

Chapter 182 Zoning

Township of Haverford

Proposed Reorganization

ADOPTED October 12, 2026

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Article I Title, Purpose, Jurisdiction, and Establishment of Districts and Map

§ 182-101. Purpose; short title

- A. This chapter shall establish zoning regulations for the use of land and structures, area of lots, bulk of buildings and other structures, the density of population, the provision of off-street parking spaces and similar accessory regulations for the Township of Haverford, Delaware County, Pennsylvania, and for such purposes shall divide the Township into districts and, further, shall provide for administrative enforcement and amendment thereof in accordance with the provisions of the First Class Township Code and the Pennsylvania Municipalities Planning Code, Act 247, as amended, and shall repeal all ordinances in conflict herewith.
- B. This chapter shall be known and may be cited as the "Zoning Ordinance of the Township of Haverford, Delaware County, Pennsylvania".

§ 182-102. Community objectives and general intent

The zoning regulations and districts set forth in this chapter are made in accordance with a comprehensive plan study by the Township of Haverford for the general welfare of the Township. The policy statement contained in the Comprehensive Plan provides the detailed goals and objectives of the Township. In summary, these objectives are intended to achieve, among others, the following purposes as stated in the Pennsylvania Municipalities Planning Code:

- A. To promote, protect and facilitate one or more of the following: the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, airports and national defense facilities, the provision of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements.
- B. To prevent one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.

§ 182-103. Establishment of districts

- A. For the purposes of this Zoning Ordinance. Haverford Township is hereby divided into the following districts:

District Name	Abbreviation & Map Symbol
Low-Density Residential Districts	R-1
Low-Density Residential Districts	R-1A
Low-Density Residential Districts	R-2
Low-to Medium-Density Residential Districts	R-3
Low-to Medium-Density Residential Districts	R-4
Low-to Medium-Density Residential Districts	R-5
Medium-Density Residential Districts	R-6
Townhouse Districts	R-7

Garden Apartment Districts	R-8
Medium- and High-Rise Apartment Districts	R-9
Office District	O-1
Office-Residential District	O-2
Light Industrial District	LIN
Limited Commercial District	C-1
Neighborhood Commercial District	C-2
General Commercial District	C-3
Highway Commercial District	C-4
Shopping Center Commercial District	C-5
Outdoor Recreation and Open Space District	ROS
Floodplain Conservation Overlay	FPC

§ 182-104. Zoning Map

- A. **Adoption of Zoning Map.** The areas within the Township limits as assigned to each district and the location of boundaries of the districts established by this chapter are shown upon the Zoning Map, which, together with all explanatory matter thereon, is declared to be a part of this chapter and shall be kept on file with the Township Manager. If and whenever changes are made in boundaries or other matter included on said Zoning Map, such changes in the map shall be made within five days after the amendment has been approved by the Township Board of Commissioners.
- B. **District boundary lines.** The boundaries between districts are, unless otherwise indicated, either the center lines of streets, alleys or railroad rights-of-way or such lines extended or lines parallel or perpendicular thereto. Where figures are shown on the Zoning Map between a street and a district boundary line, they indicate that the district boundary line runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicated. In instances where a district boundary line is a property or Township boundary line, the distances shown will be those measured from the property line to the nearest identifiable landmark, such as a street or railroad, located at each end of the property line. In these cases, the boundary line is coincidental with the property line existing at the time this chapter is adopted. Boundaries indicated as approximately following property or Township boundary lines shall be construed as following such lot lines. Distances not specifically indicated on the official Zoning Map shall be determined by the scale of the map. Where the street or property layout existing on the ground is at variance with that shown on the official Zoning Map or in any other case of doubt or disagreement concerning the exact location of the boundary line, the determination of the Zoning Hearing Board shall prevail.
- C. **Boundary tolerances.** Where a district boundary line divides a lot held in single and separate ownership at the effective date of this chapter, the use regulations applicable to the less restricted district shall extend over the portion of the lot in the more restricted district a distance of not more than 25 feet.

