

**EAST NOTTINGNAM TOWNSHIP  
ZONING ORDINANCE**

**ARTICLE XVII  
GENERAL REGULATIONS**

**SECTION 1701 STATEMENT OF INTENT**

In setting forth general regulations in this article, it is the intent of the Township to establish clear standards for activities and the design and impact of site development that may be associated with a variety of zoning districts or types of land use. In most instances, these regulations are to be interpreted and applied in conjunction with the requirements of one or another use district of this ordinance; they are limited with respect to the zoning map only as stipulated by the terms of this article.

**SECTION 1702 LOT AREA AND YARD REQUIREMENTS**

The minimum lot area or yard width requirements for any new building or use shall not include any part of a lot that is required by any other building or use to comply with requirements of this ordinance. No required lot area or yard shall include any property, the ownership of which has been transferred subsequent to the effective date of this ordinance, if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.

**SECTION 1703 GENERAL PERFORMANCE STANDARDS**

No land or structure in any zoning district shall be used or occupied in any manner that creates any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration; smoke, dust, odor, or other form of air pollution; heat, electromagnetic or other radiation; or other condition in such manner or in such amount as to affect adversely the reasonable use of the surrounding area or adjoining premises.

A. Performance Standard Procedure

1. With the exception of residential uses, any applicant for a zoning permit for any other principal or accessory use shall include with such application an affidavit acknowledging an understanding of the performance standard specified herein and applicable to such use, and affirming an agreement to conduct or operate such use at all times in conformance with such standards. Where there is reason to believe that the nature of the proposed use would make it difficult to comply with applicable standards, the Zoning Officer may require the applicant to submit plans of the proposed construction, as well as a description of the proposed machinery, operations, and products and the specifications for the mechanisms and

techniques to be used in restricting the emission of any dangerous and objectionable elements listed in this section.

2. Regardless of whether a use is required to comply with the procedures of this subsection, every use shall comply with the performance standards specified in this section.

**B. Dust, Dirt, Smoke, Vapors, Gases, Odors, and Heat**

1. The air pollution control regulations promulgated by the Pennsylvania Air Pollution Control Act of January 9, 1960, Public Law 2119, as amended, shall be used to control the emissions of dust, dirt, smoke, vapors, gases, odors, glare, and heat in the Township. Such regulations are contained in Title 25 Rules and Regulations, Department of Environmental Protection, Subpart C, Protection of Natural Resources, Article III, Air Resources.
2. No use shall carry on an operation that will produce heat perceptible beyond the property line of the lot on which the operation is situated.

**C. Electric, Diesel, Gas, or Other Power**

Every use requiring power shall be so operated that any service lines, substation, etc., shall conform to the highest applicable safety requirements, shall be constructed and installed so that they will be an integral part of the architectural features of the plant or, if visible from abutting residential properties, shall be concealed by evergreen planting.

**D. Control of Radioactivity or Electrical Emissions or Electrical Disturbances**

Activities which may emit radioactivity beyond enclosed areas shall comply with the requirements of the Pennsylvania Department of Environmental Protection, Division of Radiology. The federal Nuclear Regulatory Commission shall also regulate the control of radioactive material associated with any activity in the Township. No electrical disturbances (except from domestic household appliances) shall be permitted to adversely affect any equipment at any time other than the equipment creating the disturbance.

**SECTION 1704 ACCESS AND TRAFFIC CONTROL**

In order to encourage the sound development of street frontage and to minimize traffic congestion and hazard, the following special provisions shall apply:

**A. Off-Street Parking**

All areas for off-street parking, off-street loading and unloading, and the storage or movement of motor vehicles shall be physically separated from the highway or street by a raised curb, planting strip, wall, or other suitable barrier against

unchanneled motor vehicle entrance or exit, except for necessary accessways or access roads which supply entrance to and egress from such parking, loading, or storage area. All parking areas or lots shall be designed to prohibit vehicles from backing out on the street, and the capacity of each lot shall provide adequate storage area and distribution facilities upon the lot to prevent back-up of vehicles on a public street while awaiting entry to the lot.

B. Access

Each use with less than one hundred (100) feet of frontage on a public street shall have not more than one accessway to each such street, and no business or other use with one hundred (100) feet or more of frontage on a public street shall have more than two accessways to any one street for each three hundred (300) feet of frontage. Where practicable, access to parking areas shall be provided by a common service driveway or minor street in order to avoid direct access to a major street. A driveway with a six percent (6%) slope or greater shall be stabilized within the Township right-of-way.

