3. The applicant shall provide 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 Borough, state, and federal regulations.

K. Club, Clubhouse or Lodge, Private

1. All activities shall take place in a completely enclosed building.

2. No sign shall advertising the sale of food and/or beverages shall be permitted.

3. The owner(s) and operator(s) shall be responsible for the conduct and safety of the members and their guests.

L. Commercial Recreation, Indoor

1. All activities shall take place in a completely enclosed building.

2. All structures where indoor commercial recreation occurs shall be soundproofed in a manner to prevent sound from traveling outside, such as solid core doors, sound absorbent ceilings and forced air ventilation.

3. No exterior microphone/speaker system shall be permitted.

4. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.

M. Commercial Recreation, Outdoor

1. Minimum lot area shall be five (5) acres.

2. The subject property shall front on or have direct access via a public street (excluding alleys) to an arterial or collector road or to Industrial Road as provided in the most recent version of the Highspire Borough Comprehensive Plan.

3. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
  4. Required setbacks:
    - a. All outdoor recreation/activity areas shall be set back at least fifty (50) feet from the street right-of-way and any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
    - b. Any structures exceeding the maximum permitted height may be permitted so long as they are set back from all lot lines at least the horizontal distance equal to their height, plus an additional fifty (50) feet. Furthermore, such structures shall not be used for occupancy.
    - c. Any booths or other structures used for the collection of admission and/or parking fees shall be set back and arranged to prevent vehicle back ups on abutting roads and streets during peak arrival periods. Any other collection of fees (roaming parking lot attendants) shall be conducted in a manner to prevent vehicle back ups on adjoining street.
    - d. Otherwise all structures shall comply with the underlying zoning district setbacks.
  5. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
  6. Exterior trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
  7. All outdoor storage not within completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
- N. Communication Antennas, Towers, and Equipment Building Transmitting & Receiving Facilities
1. Applications for the construction of communication antennas, support structures, and related facilities shall include a written report containing the following:
    - a. Information describing the tower height and design.
    - b. A cross section of the structure.
    - c. Engineering specifications detailing construction of tower, base, and guy wire anchorage.
    - d. Information describing the proposed painting and lighting schemes.
    - e. Information describing the tower's capacity, including the number and type of antennas that it can accommodate.
    - f. All tower structure information shall be certified by a licenses professional engineer;
    - g. Certification that there is not suitable space on existing sites or structures where the intended facility can be accommodated and function as required without reasonable modification;

- h. Technological evidence that the facility must go where proposed in order to satisfy its function in the grid system and provide the quality of service required by law;
  - i. Written authorization from the property owner of the proposed site;
  - j. Inventory of existing antenna support structures within a two (2) mile radius of the proposed site, discussing the unavailability of sites and reasons therefore; and
  - k. Evidence of the applicant's good faith efforts to locate the antenna on an existing structure.
  - l. Applicant shall demonstrate that he/she is licensed by the FCC to operate a communications tower and/or communications antenna.
  - m. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
2. All other uses ancillary to the antenna, tower, and associated equipment are prohibited (except accessory equipment buildings), unless otherwise permitted in the zoning district in which the site is located. This includes, but is not limited to, business offices, maintenance depots and vehicle storage.
3. Other standards of approval for antenna support structures and antenna-related facilities include the following:
- a. Setbacks
    - (1) Antenna support structures shall be set back from all property lines a distance equal to the height of the antenna.
    - (2) The structure shall be self-collapsing or have a clear fall area setback equal to the height of the structure and any attached antennas.
  - b. Antenna support structure height
    - (1) The maximum height of any single antenna support structure located at a single site for one antenna shall be at the lowest height to function at the proposed location, based upon specific engineering data pertaining to the function of the antenna support structure, to be supplied to the applicant.
    - (2) An antenna support structure may exceed the maximum allowable height to allow for the collocation of another antenna, provided that the applicant shows evidence that the antenna support structure will be a shared location site.
  - c. Landscaping and screening
    - (1) If the antenna support structure site is located in an area of existing woodlands, the existing woodlands shall be preserved to the fullest extent possible. The existing woodlands shall be supplemented as needed to fully screen the antenna support base.
    - (2) If the site is not wooded, the entire perimeter of the fence surrounding the antenna support structure compound shall be planted with evergreen trees for

other planting at least six (6) feet in height at the time of planting. The planting area around the antenna support structure shall have a minimum radius of ten (10) feet. The evergreens shall be planted every five (5) feet on center.

- (3) The site shall be landscaped to a density and height sufficient enough to screen the facility base tower and buildings from abutting properties.
- d. Equipment or accessory buildings. Accessory buildings must conform to the required building setbacks as required for the zoning district in which the tower is located.
- e. Security, maintenance, and fencing
  - (1) The site shall be secured by a fence with a minimum height of eight (8) feet to limit accessibility by the general public.
  - (2) All guy wires shall be clearly marked so as to be visible at all times and shall be located within the fence enclosure.
  - (3) All equipment and buildings must comply with Borough building, health, safety, property and other applicable local.
- f. Lighting and signs
  - (1) No signs shall be mounted on a communications tower except as may be required by the Federal Communications Commission, Federal Aviation Administration, or other governmental agency which has jurisdiction.
  - (2) All communications towers shall have lights as may be required by the Federal Communications Commission, Federal Aviation Administration, or other governmental agencies which have jurisdiction. If lighting is not required by other agencies, then lighting acceptable to the Borough shall be required.
- h. Antenna support structures shall be painted in the color that best allows it to blend into the surroundings unless otherwise required by the Federal Aviation Administration regulations. The use of grays, blues and greens may be appropriate.
- i. Antenna support structure design and structural integrity. The owner of the antenna or antenna support structure shall provide a registered professional engineer's report documenting that the structure meets the structural standards of the applicable building code in the Telecommunications Industry Association.
- j. Other
  - (1) Prior to issuance of a zoning permit for the erection of an antenna or antenna support structure, the applicant shall obtain any required land development approvals.
  - (2) A formal land development plan is not required if the antenna is to be mounted on an existing structure.
  - (3) Evidence shall be submitted from a registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the building or structure, taking into consideration winds and other loads associated with location.