Article II Definitions

§ 182-201. Definitions and word usage; interpretation of regulations

- A.** Language interpretations. For the purpose of this chapter, certain words shall have the meaning assigned to them as follows:
- (1) Words used in the present tense include the future. The singular number includes the plural and the plural the singular.
 - (2) The word "building" includes "structure" and any part thereof.
 - (3) The phrase "used for" includes "arranged for," "designed for," "intended for," "maintained for" or "occupied for."
 - (4) The word "person" includes an individual, corporation, partnership, incorporated association or any other similar entity.
 - (5) The words "includes" or "including" shall not limit the term to the specified examples, but is intended to extend their meaning to all other instances of like kind and character.
 - (6) The words "shall" and "will" are mandatory and not discretionary, and the word "may" is permissive.
- B.** Definitions. As used in this chapter, the following words and phrases shall have the meanings given in this section as follows:

ABANDONMENT

If a nonconforming use of land or building or structure ceases operations for a continuous period of more than six months, then this shall be deemed to be an intent to abandon such use. [Added 1-13-2025 by Ord. No. 3011-2024]

ACCESSORY USE

A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use.

ACCESSORY BUILDING

A detached, subordinate building, the use of which is clearly incidental to and customarily associated with that of the principal building, and which is located on the same lot as the principal building. Accessory buildings may include, but are not limited to, detached garages, sheds, gazebos, and similar enclosed or roofed structures.

ACCESSORY STRUCTURE

A subordinate structure, the use of which is clearly incidental to and customarily associated with that of the principal building or use, and which is located on the same lot as the principal building. Accessory structures include, but are not limited to, sheds, fencing, walls, tennis courts, basketball courts, swimming pools, pavements and other stationary man-made structures.

BOARDER

A person who resides in a dwelling unit, for a time of 30 days or longer, occupied by another and pays compensation for both lodging and meals provided by the owner or occupant of the dwelling unit.

ADULT COMMERCIAL USE

An establishment that, as a substantial or significant portion of its stock-in-trade or activities, offers products, services, or entertainment characterized by an emphasis on matter depicting, describing, or

relating to "specified sexual activities" or "specified anatomical areas." This term shall include, but not be limited to, adult bookstores, adult video stores, adult motion picture theaters, and adult cabarets. All such uses shall be consistent with the standards of 18 Pa.C.S.A. § 5903, as amended.

ADULT BOOKSTORE

An establishment engaged primarily in the retail sale of books, magazines, DVDs, or other materials characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" as defined in 18 Pa.C.S.A. § 5903, as amended.

ADULT VIDEO STORE

An establishment engaged primarily in the retail sale or rental of videotapes, DVDs, or other video media characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" as defined in 18 Pa.C.S.A. § 5903, as amended.

ADULT MOTION PICTURE THEATER

An establishment engaged primarily in the exhibition of motion pictures, films, or video presentations characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" as defined in 18 Pa.C.S.A. § 5903, as amended, where admission is restricted to adults.

ADULT CABARET

An establishment that features live entertainment, performances, or dancers characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" as defined in 18 Pa.C.S.A. § 5903, as amended, where alcoholic beverages may be served and admission is restricted to adults.

ADULT DAY HEALTH CARE FACILITY

A facility that provides a coordinated program of professional services in a community-based group setting for functionally impaired adults, age 18 or older, for part of the day, excluding overnight stays. The services provided are designed to meet the social needs and some health service needs of adults with impairments and/or medical conditions needing treatment and monitoring to prevent premature institutionalization.