C. Large Developments

In the case of a shopping center, office complex, group of multi-family dwellings, or similar grouping of buildings on a lot, and in any other case where deemed necessary and practicable by the Board of Supervisors:

1. All buildings shall front upon a marginal access street, service road, common parking lot, or similar area and not directly upon a public street.
2. All points of vehicular access to and from a public street shall be located not less than eighty (80) feet from the intersection of any public street lines with each other; provided, however, that any such point of vehicular access which, in effect, converts a "T" intersection into an intersection of two streets which cross one another shall be permitted.
3. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways serving the development, without undue congestion or interference with normal traffic flow within the Township.
4. All streets and accessways shall conform to the specifications determined by the Township Engineer and the requirements of the East Nottingham Township Subdivision and Land Development Ordinance. Provision shall be made for adequate signalization, for turning, standby, and/or deceleration lanes, and for similar facilities as deemed necessary.
5. Where a number of individual parcels or buildings are being developed jointly, or where a parcel or building is being developed adjacent to

another parcel used or suitable for non-residential development, consideration shall be given to the following:

- a. The location and planning of driveway access points to permit their joint use by adjoining parcels so as to minimize the number of intersections with the street or highway from which they derive their access.
- b. The development of parking and loading facilities that permit convenient traffic circulation between adjoining parcels.
- c. The development of pedestrian walkways between adjoining parking areas and buildings.
- d. The provision of landscaping and other features which will enhance the usability, character, and attractiveness of the area.

D. Reverse Frontage Encouraged

Direct vehicular access onto any collector or arterial highway shall be strongly discouraged. Reverse frontage is strongly encouraged for such properties.

## **SECTION 1705 INTERNAL CIRCULATION**

Interior drives may be one way or two way. Areas provided for loading and unloading of delivery trucks and other vehicles, and for the servicing of shops by refuse collection, fuel, and other service vehicles shall be so arranged that they may be used without blocking or interfering with the use of accessways or vehicle parking facilities.

## **SECTION 1706 LIGHTING**

- A. The following standards shall apply to all exterior light fixtures within East Nottingham Township, except street lighting and associated traffic safety devices provided by a public utility or governmental entity within a public right-of-way.
1. The light from any exterior light fixture (the light source and its enclosure, including any reflectors or other devices for the control of light) shall be shaded, shielded, or directed to prevent direct light from being cast beyond an angle of thirty-five (35) degrees from a vertical plane and to prevent glare or other objectionable problems to surrounding areas.
  2. The intensity of any light source on a lot, when measured at the lot line, shall not exceed 0.5 foot candles.
  3. No lighting fixture shall have any blinking, flashing, or fluttering lights or other illuminating device which has a changing light intensity, brightness, or color, nor will any beacon lights be permitted. Decorative seasonal light

displays are exempt, provided they are not detrimental to the public health, safety, and welfare of East Nottingham Township residents.

4. Neither the direct nor reflected light from any lighting fixture shall create a disabling glare that would be a potential traffic hazard for motor vehicle operators on public roads.
  
- B. All driveways, aisles, maneuvering spaces, vehicular service areas or spaces between or about buildings, designed for use by more than four cars after dusk, other than those related to an individual dwelling, shall be illuminated during night hours in accordance with the standards in this section.
  
- C. Lighting systems and standards for major outdoor facilities such as athletic fields or stadiums, for which the above standards are inappropriate and unattainable, shall be permitted when approved as a special exception by the Zoning Hearing Board. The applicant shall demonstrate that the proposed lighting system is designed and will be operated to minimize objectionable impacts on other properties; the Board shall be further guided by the standards in Section 2203 of this ordinance.
  
- D. Street lighting shall be provided where required under the terms of the Township Subdivision and Land Development Ordinance.

## **SECTION 1707      FENCES AND WALLS**

- A. Except as regulated by Subsection [B], below, or elsewhere by this ordinance, fences and walls maintained in good condition may be permitted in any required yard, provided that they do not: [i] encroach into any state or East Nottingham Township right-of-way; [ii] impose any resistance for an emergency vehicle's exit or entrance; or [iii] obstruct any required clear sight triangle area. While no setback is required, a property owner may wish to set back a fence or wall from the property line to provide for maintenance and repair.
  
- B. No solid fence shall be located closer to the front lot line than the minimum required front yard setback distance established for the zoning district in which the fence is located or the setback distance established by an approved subdivision or land development plan governing the property.
  
- C. All fence posts and structural members shall face inward and not be exposed to neighboring properties.
  
- D. There shall be no height limitations on hedges. Trees and other plant material designed to enhance the livability and attractiveness of any lot may be located in any yard.

**SECTION 1708      EXCEPTION TO HEIGHT LIMITATIONS**

- A.     The height limitations of this ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, monuments, standpipes, chimneys on residential structures, or flagpoles.
  
- B.     The height limitations of this ordinance shall not apply to any principal or accessory agricultural building or structure, including but not limited to a barn or silo.
  