- (4) The applicant, owner, or operator of the antenna shall be licensed by the Federal Communications Commission.
- (5) The tower shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation, and zoning regulations.
- (6) Certification of insurance evidencing general liability in the minimum amount of \$1,000,000 per incident and property damage coverage in the minimum amount of \$1,000,000 per incident is required to cover the tower, antenna and structures.

k. Abandonment

- (1) If an antenna support structure is unused, as evidenced by notice to the Federal Communications Commission of intent to cease operations, for a continuous period of twelve (12) months after said notice, it shall be deemed abandoned.
- (2) Any antenna support structure or antenna that is deemed to be “abandoned” must be removed within ninety (90) days.
- (3) Removal of the antenna support structure shall be the responsibility of the owner of the antenna support structure. At the time of land development plan approval, the owner and/or his successors and assigns of the antenna support structure must enter into an agreement with the Borough regarding the removal of an abandoned antenna support structure, as herein defined.
- (4) In the case of multiple operators sharing the use of a single tower, this provision shall become effective when all users cease operation.

O. Community Garden/Market Garden

1. The following shall be permitted as part of a community garden and/or market garden:
  - a. Greenhouses, hoophouses, cold-frames, and similar structures used to extend the growing season.
  - b. Open space associated with and intended for use as garden areas.
  - c. Signs limited to identification, information and directional signs, including sponsorship information where the sponsorship information is clearly secondary to other permitted information on any particular sign.
  - d. Benches, bike racks, raised/accessible planting beds, compost bins, picnic tables, seasonal farm stands, fences, garden art, rain barrel systems, chicken coops, beehives, and children's play areas.
  - e. Buildings, limited to tool or utility/storage sheds, shade pavilions, barns, restroom facilities with composting toilets, and planting preparation houses.
  - f. Off-street parking and walkways.
  - g. Uses and structures shall be developed and maintained in accordance with the following regulations.

- (1). Location. Buildings shall be set back at least five (5) feet from any abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
- (2). Height. No building or other structure shall be greater than twenty-five (25) feet in height.
- (3). Building Coverage. The combined area of all buildings, excluding greenhouses and hoopouses, shall not exceed fifteen (15) percent of the garden site lot area.
- (4). Parking and Walkways. Off-street parking shall be required only for those garden sites exceeding fifteen thousand (15,000) square feet in lot area. In addition to the parking reduction and alternative accommodations provided for in Part 19 of this Chapter, such parking shall be limited in size to ten (10) percent of the garden site lot area and shall be either unpaved or surfaced with gravel or similar loose material or shall be paved with pervious paving material. Walkways shall be unpaved except as necessary to meet the needs of individuals with disabilities.
- (5). Signs. Signs shall not exceed four (4) square feet in area per side and shall not exceed four (4) feet in height.
- (6). Seasonal Farm Stands. Seasonal farm stands shall be removed from the premises or stored inside a building on the premises during that time of the year when the garden is not open for public use.

3. Market gardens shall not be permitted in the R-L and R-M zoning districts.

4. The environmental impacts that are likely to be generated by surface water and stormwater run-off and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Part 4 of this Chapter. At a minimum, surface water and stormwater run-off from the site shall be diverted away from adjacent properties and public rights-of-way, and shall not contaminate downstream watercourses.

P. Contractors' Office and Storage Yard

1. That portion of the lot (including buildings) intended or utilized for the outdoor storage of contractor's equipment or building materials shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
2. In no case shall any outdoor storage area of contractor's equipment or building materials be permitted to be stored between the principal building and the public street (excluding alleys) in the C-G zoning district.
3. A contractor's yard that abuts property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district shall not begin mechanical operations until 7:00 A.M. and shall cease all mechanical operations by 9:00 P.M.
4. On-lot traffic circulation channels, storage/inventory, and parking areas shall be clearly delineated.
5. All outdoor storage areas shall not occupy any part of the existing or future street right-of-way (including sidewalks and alleys) or required off-street parking areas.

6. All unpaved building setback areas shall be covered with grass or similar vegetative material and shall at all times be clean, vacant and well maintained.
7. All areas used for the storage and parking areas shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
8. All areas used for the storage/inventory and parking areas shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface, unless an alternative material and/or design as part of a readily accepted stormwater BMP is approved by the Borough Engineer.
9. Within the C-G zoning district, all permitted accessory activities which are clearly incidental to the principal use, including drilling, cutting, sawing, mixing, crushing, or some other preparation of building materials, plus any testing or repair of motorized equipment, shall be conducted within a completely-enclosed building.
10. All materials and activities not within completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
11. There shall be no retail or wholesale sales of contractor's equipment or building materials.
12. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.

Q. Convenience Store, General

1. The subject property shall have direct access via a public street (excluding alleys) to an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
2. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
3. If motor vehicle washing and/or fuel/gasoline sales are provided as part of the general convenience store, then such use shall comply with all applicable provisions of automobile, heavy equipment and similar motor vehicle washing, and/or fuel/gasoline sales herein this Part, except that no sale/rental or repair/servicing of motor vehicles shall occur, and all activities except parking and those normally required to be performed at the fuel and air pumps and washing and vacuuming areas shall be performed within a completely enclosed building.
4. If restaurant and food service facilities are provided as part of the general convenience store, then such use shall comply with all applicable provisions of restaurants and food services herein this Part.

R. Convenience Store, Neighborhood

1. If restaurant and food service facilities are provided as part of the general convenience store, then such use shall comply with all applicable provisions of restaurants and food services herein this Part.

S. Daycare, Commercial

1. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.

2. An outdoor play areas for children shall be provided. Off street parking lots and areas shall not be used as outdoor play areas. Outdoor play areas shall not be located between the principal building and the public street (excluding alleys). All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s). Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.)
  - a. Additionally, outdoor play areas shall be located at least twenty (20) feet from abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district, and screened in accordance with Part 4 of this Chapter, along with a fence at least four (4) feet in height. Outdoor play areas shall be limited to use between 8:00 am and 8:00 pm.
3. No part of a child daycare property shall be located within one thousand (1,000) feet of a property containing an adult-related facility.
4. Off-street parking areas shall be provided and arranged so that persons and/or children do not have to cross streets on or adjacent to the site.
5. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site, and passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
6. Enrollment shall be defined as the largest number largest number of persons and/or children under daycare supervision at any one time during a seven (7) day period.
7. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

T. Dog Day Care

1. Minimum Lot Area - Unless animals are kept inside at all times, each site shall contain at least one (1) acre; otherwise, the minimum lot area requirement of the applicable zoning district shall apply.
2. In the C-G zoning district, all outside play areas shall be located within the rear yard, behind the principal building. In all zoning districts, outside play areas shall be completely surrounded by a solid six foot (6) high fence. Play areas shall be located a minimum of twenty five (25) feet from all lot lines, and seventy five (75) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
3. Animals shall be permitted to exercise outside in the play areas during the hours of 8:00 am to 8:00 pm.
4. The applicant shall furnish evidence of effective means of animal waste collection and disposal that shall be implemented.