AGRICULTURAL USE

The use of land for the commercial cultivation of crops, including fruits, vegetables, grains, flowers, trees, and other horticultural products; the commercial raising, breeding, and keeping of livestock, poultry, or other farm animals; and related agricultural activities such as farm buildings, barns, silos, greenhouses, produce stands, and the storage of agricultural equipment and products. This use may include the processing and sale of agricultural products grown or raised on the premises as an accessory activity, but does not include large-scale commercial processing, slaughtering operations, or concentrated animal feeding operations (CAFOs) unless otherwise specified. This definition does not include the keeping of household chickens, backyard gardens, or other small-scale agricultural activities for personal or household consumption, which are regulated separately as accessory uses to residential dwellings.

ALLEY

A minor street or way which may or may not be legally dedicated and is used primarily for vehicular service access to the rear or side of properties abutting on a street.

ANIMAL KENNEL

Any building, structure, or premises in which three (3) or more animals are kept, boarded, bred or trained whether operated for-profit or as a non-profit/rescue endeavor, but shall exclude keeping of such animals when they are owned by the occupant of the premises for personal enjoyment as household pets. This definition shall not include a Veterinary Hospital or Veterinary Office as defined herein, provided that any overnight boarding at such facilities is strictly incidental to medical treatment.

ART GALLERY

A room or rooms where works of art, including, without limitation, paintings, sculptures, pottery, glass, and weaving, are exhibited and displayed for sale and/or public education and enjoyment. Framing services and sales of art supplies may also be provided in conjunction with any principal gallery use.

ART STUDIO

A workspace used by one or more artists for the creation, practice, or production of visual or performing arts, including painting, drawing, sculpture, photography, ceramics, printmaking, textiles, dance, music, or similar artistic endeavors. This use may include incidental retail sales of artwork created on-site, small group instruction or classes, and the storage of art materials and equipment, but does not include large-scale manufacturing or commercial production facilities.

ARTISAN MANUFACTURING

The small-scale, hand production of custom goods and materials including design, processing, fabrication, assembly, treatment, and packaging of products, which must include the incidental storage, sales and distribution of such products to the general public. Typical artisan manufacturing uses include, but are not limited to, painting; printmaking; leather products; metal, wood, or art work; glass or ceramic production; paper manufacturing; and creation of jewelry, clothing/apparel, leather goods, home decor, toys, furniture, flowers, or similar products. Artisan manufacturing may include space for display or instruction of the production process.

ARTISANAL MARKET

A temporary or seasonal retail market established to provide the sales of handcrafted, locally produced, or small-batch goods, including but not limited to crafts, specialty items, food products, prepared foods, and beverages produced by individual artisans or small-scale producers. An Artisanal Market may include the sale of products similar to those sold at a Farmers Market.

ASSISTED-LIVING RESIDENCE

Any premises in which food, shelter, assisted living services, assistance or supervision and supplemental health care services are provided for a period exceeding 24-hours for four or more adults who are not relatives of the operator, who require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation from the residence in the event of an emergency or medication prescribed for self-administration.

ATHLETIC FIELD

An outdoor area designed and used for organized sports activities, including but not limited to baseball, softball, football, soccer, lacrosse, field hockey, or track and field events. This includes the playing surface, spectator seating areas, and accessory structures such as dugouts, bleachers, scoreboards, and equipment storage facilities.

ATTIC

The open non-habitable space between the ceiling beams of the top habitable story and the roof rafters in a building.

AUTOMOBILE SALES AND SERVICES

The use of any building or land area for the display and retail sales of new or used automobiles, trucks, trailers, and/or vans including customary service, washing and repair facilities within an enclosed building conducted as an accessory use; excluding any automobile body repair shop, stand-alone car wash or painting facility.

AUTOMOBILE SALES, RETAIL

A commercial establishment engaged primarily in the sale of new or used automobiles from a showroom display, where vehicles are ordered by customers and delivered to the premises or to the customer off-site.

This use does not include the storage or inventory of vehicles in outdoor lots or the maintenance and repair of automobiles, except for minor detailing or preparation of vehicles for delivery.