- C.     Upon the granting of a special exception by the Zoning Hearing Board, the following may be erected to a maximum height of fifty (50) feet or the equivalent of the distance to the nearest property line, whichever is less: ham radio or television masts, aerials, and antennae; windmills and similar wind energy conversion systems. The Zoning Hearing Board shall consider the following factors, in addition to the criteria in Article XXII of this ordinance, in deciding upon a request for special exception:
  - 1.     Compatibility of the proposed facility with existing and zoned uses in the general neighborhood with respect to safety, visual impact, aesthetics, noise, and lighting.
  - 2.     Compliance of the proposed facility with all applicable state and federal licensing and permit requirements, including assurances that existing uses on surrounding properties will not be disrupted or otherwise negatively impacted by the operation of the proposed facility.
  - 3.     The relationship of the proposed site to other similar facilities within the Township or the immediate region, and the potential cumulative impacts that could result from a concentration of such facilities of excessive height.
  - 4.     The ability of the applicant to screen effectively the potentially negative visual, light, and noise impacts of the proposed facility.

**SECTION 1709      MODIFICATION OF FRONT YARD REQUIREMENTS**

- A.     Where an unimproved lot is situated between two (2) improved lots, on each of which there has existed since the effective date of this ordinance a principal building within twenty-five (25) feet of the side boundary line of such improved lot and encroaching within the front yard otherwise required by this ordinance, the front yard depth of such unimproved lot may be the average depth of the front yards of the two (2) adjacent improved lots, notwithstanding the yard requirements of the district in which the unimproved lot is located.
  
- B.     Where an unimproved lot adjoins only one improved lot, on which there has existed since the effective date of this ordinance a principal building within twenty-five (25) feet of the common side lot line and encroaching within the front yard otherwise required by this ordinance, the front yard depth of such unimproved lot may be the average depth of the front yard of such adjacent improved lot and the front yard

required for the district in which such unimproved lot is located, notwithstanding the yard requirements for such district.

**SECTION 1710 PROJECTIONS INTO REQUIRED YARDS**

- A. No principal building and no other building containing a dwelling unit or other habitable living space shall be erected within or shall project into any required yard in any district. The following components of such building, however, may project into any required side or rear yard so long as they are set back at least fifteen (15) feet from any side or rear lot line: terraces; uncovered platforms, decks, steps, and similar landings; buttresses; chimneys; cornices; piers or pilasters; unenclosed fire escapes, and access ramps for physically handicapped persons.
- B. Where the lot dimensions, configurations, or topography allow no reasonable side or rear yard location, a handicapped access ramp may project into the required front yard, provided:
  - 1. The Zoning Officer reviews and approves the proposal.
  - 2. The ramp design represents the minimum projection necessary into the front yard.
  - 3. No portion of such ramp is located closer than thirty (30) feet from the front lot line.
- C. On non-residential properties only, an awning or movable canopy may project into any required side or rear yard not more than twenty-five (25) feet, but shall not be closer than fifteen (15) feet from any side or rear lot line. In the C-1 District, an awning or movable canopy may project into required front yard, but shall not be closer than five (5) feet from the front lot line.
- D. Arbors, trellises, and similar uninhabitable accessory structures shall be permitted within side and rear yard areas provided they are not more than twelve (12) feet in height and are set back at least ten (10) feet from the lot line

**SECTION 1711 VISIBILITY AT INTERSECTIONS**

- A. Sightlines at Public Street Intersections

The minimum standards for clear sight triangles at public street intersections shall as contained in the East Nottingham Township Subdivision and Land Development Ordinance, unless otherwise required by PennDOT..
- B. Sightlines at Private Accessway and Public Street Intersections

At each point where a private accessway intersects a public street or road, a clear sight triangle in compliance with the standards of East Nottingham Township for driveways shall be maintained, except as otherwise required by PennDOT.

- C. On any lot, no wall, fence, or other obstruction shall be erected, allowed, or maintained, and no hedge, tree, shrub, or other growth shall be planted or allowed to exist, which dangerously obscures the view of approaching traffic along a street or at intersections with driveways.

## **SECTION 1712      OUTDOOR STORAGE**

The following standards shall apply to the storage of all man-made materials:

- A. Storage for periods in excess of thirty (30) days shall be screened from view of any public right-of-way and any contiguous residential use. Screening shall consist of continuous evergreen plantings and/or include an architectural screen.
- B. No storage shall be permitted within the front yard of a lot.
- C. No merchandise, goods, articles, or equipment shall be stored, displayed, or offered for sale outside any building, except for the following:
  - 1. Seasonal articles which are too large or otherwise infeasible to be stored indoors. Such articles shall be stored adjacent to the building housing the principal use, and shall be enclosed by either walls or opaque fencing designed to be architecturally compatible with the building. Such enclosure shall be at least six (6) feet high.
  - 2. As part of a permitted tent or sidewalk sale on a commercial property, or in conjunction with a yard, garage, or tag sale or a flea market where permitted as a temporary accessory use.