U. Farmer’s Market and/or Flea Market

1. The retail display/sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display stands, booths, tables or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The retail display/sales area shall include all indoor and/or outdoor areas as listed above.

2. All areas used for outdoor retail display/sales area shall comply with Outside Sales and Display areas in Part 4 of this Chapter.
3. All outdoor display and sales of merchandise shall begin no earlier than 6:00 a.m., and be completed no later than official sunset.
4. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
5. Exterior trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.

V. Food Service

1. The owner(s) and operator(s) of a food service facility shall be responsible for the conduct and safety of the patrons.
2. Kitchen windows capable of being open, and ventilation equipment outlets and other similar equipment associated with such uses shall not be located or oriented directly toward any abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
3. Adequate provision for the collection and disposal of greases shall be demonstrated.
4. In addition to other provisions in this Part relating to accessory outdoor café/seating, where accessory outdoor café/seating may be permitted, exterior speaker/microphone systems shall be oriented away from and/or screened to prevent objectionable noise impact on abutting properties.
5. In the MN/C and CBD zoning districts, accessory drive-thrus and drive-ins are not permitted.
6. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

W. Forestry

Forestry or commercial timber harvesting, excluding the cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement, is permitted subject to the following criteria:

1. Timber harvesting shall be setback a minimum of one hundred (100) feet from any lot line.
2. All timber harvesting practices must protect nearby structures and utility lines. No uncontrolled felling shall be allowed.
3. To avoid traffic congestion and sound disturbance, all activities should start after 7:30 a.m. and end by 6:00 p.m. during the working week. No forestry activities shall take place between the hours of 6:00 pm and 7:30 am neither on weekdays nor at any time on weekends or holidays.
4. Notification of Commencement or Completion

For all timber harvesting operations that are expected to exceed one-half (1/2) acres, the landowner shall notify the Zoning Officer at least thirty (30) days before the operation commences

and within fifteen (15) days before the operation is completed. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and shall specify the land on which harvesting will occur, the expected size of the harvest area and, as applicable, the anticipated starting or completion date of the operation and logging plan. This written notification shall also specify any roads affected, dates of affect, plans to restore any damages to roads and contact information for the logging operations submitted to owners abutting the road used to access the logging site.

5. Preparation of a Logging Plan

Every landowner on whose land timber harvesting is to occur shall prepare a written logging plan in the form specified in this subsection. No timber harvesting shall occur until the plan has been prepared and proper notification of commencement is provided to the Borough. The provisions of this plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the Zoning Officer upon request.

6. Responsibility for Compliance

The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

7. Contents of the Logging Plan

a. As a minimum, the logging plan shall include the following:

- (1). Design, construction, maintenance and retirement of the access system, including haul roads, skid roads, skid trails and landings.
- (2). Design, construction and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips and water bars.
- (3). Design, construction and maintenance of stream and wetland crossings.
- (4). The general location of the proposed operation in relation Borough streets and state highways, including any accesses to those streets and highways.

b. Each logging plan shall include a site map containing the following information:

- (1). Site location and boundaries, including both the boundaries of the property on which the timber harvest will take place and the boundaries of the proposed harvest area within that property.
- (2). Significant topographic features related to potential environmental problems.
- (3). Location of all earth disturbance activities such as roads, landings and water control measures and structures.
- (4). Location of all crossing of waters of the Commonwealth.
- (5). The general location of the proposed operation to Borough streets and state highways, including any accesses to those streets and highways.

8. Compliance with Applicable Regulations

The logging plan shall address and comply with the requirements of all applicable state laws and regulations and Borough ordinances, including, but not, limited to, the following:

- a. Soil Erosion and Sedimentation control regulations and standards of the County Conservation District and/or PA DEP requirements.
- b. Stream crossing and wetlands protection regulations of PA DEP and/or the U.S. Army Corps of Engineers.
- c. Stormwater management plans and regulations issued pursuant to the Borough of Highspire Subdivision and Land Development Ordinance.

9. Relationship of State Laws, Regulations, and Permits to the Logging Plan

Any permits required by state laws and regulations shall be attached to and become part of the logging plan. A soil erosion and sedimentation control plan that satisfies the requirements of Section 25 Pennsylvania Code, Chapter 102 shall also satisfy the minimum requirements for the logging plan and associated map specified previously, provided that all information required by these subsections is included or attached.

10. Responsibility for Road Maintenance and Repair; Road Bonding

The landowner and the operator shall be responsible for repairing any damage to Borough streets caused by traffic associated with the timber harvest operation pursuant to the provisions of Section 67 Pennsylvania Code, Chapter 189, hauling in excess of posted weight limit. The Borough may require the landowner and/or operator to furnish a bond to guarantee the repair of any such damage, pursuant to the said provisions of the Pennsylvania Code.

X. Funeral Home

1. The subject property shall front on or have direct access via a public street (excluding alleys) to an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan, but in no case shall a funeral procession will be allowed to form on 2<sup>nd</sup> Street.
2. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
3. All rooms available for funerals and viewing shall be located within the principal building.
4. There shall be no receiving vault, preparation room, or display of merchandise visible from outside of the principal building.
5. The applicant shall provide 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 Borough, state, and federal regulations.
6. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