AUTOMOBILE REPAIR SHOP

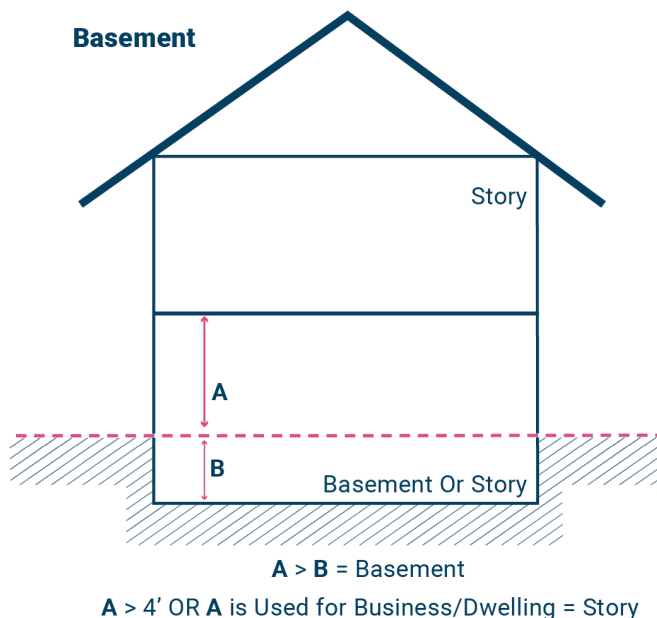
The land and buildings designed and used for repair and maintenance, including body work and painting, of motor vehicles for monetary compensation, and where no outside vehicle storage on the premises is allowed for more than one week.

AWNING

A projection or shelter extending from and supported by the exterior wall of a building and composed of rigid or nonrigid materials and/or fabric covering on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated.

BASEMENT

A story partially underground, but having 1/2 or more of its height, measured from floor to ceiling, above the average level of the adjoining ground. A "basement" shall be counted as a story for the purpose of height measurement or of determining square footage only if the vertical distance between the ceiling and the average level of the adjoining ground is more than four feet or if it is used for business or dwelling purposes. See also cellar.



BED-AND-BREAKFAST INN

An owner-occupied lodging establishment available to transient guests, offering both sleeping accommodations and a meal served in the guest's room or a public dining room for a period of less than 30 consecutive days.

BILLBOARD

See "sign".

BLOCK

A tract of land bounded by streets, public park areas, railroad rights-of-way, excluding siding and spurs, and the corporate boundary lines of the Township.

BREW PUB

An establishment, licensed by the Pennsylvania Liquor Control Board, where alcoholic beverages are brewed, distilled, fermented and/or manufactured and where they are served and consumed on the premises. A brewpub shall be operated in conjunction with, and as an accessory to, a restaurant use, wherein the preparation and service of meals to patrons constitutes the principal use of the establishment. Adequate commercial kitchen and dining facilities shall be provided in accordance with applicable health and building codes.

BUFFER PLANTING STRIP

A strip of required yard space adjacent to the boundary of a property or district, not less in width than is designated in this chapter, which is landscaped for the full width.

BUILDING

Any structure having enclosed walls and roof and intended for supporting or sheltering a use or occupancy, either buried in or attached to the land, including mobile homes but excluding utility vaults, junction boxes, and other similar structures.

BUILDING COVERAGE

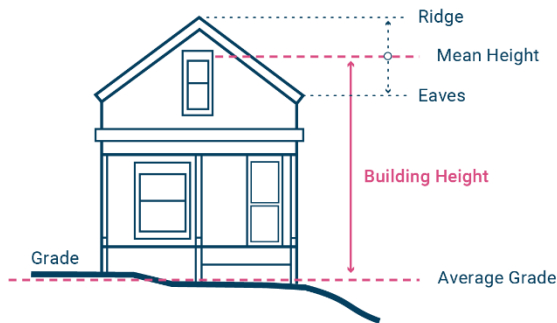
The footprint of a building or structure measured by the horizontal cross section at its greatest outside dimensions at or above the ground level, including decks, but excluding: cornices, eaves, gutters, or chimneys projecting not more than 18 inches; and upper-floor projections such as bay windows and balconies that do not project more than 10 feet.