Any outdoor display area shall be considered sales floor area for purposes of computing parking requirements.

- D. Any organic refuse and garbage shall be stored in tight, vermin-proof containers. On multi-family, commercial, or industrial properties, solid waste storage shall be centralized to expedite collection. Storage containers shall be enclosed on three (3) sides by an architectural screen.
- E. There shall be no storage of hazardous waste anywhere within the Township, including temporary storage in a parked vehicle. Hazardous waste shall be as defined in Pennsylvania Act 97-1980, or any subsequent amendment or revision thereto.
- F. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, shall be stored outdoors only if enclosed in containers adequate to eliminate such hazards. Flammable, combustible, or explosive liquids, solids, or gases shall be stored in accordance with the applicable fire code regulations. All applicable

Pennsylvania Department of Environmental Protection regulations and federal Office of Safety and Health Administration regulations shall be complied with.

- G. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse. All applicable Pennsylvania Department of Environmental Protection regulations shall be complied with.
  
- H. Storage of unregistered or unlicensed vehicles
  - 1. Except as otherwise provided in this section, vehicles of any kind or type without current registration or license plates shall not be parked on public streets or stored on any parcel of land in any zoning district except in a completely enclosed building.
  - 2. The following shall be exempt from the requirements of Subsection [1], above:
    - a. In any zoning district, one (1) vehicle without current registration or license plates that is kept on any parcel of land with an existing principal structure for utility use thereon.
    - b. Agricultural or farm machinery, and vehicles awaiting service at service stations or body shops that are in compliance with the terms of this ordinance.
  
- I. One duly licensed travel trailer, motor home camper, or pick-up truck camper may be stored in any residential district or on any residential lot, provided such travel trailer or pick-up truck camper is not stored between the street line and principal building or building setback line. In the event a covenant and/or restriction in an approved subdivision or land development plan is more restrictive than the terms of this subsection for the residential uses established therein, said covenant and/or restriction shall take precedence.

### **SECTION 1713 NOISE STANDARDS**

Any use or activity permitted under the terms of this ordinance shall comply with the terms of the East Nottingham Township Noise Pollution Ordinance, as those terms may be applicable to such use or activity.

### **SECTION 1714 SCREENING AND BUFFERING**

- A. Requirements for screening and buffering of selected land uses shall be as specified and administered under the terms of Section 507.01 of the Township Subdivision and Land Development Ordinance.

- B. Any use permitted by special exception or conditional use shall be screened from other uses in accordance with the planting specifications in Section 507.01 of the Township Subdivision and Land Development Ordinance when so directed by the Zoning Hearing Board or Board of Supervisors, respectively, as a condition of approval for the special exception or conditional use.

## **SECTION 1715      LANDSCAPING**

- A. Any part of a lot which is not used for building, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas shall be planted with an all-season ground cover approved by the Township. It shall be maintained to provide an attractive appearance. All non-surviving plants shall be replaced.
- B. Any use or activity proposed as part of a subdivision or land development shall further comply with the requirements for shade trees, street trees, replacement vegetation, and other landscaping components stipulated in the Township Subdivision and Land Development Ordinance.
- C. Plant materials shall be chosen to prevent soil erosion and subsequent sedimentation. For the purposes of promoting disease resistance, minimum maintenance, diverse natural plant associations, and long-term stability of plantings, an applicant is strongly encouraged to choose those combinations of species which may be expected to be found together under more-or-less natural conditions on sites comparable to that where the plant material is to be installed.
- D. The following requirements shall apply to all off-street parking areas having greater than five (5) parking spaces.
  - 1. Raised planting islands shall be located at each end of a parking space row and between every twelve (12) or fewer parking spaces within a row. Planting islands shall be a minimum of three (3) feet in width, extend the length of a parking space, and be planted with one (1) shade tree per island. Existing trees may be credited toward this requirement if in good condition and located as required.
  - 2. Perimeter plantings shall be provided in accordance with the terms of Section 507.01-C of the Township Subdivision and Land Development Ordinance.
  - 3. Perimeter planting areas and raised planting islands shall be protected by curbing.
  - 4. Surface treatment of raised planting islands and perimeter planting areas shall be grass, other ground cover, low-maintenance shrubs, or other plant material approved by the Township.

**SECTION 1716      STORMWATER ROOF DRAINS**

- A. Stormwater roof drains and pipes shall discharge water into a stormwater runoff dispersion and absorption control device and not into the storm sewer or upon open ground.
- B. The dispersion and absorption control device shall be designed to control the roof runoff from a 2-year 24-hour storm per the direction of the Township Engineer.
- C. If the percolation rate exceeds 120 minutes per inch, the Board of Supervisors may grant an exception from having to install the dispersion and absorption control device.
- D. The provisions of this section do not replace or supercede any requirements imposed by the SW NPDES permit for a project if required.