Y. Home Improvement Center, Lumber, and Building Materials Sales

1. The subject property shall front on or have direct access via a public street (excluding alleys) to an arterial or collector road or to Industrial Road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
2. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
3. On-lot traffic circulation channels, storage, inventory/display/sales, and parking areas shall be clearly delineated.
4. All outdoor storage, sales, display, and inventory areas shall not occupy any part of the existing or future street right-of-way (including sidewalks and alleys) or required off-street parking areas.
5. All outdoor storage, sales, display, and inventory areas shall be set back at least twenty-five (25) feet from the street right-of-way line and lot lines, and shall not be permitted in required front, side, or rear building setback areas. All unpaved building setback areas shall be covered with grass or similar vegetative material and shall at all times be clean, vacant and well maintained.
6. All outdoor storage, sales, display, and inventory areas shall be set back a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
7. All areas used for the storage, inventory/display/sales and parking areas shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
8. Outdoor storage, sales, display, and inventory areas shall be all areas open for public display, including, but not limited to, shelves, racks, bins, stalls, tables, and booths, plus any adjoining aisles or walkways from which consumers can inspect items for sale.
9. All areas used for the storage, inventory/display/sales and parking areas shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface, unless an alternative material and/or design as part of a readily accepted stormwater BMP is approved by the Borough Engineer.
10. All permitted activities, including drilling, cutting, sawing, mixing, crushing, or some other preparation of building materials, plus any testing or repair of motorized equipment, except for the inventory/display/sales, parking, shall be conducted within a completely-enclosed building.
11. All outdoor storage, sales, display, and inventory areas shall be completely enclosed by surrounded by a fence or wall at least six (6) feet in height.
  - a. Additionally, where outdoor storage, sales, display, and inventory areas abut a street right-of-way, a perimeter landscape strip, a minimum of five (5) feet in width planted with a hedge, masonry wall, and/or other desirable planting of at least two (2) feet in height, along with grass or other living ground cover shall be planted, mulched and maintained on all portions of the perimeter landscape strip, and shall be provided and protected by permanent curbing.
12. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
12. Exterior trash and recycling receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.

Z. Hospital



1. The subject property shall have direct access via a public street (excluding alleys) to an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
2. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
3. Primary visitor or passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site.
4. Emergency entrances shall not be located or oriented directly toward any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
5. Sufficient off-street stacking area for the movement of the emergency vehicles shall be provided on the site. A minimum one hundred (100) foot long on-site stacking area for the emergency vehicles shall be provided on the site. No emergency vehicle will be allowed to stack or be stored on public streets.
6. The institution 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 Borough, state, and federal regulations.
7. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

AA. Hotel

1. Any accessory eating, drinking, retail, or meeting room use should be directly accessible by passing through the principal hotel building:
  - a. But in no case shall drive-thru facilities be permitted; and,
  - b. One (1) additional freestanding signs (other than those permitted for the principal hotel use) shall be permitted.
2. Each rental unit/room shall have its own toilet and bathing or shower facilities.
3. No guest vehicles will be allowed to form or stack on 2<sup>nd</sup> Street.

BB. Industrial Use, General

1. The subject property shall have direct access via a public street (excluding alleys) to an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
2. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
3. The applicant shall provide a detailed description of the proposed use in each of the following topics:

- a. The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any by-products. In addition the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
  - b. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size.
  - c. Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including, but not limited to, those of Part 4 of this Chapter.
4. No machinery, equipment, or materials shall be stored in required front, side, or rear building setback areas. All unpaved building setback areas shall be covered with grass or similar vegetative material and shall at all times be clean, vacant and well maintained.
  5. All machinery, equipment, or materials provided in unenclosed storage facilities shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
  6. All machinery, equipment, or materials and activities not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
  7. All machinery, equipment, or materials shall be stored or arranged in an orderly fashion so that circulation for fire safety can be maintained at all times.
  8. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
- CC. Industrial Use, Light Industrial, Light Uses. Light industrial uses are permitted subject to the following criteria:
1. The applicant shall provide a detailed description of the proposed use in each of the following topics:
    - a. The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any by-products. In addition the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
    - b. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size.
    - c. Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.)

and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including, but not limited to, those of Part 4 of this Chapter.

2. In the C-G zoning district, in no case shall machinery, equipment, or materials of any kind be permitted to be stored between the principal building and the public street (excluding alleys).
3. No machinery, equipment, or materials shall be stored in required front, side, or rear building setback areas. All unpaved building setback areas shall be covered with grass or similar vegetative material and shall at all times be clean, vacant and well maintained.
4. All accessory storage of machinery, equipment, or materials and activities not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
5. All machinery, equipment, or materials shall be stored or arranged in an orderly fashion so that circulation for fire safety can be maintained at all times.
6. All machinery, equipment, or materials provided in unenclosed storage facilities shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
7. Within the CBD zoning district, all activities shall be performed within a completely enclosed building.
8. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

DD. Kennel, Commercial

1. Minimum Lot Area - Unless animals are kept inside at all times, each site shall contain at least one (1) acre; otherwise, the minimum lot area requirement of the applicable zoning district shall apply.
2. All structures where animals are kept shall be completely enclosed and soundproofed in a manner to prevent sound and odor from traveling outside, such as solid core doors, sound absorbent ceilings and forced air ventilation.
3. In the C-G zoning district, all structures where animals are kept that are not completely enclosed, and also including any outdoor animal pens, stalls, and runways shall not be located between the principal building and the public street (excluding alleys), and within all zoning districts, they shall not be located within any required building setbacks. These outside and unenclosed facilities shall be a minimum of fifty (50) feet from all lot lines, and one hundred (100) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
4. Where outdoor animal pens, stalls, or runways are permitted, animals shall be permitted to exercise outside daily between the hours of 8:00 am to 8:00 pm.
5. The applicant shall furnish evidence of effective means of animal waste collection and disposal that shall be implemented.

6. The kennel shall be operated in full compliance with the State Animal Welfare Act and applicable state kennel regulations.

EE. Laundry & Dry Cleaning Establishment (Industrial)

1. The applicant shall provide a detailed description of the proposed use in each of the following topics:
  - a. The nature of the on-site processing operations, the materials used in the process, and the generation and methods for disposal of any by-products. In addition the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
  - b. The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size.
  - c. Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including, but not limited to, those of Part 4 of this Chapter.
2. No equipment or materials shall be stored in required front, side, or rear building setback areas. All unpaved building setback areas shall be covered with grass or similar vegetative material and shall at all times be clean, vacant and well maintained.
3. All accessory storage of equipment or materials and activities not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
4. All equipment or materials shall be stored or arranged in an orderly fashion so that circulation for fire safety can be maintained at all times.
5. All equipment or materials provided in unenclosed storage facilities shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
6. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

FF. Laundry & Dry Cleaning Establishment (Personal)

1. All activities shall be conducted within a completely enclosed building.
2. Laundry and dry cleaning establishments shall be intended for personal use only.

3. Any exhaust ventilation equipment outlets and other similar equipment associated with such uses shall not be located or oriented directly toward any abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
4. In the MN/C and CBD zoning districts, accessory drive-thrus and drive-ins are not permitted.