BUILDING HEIGHT

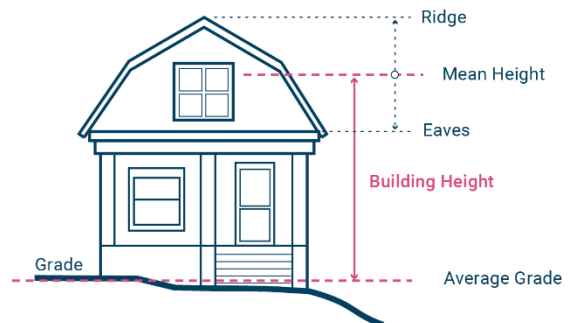
The vertical distance measured from the average elevation of the proposed finished grades at the front of a building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between the eaves and the ridge for gable, hip and gambrel roofs, provided that chimneys, spires, towers, mechanical penthouses, tanks and similar projections of the building not intended for human occupancy shall not be included in calculating the height. If there are two or more separate roofs on a single building, the height of such building shall be calculated from the highest roof.

Height Of Building

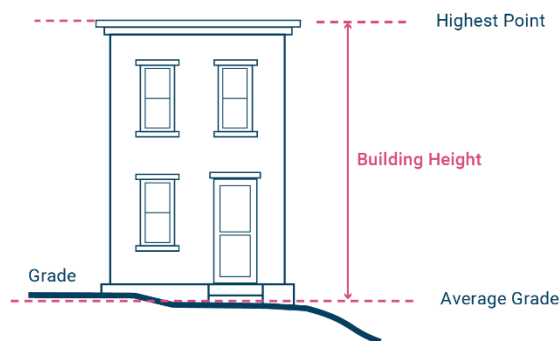
Gabled Roof



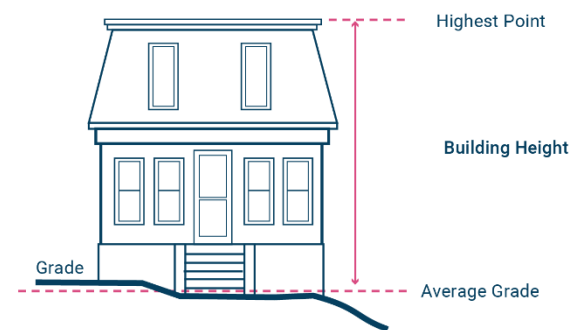
Gambrel Roof



Flat Roof



Mansard Roof



BUILDING LINE

A line parallel to the front lot line that establishes the minimum required front yard depth and governs the placement of principal structures along the front of a lot. The building line constitutes the front setback line for all purposes under this chapter. A lot abutting two or more streets shall have a building line established independently along each front lot line. Where the lot achieves the minimum required lot width at a depth greater than the minimum front yard depth due to irregular lot geometry, the greater such depth shall govern. The building line shall be determined as follows.