GG. Library

1. In the R-L, R-M, MN/C, and CBD zoning districts, any permitted public building shall maintain an exterior appearance that resembles and is compatible with any existing dwellings and buildings in the neighborhood, and building height and setbacks shall be consistent with surrounding development in the neighborhood. In all other districts, all height, area, setback and coverage standards within the underlying zoning district shall apply.

HH. Mini-Storage Warehouses

1. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
2. All areas used for storage and loading, interior traffic aisles, required off-street parking areas, and accessways shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface, unless an alternative material and/or design as part of a readily accepted stormwater BMP is approved by the Borough Engineer.
3. Nothing shall be stored in interior traffic aisles, required off-street parking areas, loading areas or accessways.
4. Outdoor storage shall be limited to recreational vehicles, boats and trailers parked on paved areas. All such items stored outside of an unenclosed building must be licensed and inspected, if applicable, and in operable condition.
5. All permitted outdoor storage of recreational vehicles, boats and trailers not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
6. The storage inoperable, unlicensed, or inspected motor vehicles outside of a completely enclosed building shall be prohibited
7. All mini-storage units shall be of fire-resistant construction.
8. Mini-storage units shall be used solely for the dead storage of property. The following lists examples of uses expressly prohibited upon the site:
  - a. Auctions, commercial wholesale or retail sales, or garage sales.
  - b. Offices or residential dwellings.
  - c. The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
  - d. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.

- e. The establishment of a transfer and storage business.
  - f. The storage of trash, radioactive or highly toxic substances, garbage, refuse, explosives or flammable materials, hazardous substances, animal carcasses or skins, or similar items that are dangerous, noxious or offensive because of odors, dust, noise, fumes, or vibrations.
  - g. The applicant shall adequately demonstrate that all mini-storage/ rental and/or use contracts shall specifically prohibit these uses.
- 9. All garage doors of mini-storage units or outdoor storage areas shall not be located directly facing toward abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
  - 10. All buildings and permitted outdoors storage shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
  - 11. Minimum separation between buildings shall be twenty (20) feet, which shall allow passage by emergency vehicles.
  - 12. No building shall be longer than two hundred (200) feet.
  - 13. Exterior trash and recycling receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
- HH. Motel
- 1. Any accessory eating, drinking, retail, or meeting room use shall be physically attached to the principal motel building subject to the following:
    - a. No drive-thru shall be permitted; and,
    - b. One (1) additional freestanding signs (other than those permitted for the principal motel use) shall be permitted.
  - 2. Each rental unit/room shall have its own toilet and bathing or shower facilities.
- II. Municipal Owned Uses
- 1. In the R-L, R-M, MN/C, and CBD zoning districts, any permitted public building shall maintain an exterior appearance that resembles and is compatible with any existing dwellings and buildings in the neighborhood, and building height and setbacks shall be consistent with surrounding development in the neighborhood. In all other districts, all height, area, setback and coverage standards within the underlying zoning district shall apply.
  - 2. In the R-L, R-M, and MN/C zoning districts, the outdoor storage of vehicles, materials, and equipment shall not be permitted.
- JJ. Nightclubs
- 1. A nightclub serving and/or selling alcohol shall be located in accordance and otherwise comply with the provisions of the Pennsylvania Liquor Control Board.

2. All buildings shall be completely enclosed and soundproofed in a manner to prevent sound from traveling outside, such as solid core doors.
3. The owner(s) and operator(s) of a nightclub shall be responsible for the conduct and safety of the patrons.
4. Exterior trash and recycling receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
5. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

LL. Offices, Business Professional

1. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.

MM. Offices, Medical

1. The applicant shall provide 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 Borough, state, and federal regulations.

NN. Parking Lot. Parking Structure and Lots

1. Driveways, access drives or other points of ingress/egress for motor vehicles shall generally be taken from alleys.
2. No ingress or egress points shall be taken from 2nd Street in the CBD zoning district.
3. Off-street surface parking lots shall not be located along, have frontage, or otherwise abut 2<sup>nd</sup> Street in the MN/C and CBD zoning districts
3. Off-street surface parking lots shall not be located on corner lots, on or adjacent to the intersection of two (2) streets.
4. Off-street surface parking lots abutting public street right-of-way including alleys, shall be provided with a continuous street-fronting three and one half (3 ½) foot high masonry wall or a perimeter planting at least five (5) feet in depth measured from all sides of the parking area towards the property/street line with a mix of high and low level screening in accordance with Part 4 of this Chapter. Wall breaks for driveways shall be not more than twenty four (24) feet in width.
5. All above ground off-street parking garage and structures shall comply with all provisions for principal buildings and uses in the zoning district where the parking structures and building is proposed.
6. In the MN/C and CBD zoning districts, parking garages and structures located along any street right-of-way line (excluding alleys) shall be provided with continuous, usable, street-fronting, ground-level, non-residential facades, space, uses along the entire length of the structure, except for ingress and egress points necessary for retail store entrances and pedestrian entrances to stairs and elevator lobbies into the garage or structure.

7. Parking garages and structures shall comply with additional design standards set forth in Chapter 22 Subdivision and Land Development.
8. In no case shall parking lots be permitted as a principal use or as an accessory use on a lot without a permitted principal use on the lot in the R-L and R-M zoning districts. In order to provide for additional accessory parking for a permitted principal use, such parking shall be located on the same lot as the permitted principal use.

OO. Parks, Playgrounds and Other Non-Commercial Recreational Uses.

1. Parks, playgrounds, and other non-commercial recreational uses shall be developed in a manner that preserves natural features, watercourses, unique rock outcrops, slopes of greater than fifteen (15) percent, and vegetation.
2. Hours of operation and activities shall comply with all applicable Borough policies and regulations relating to parks and public outdoor facilities.
3. Exterior trash and recycling receptacles shall be provided. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.

PP. Place of Worship and Related Uses

1. In the R-L, R-M, MN/C, and CBD zoning districts, any permitted place of worship shall maintain an exterior appearance that is compatible with any existing dwellings and buildings in the neighborhood.
2. In R-L, R-M, MN/C, and CBD zoning districts, building height and setbacks shall be consistent with surrounding development in the neighborhood. In all other districts, all height, area, setback and coverage standards within the underlying zoning district shall apply.
3. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site, and passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
4. All places of worship with attendance or seating capacity of two hundred-fifty (250) or more students shall front and have access to an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
5. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
6. Off-street parking areas shall be provided and arranged so that persons do not have to cross streets on or adjacent to the site.