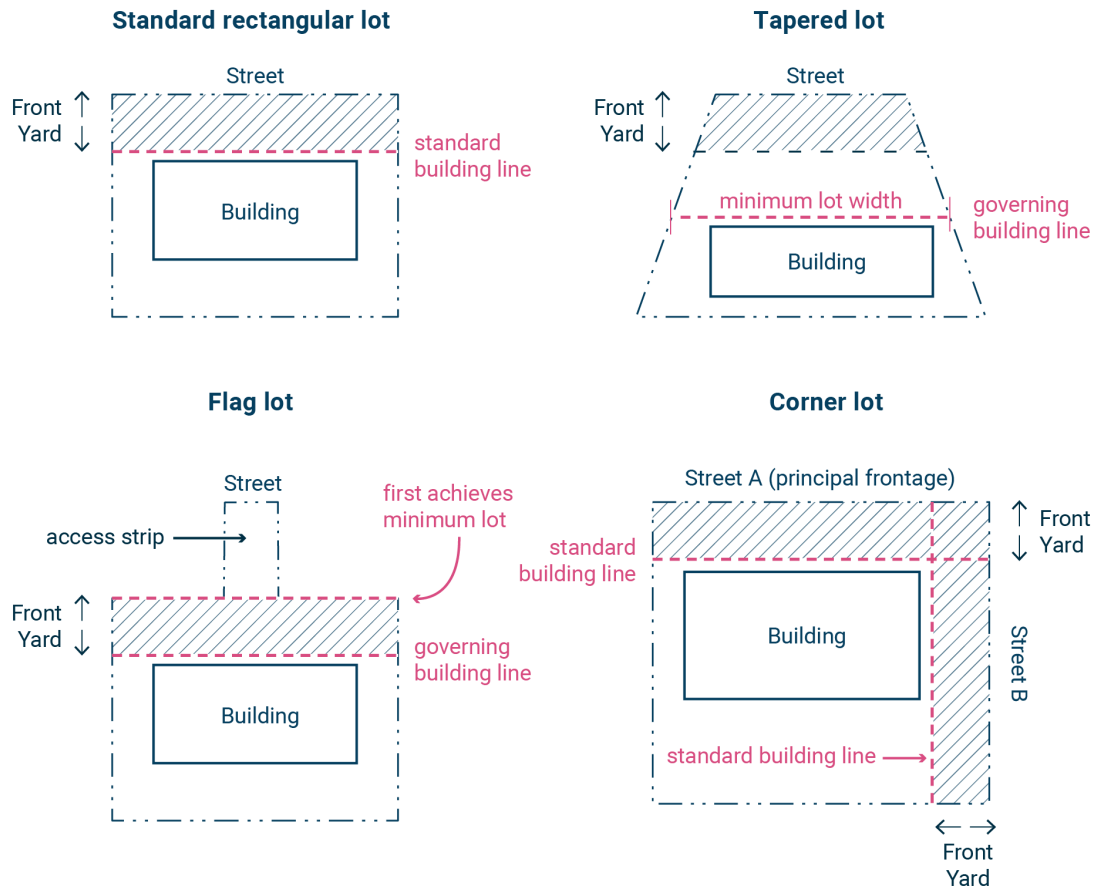
BUILDING LINE, STANDARD

A line parallel to the front lot line that establishes the minimum required front yard depth and governs the placement of principal structures along the front of a lot. The building line constitutes the front setback line for all purposes under this chapter. The building line shall be determined as follows.

BUILDING LINE, GOVERNING

Where the minimum lot width, when measured at the Standard Building Line, is less than that required for the district in which the lot is located, a governing building line shall be established parallel to the front lot line at the minimum depth at which the lot first achieves the minimum required lot width. The governing building line shall replace the standard building line for all purposes under this chapter, including the minimum front yard setback and the measurement of lot width. On flag lots, the governing building line shall be established parallel to the front lot line at a depth equal to the front yard depth after which the lot first achieves the minimum required lot width.

Building Line



BUILDING MANAGEMENT OFFICE

A designated room, suite, or facility located within or directly adjacent to a multi-unit residential dwelling or multi-unit residential development, utilized exclusively for the administrative, managerial, leasing, and security functions necessary for the operation of that specific property or residential complex.

BULK

The aggregate size, mass, or physical extent of a building or structure as measured by its height, floor area, lot coverage, and spatial relationship to adjoining buildings, properties, open areas, and streets.

BUSINESS OR TRADE SCHOOL

A duly accredited or licensed school giving instruction in business or vocational trade subjects.