QQ. Plant Nursery

1. The display and sale of items not grown or produced on the premises (or adjacent properties) shall be incidental and accessory to the plant nursery operation. The display and sales area for those items shall be limited to not more than twenty five (25) percent of the total gross display and sales area (indoor and outdoor) on the property.
  - a. The display, sale and/or repair of power tools or motorized nursery, lawn or garden equipment shall not be permitted in the PR/OS zoning district.



2. All outdoor display areas shall be set back at least twenty-five (25) feet from the street right-of-way line, and fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
3. All structural improvements (including parking and loading facilities and inventory/sales/display areas, but not including a free standing sign) shall be screened from abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.

RR. Post Office

1. In the MN/C and CBD zoning districts, any permitted post office shall maintain an exterior appearance that resembles and is compatible with any existing dwellings and buildings in the neighborhood, and building height and setbacks shall be consistent with surrounding development in the neighborhood. In all other districts, all height, area, setback and coverage standards within the underlying zoning district shall apply.
2. In the MN/C and CBD zoning districts, the outdoor storage of vehicles, materials, and equipment shall not be permitted.

SS. Public/Private Utility Building or Structure

1. The applicant must demonstrate that the selected location is necessary for public service and the use cannot be supplied if located elsewhere.
2. In the R-L, R-M, MN/C, and CBD zoning districts, any permitted public building shall maintain an exterior appearance that resembles and is compatible with any existing dwellings and buildings in the neighborhood, and building height and setbacks shall be consistent with surrounding development in the neighborhood. In all other districts, all height, area, setback and coverage standards within the underlying zoning district shall apply.
3. In the R-L, R-M, MN/C, and CBD zoning districts, the outdoor storage of vehicles, materials, and equipment shall not be permitted.
4. Principal buildings and structures shall be setback fifty (50) feet from an abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.

TT. Restaurant

1. The owner(s) and operator(s) of a restaurant shall be responsible for the conduct and safety of the patrons.
2. Kitchen windows capable of being open, and ventilation equipment outlets and other similar equipment associated with such uses shall not be located or oriented directly toward any abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
3. Adequate provision for the collection and disposal of greases shall be demonstrated.
4. Exterior trash and recycling receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
5. In addition to other provisions in this Chapter relating to accessory outdoor café/seating, where accessory outdoor café/seating may be permitted, exterior speaker/microphone systems shall be oriented away from and/or screened to prevent objectionable noise impact on abutting properties.

6. In the MN/C and CBD zoning districts, accessory drive-thrus and drive-ins are not permitted.
7. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

UU. Retail Business

1. In the MN/C and CBD zoning districts, accessory drive-thrus and drive-ins are not permitted.

VV. Sawmill

1. All cutting, sawing, grinding, or other processing shall be conducted within a completely-enclosed building.
2. Storage and loading areas, and other activities of similar nature shall not occupy any part of the existing or future street right-of-way (including sidewalks and alleys) or required off-street parking areas.
3. All storage and loading areas shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
4. All permitted outdoor storage not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
5. On-lot traffic circulation channels, storage, loading, and parking areas shall be clearly delineated.
6. All areas used for storage, loading, and parking shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
7. All areas used for the storage, loading, parking areas shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface, unless an alternative material and/or design as part of an readily accepted stormwater BMP is approved by the Borough Engineer.
8. The applicant shall provide a detailed description of the proposed use in each of the following topics:
  - a. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
  - b. Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Part 4 of this Chapter.
9. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

WW. Schools, Commercial

1. Enrollment shall be defined as the largest number of students under educational supervision at any one time during a seven (7) day period.

2. All schools with an enrollment of two hundred-fifty (250) or more students shall front and have access to an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan.

3. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.

XX. Schools, Public or Private

1. In the R-L, R-M, MN/C, and CBD zoning districts, any permitted school shall maintain an exterior appearance that is compatible with any existing dwellings and buildings in the neighborhood.

2. In R-L, R-M, MN/C, and CBD zoning districts, building height and setbacks shall be consistent with surrounding development in the neighborhood. In all other districts, all height, area, setback and coverage standards within the underlying zoning district shall apply.

3. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site, and passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.

4. All schools with an enrollment of two hundred-fifty (250) or more students shall front and have access to an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan.

5. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.

6. No part of the school property shall be located within one thousand (1,000) feet of a property containing an adult-related facility.

7. Enrollment shall be defined as the largest number of students under educational supervision at any one time during a seven (7) day period.

8. Off-street parking areas shall be provided and arranged so that students and teachers do not have to cross streets on or adjacent to the site.

YY. Schools, Vocational. Vocational schools are permitted, and developments which involve training and education for service/repair of automobile, heavy equipment, and other similar type motor vehicle or require outdoor storage of materials, they shall be subject to the following criteria:

1. Enrollment shall be defined as the largest number of students under educational supervision at any one time during a seven (7) day period.

2. All schools with an enrollment of two hundred-fifty (250) or more students shall front and have access to an arterial or collector road or to Industrial Road as provided in the most recent version of the Highspire Borough Comprehensive Plan.

3. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.

4. On-lot traffic circulation channels, storage, loading, and parking areas shall be clearly delineated.

5. All areas used for storage, loading, and parking shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.

6. All areas used for the storage, loading, parking areas shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous

concrete surface, unless an alternative material and/or design as part of an readily accepted stormwater BMP is approved by the Borough Engineer.

7. All storage and loading areas shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
8. All outdoor storage and other activities not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
9. All ventilation equipment outlets, fume collection, and other similar equipment associated with the service/repair work area(s) and/or service/repair bay doors/opening shall not be located or oriented directly toward any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
10. The applicant shall provide a detailed description of the proposed use in each of the following topics:
  - a. The nature of the on-site activities and operations, the types of materials stored, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
  - b. Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Part 4 of this Chapter.
11. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval

**ZZ. Taverns/Bars**

1. A tavern/bar shall be located in accordance with the provisions of the Pennsylvania Liquor Control Board.
2. The owner(s) and operator(s) of a tavern/pub shall be responsible for the conduct and safety of the patrons.
3. Kitchen windows capable of being open, and ventilation equipment outlets and other similar equipment associated with such uses shall not be located or oriented directly toward any abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
4. Adequate provision for the collection and disposal of greases shall be demonstrated.
5. Exterior trash and recycling receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.

6. In addition to other provisions in this Chapter relating to accessory outdoor café/seating, where accessory outdoor café/seating may be permitted, exterior speaker/microphone systems shall be oriented away from and/or screened to prevent objectionable noise impact on abutting properties.
7. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

AAA. Treatment Center

1. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
2. A treatment center shall be directly affiliated with a parent institution or organization, which shall provide full-time supervision and administration to the residents of the treatment center.
3. A common cooking and eating area must be provided; no cooking or dining facilities shall be provided in individual rooms or suites.
4. The residents of the treatment center shall reside on the premises to benefit from the services provided.
5. No portion of a treatment center shall be located within five hundred (500) feet of another treatment center, group home facility, group care facility, and/or half way house, but in no case shall be located within the same block.
6. No portion of a building occupied by a treatment center use shall be located within one thousand (1,000) feet of any property which contains any one (1) or more of the following specified land uses where minors may congregate:
  - a. Commercial recreation facility, Indoor/Outdoor;
  - b. Daycare facility primarily for children;
  - c. Library;
  - d. Park, Playground, Playfield;
  - e. Place of Worship;
  - f. School, Private/Public;
  - g. Swimming Pool, Public; or
  - h. Other lands, buildings, and uses where minors congregate.
7. Each application shall be accompanied by a statement describing the following:
  - a. The composition of the treatment center;

- b. The policies and goals of the treatment center and the means proposed to accomplish those goals;
  - c. The characteristics of the residents and number of residents to be served;
  - d. The operating methods and procedures to be used; and
  - e. Any other facts relevant to the proposed operation of the treatment center.
  - f. Any use permit granted for the treatment center shall be bound to the type and number of clients listed on the application. Any change in the type or number of clients being housed shall require a new review and subsequent consideration for approval.
8. The institution 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 Borough, state, and federal regulations.

**BBB. Warehousing, Distribution, and Wholesaling**

1. The subject property shall front on or have direct access via a public street (excluding alleys) to an arterial or collector road or to Industrial Road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
2. Storage, loading, parking areas, and other activities of similar nature shall not occupy any part of the existing or future street right-of-way (including sidewalks and alleys) or required off-street parking areas.
3. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
4. On-lot traffic circulation channels, storage, loading, and parking areas shall be clearly delineated.
5. All areas used for storage, loading, and parking shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
6. All areas used for the storage, loading, parking areas shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface, unless an alternative material and/or design as part of an readily accepted stormwater BMP is approved by the Borough Engineer.
7. All storage and loading areas shall be a minimum of fifty (50) feet from any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
8. All permitted outdoor storage and other activities not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
9. The applicant shall provide a detailed description of the proposed use in each of the following topics:

- a. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
  - b. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift and an overall needed site size.
  - c. Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Part 4 of this Chapter.
10. All uses must comply with Borough building, health, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval

**Section 1403. Additional Supplemental Standards and Requirements for Specific Accessory Uses.**

- A. Accessory Apartment. Accessory apartments are permitted subject to the following criteria:
1. The principal use of the building and property must be a single-family detached dwelling.
  2. No more than two (2) total dwelling units shall be permitted per lot.
  3. The accessory apartment dwelling unit shall not be less than three hundred fifty (350) and not more than seven hundred (700) square feet.
  4. The accessory apartment must have separate kitchen and bathroom facilities as well as living/sleeping spaces, as well as access to the outside or a common hallway or balcony.
  5. The owner must reside on the premises.
  6. Accessory apartments within the principal single-family detached building are permitted in as much as there shall be no alterations to the exterior appearance of the building and that it continues to resemble and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the principal building, including additional door/wall openings (except fire escapes) which would alter its residential character shall be permitted.
  7. Fire escapes, where required, shall be located in the rear of the principal building and shall not be located on any wall facing a street right-of-way, excluding alleys.
  8. Accessory apartments in accessory buildings shall not otherwise occupy ground floor, off-street garage floor area/space, thereby displacing otherwise usable off-street parking spaces provided on the lot.
  9. All new accessory structures constructed for the exclusive use as an accessory apartment, the accessory structure shall be designed to have an appearance architecturally compatible with the principal building (including design, materials, and colors, and roof pitch).
  10. In no case shall there be an accessory apartment and a home occupation permitted on one lot.



11. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
- B. Automated Banking Facility. Automated banking facilities are permitted subject to the following criteria:
1. Within the MN/C and CBD Zoning Districts, drive-thru facilities shall be prohibited.
  2. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement a working plan for the cleanup of litter and debris.
  3. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
  4. All automated teller machines shall be located, or contain convenient parking spaces, so that the movement of vehicles will not be hampered by those cars belonging to persons using the automated teller machines.
  5. Where practicable, all drive-thru window lanes shall be separated from the parking lot's interior driveways.
  6. Where practicable, all drive thru window facilities and lanes shall be located on a building wall facing away from an adjoining property within a residential zoning district or any existing, adjacent residential use.
  7. Where practicable, all drive thru window facilities and lanes shall be located on a building wall facing away from a public street, except alleys.
  8. Sufficient stacking lanes shall be provided associated with drive-thru windows, to prevent vehicle backups on adjoining streets. A minimum one hundred (100) foot long on-site stacking area for the vehicles shall be provided on the site. No vehicle will be allowed to stack or form on public streets. Furthermore each drive-thru lane shall have on-site directional signs, indicator lights or pavement markings identifying the direction of travel and lane status (ie. open vs. closed).
  9. Screening shall be provided in accordance with Part 4 of this Chapter for drive-thru facilities.
- C. Community Gardens. Community gardens are permitted, subject to the criteria for community gardens set forth in Section 1402.
- D. Daycare, Accessory. Accessory daycares as defined in this Chapter are exempted from zoning permit requirements, except that the principal residential dwelling must comply with all other applicable requirements of this Chapter.
- E. Daycare, Family. Family daycare uses are permitted, subject to the following criteria:
1. Family daycare facilities shall be conducted within a single-family detached dwelling.
  2. A family day-care facility shall offer care and supervision to no more than six (6) different non-resident persons during any calendar day.
  3. All principal structures permitted to be family daycare facilities shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No

modification to the external appearances of the building (except fire and safety requirements) which would alter its residential character shall be permitted.

4. 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, excluding alleys.
5. An outdoor play areas for children shall be provided. Off street parking lots and areas shall not be used as outdoor play areas. Outdoor play areas shall not be located between the principal building and the public street (excluding alleys). All outdoor play areas must provide a means of shade, such as a shade tree(s) or pavilion(s). Any vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.)
  - a. Additionally, outdoor play areas shall be located at least twenty (20) feet from property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district, and screened in accordance with Part 4 of this Chapter, along with a fence at least four (4) feet in height. Outdoor play areas shall be limited to use between 8:00 am and 8:00 pm.
6. No part of a family daycare property shall be located within one thousand (1,000) feet of a property containing an adult-related facility.
7. Off-street parking areas shall be provided and arranged so that persons do not have to cross streets on or adjacent to the site.
8. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site, and passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
9. Enrollment shall be defined as the largest number largest number of persons under daycare supervision at any one time during a seven (7) day period.
10. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.

F. Drive-Thru Facilities for Permitted Uses

1. The subject property shall front on an arterial or collector road as provided in the most recent version of the Highspire Borough Comprehensive Plan.
2. No part of the subject property shall be located within fifty (50) feet of any adjacent property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
3. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. Ingress and egress standards shall meet the requirements of the Borough of Highspire Subdivision and Land Development Ordinance.
4. All drive-in facility buildings and structures shall be designed and planned to take advantage of and be compatible with natural and built features of the site and area.
5. Where practicable, all drive-thru window lanes shall be separated from the parking lot's interior driveways.

6. Where practicable, all drive thru window facilities and lanes shall be located on a building wall facing away from an abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
7. Where practicable, all drive thru window facilities and lanes shall be located on a building wall facing away from a public street, except alleys.
8. On-lot traffic circulation channels and parking areas shall be clearly delineated
9. Sufficient stacking lanes shall be provided associated with drive-thru windows, to prevent vehicle backups on adjoining streets. A minimum one hundred (100) foot long on-site stacking area for the vehicles shall be provided on the site. No vehicle will be allowed to stack or form on public streets. Furthermore each drive-thru lane shall have on-site directional signs, indicator lights or pavement markings identifying the direction of travel and lane status (ie. open vs. closed).
10. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
11. Within the CBD Zoning District, drive thrus shall be prohibited.
12. A traffic study is required to demonstrate safe access and control of traffic into and out of the facility. The traffic study shall include at a minimum the following study elements:
  - a. A study of the internal traffic patterns in the off-street parking area to ensure the safe movement of traffic for pedestrians and vehicles and convenient access to the development and nearby areas.
  - b. The traffic study shall be completed in accordance with Chapter 22 of the Codified Ordinances of the Borough of Highspire, relating to subdivision and land development.

G. Home Occupations

1. The business use shall be clearly incidental to the principal use of the premises as a single-family detached dwelling for living purposes.
2. No more than three (3) persons per lot, at least one (1) of whom shall be a resident of the dwelling, may be engaged in the home occupation use.
3. There shall be not more than one (1) home occupation per lot, but such business use may be located in the principal dwelling unit and/or accessory building.
  - a. If more than one home occupation is accessory to a dwelling, the total aggregate impact of the home occupations shall be considered in determining compliance with this Chapter.
4. Any permitted home occupation use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
5. All business activities shall take place in a completely enclosed building. No outdoor storage or display or unenclosed storage related to the home occupation shall be permitted.

6. Home occupations shall be limited to not more than twenty-five (25) percent of the gross floor area of the principal dwelling unit, or five hundred (500) square feet of gross floor area, whichever is less, even if the use is conducted within an accessory building.
  7. No sales of any goods or merchandise shall occur on the premises other than those goods or merchandise which are produced on the premises or are customarily incidental to the accessory home occupation business use and directly related thereto, such as hair care products by a barber or beautician.
  8. No goods shall be displayed or stored so as to be visible from the exterior of the premises.
  9. Activities associated with the home occupation shall be conducted in such a way that no traffic congestion, noise, glare, air pollution, odor, smoke, vibration, fire hazards, safety hazards, electromagnetic interference, or otherwise, shall be noticeable at or beyond the property line.
    - a. A description of the operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation and other performance standards in accordance with Part 4 of this Chapter.
  10. The use shall not require delivery or pickup by tractor-trailer trucks.
  11. A home occupation shall not be conducted in a manner that is perceptible to other residents between the hours of 9:00 p.m. and 7:00 a.m.
  12. The use shall not involve commercial repair of motor vehicles or similar type equipment.
  13. Drive thrus shall be prohibited.
  14. Signs shall be provided in accordance with Part 17 of this Chapter
  15. All off-street parking shall comply with Part 18 of this Chapter.
  16. In no case shall there be an accessory apartment and a home occupation permitted on one lot.
  17. The business may not involve any illegal activity.
  18. All uses must comply with Borough building, health, housing, rental, safety, property and other applicable local, county, state, and federal code and licensing requirements. All such licenses, certificates, and permits shall have been obtained and presented to the Borough, or shall be a condition of approval.
- H. No-Impact Home Occupation.
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 member 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, vibrations, 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 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 twenty five (25) of the habitable floor area.
  8. The business may not involve any illegal activity.
- I. Outdoor Café/Dining. Outdoor Cafés/Dining shall be permitted as an accessory to a permitted restaurant or establishment which serves food, subject to the following criteria:
1. Outdoor furnishings shall be limited to tables, chairs, umbrellas, benches, trash/recycling type facilities, outdoor heaters, and reservation podium.
  2. Outdoor furnishings shall be stored in an enclosed facility after normal operating hours.
  3. The limits of the outdoor dining area shall be defined. In addition to decorative fencing and landscaping, decorative planters, posts with ropes, and other removable enclosures, as well as reservation podium are encouraged as a way of defining the area occupied by the outdoor dining area.
  4. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on abutting property in the R-L and R-M zoning districts or existing residential use in the MN/C zoning district.
  5. Exterior trash and recycling receptacles shall be provided amid any outdoor dining area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
  6. Advertising or promotional features, other than permitted signs in accordance with Part 18 of this Chapter, shall be limited to umbrellas and canopies.
  7. Outdoor dining shall not impede public sidewalks. Where permission is granted by the entity having jurisdiction over the public right-of-way in which the outdoor dining is proposed, a minimum of six (6) feet uninterrupted (obstacle free) pathway can be continuously maintained, public sidewalks may be utilized for outdoor dining areas.
  8. All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 4 of this Chapter.