CANNABIS RETAIL

A commercial establishment licensed by the Commonwealth of Pennsylvania or other applicable authority engaged primarily in the retail sale of adult-use cannabis products, Delta-8 tetrahydrocannabinol (Delta-8 THC) products, kratom, ingestible cannabidiol (CBD) products, cannabis-related paraphernalia, and related accessories and materials. This use does not include the cultivation, processing, or manufacture of cannabis or such products on-site, and does not include medical marijuana dispensaries as separately defined herein.

CAR WASH ESTABLISHMENT

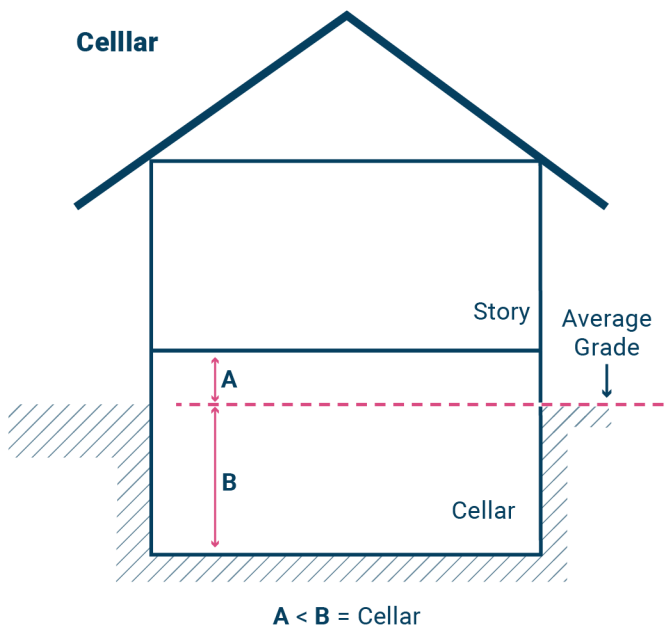
A structure used for the purposes of cleaning or reconditioning the exterior and interior surfaces of automotive vehicles, but not including an incidental one-bay washing facility in a gasoline service station where washing facilities are purely incidental to the operation of said service station. A self-service vehicle laundering facility not requiring attendants or employees, regardless of capacity, is also considered to be a "car wash establishment."

CATERING ESTABLISHMENTS-

Any nonresidential room, place, or space where food and beverages are available for consumption, that is regularly leased or hired out for a particular function, occasion, or event to which the general public is not invited or admitted and wherein music or entertainment is provided.

CELLAR

A story having 1/2 or more of its height, measured from floor to ceiling, below the average level of the adjoining ground. A cellar shall not be counted as a story for the purpose of height measurement or of determining square footage unless the vertical distance between the ceiling and the average level of the adjoining ground is more than four feet. See basement.



CEMETERY

Land used or intended to be used for the burial of the deceased, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with a cemetery and within the boundaries of such cemetery.

CERTIFICATE OF OCCUPANCY

A statement signed by a duly authorized Township officer setting forth that a building, structure or use legally complies with the Zoning Ordinance and other applicable codes and regulations and that the same may be used for the purposes stated therein.

CHURCH

See "place of worship."

CIVIC USE

A facility or building owned or operated by a federal, state, or local government agency, or a nonprofit organization, and used to provide public services and community programs, including but not limited to libraries, community centers, fire stations, police stations, municipal offices, public parks, recreation facilities, and similar uses serving the general public welfare.

CLUB, CIVIC

A building or facility operated by a nonprofit membership organization for social, fraternal, civic, cultural, educational, or community service purposes, including lodges, fraternal organizations, veterans' posts, service clubs, community associations, and similar associations. This use may include meeting rooms, assembly spaces, dining facilities for members and their guests, and accessory kitchens or bars for member use, but does not include commercial entertainment venues or facilities primarily oriented toward active recreation or athletics.

CLUB, RECREATIONAL

A building or facility operated by a membership organization primarily for indoor or outdoor recreational, athletic, social, or leisure activities for its members and their guests, including country clubs, golf clubs, swim clubs, tennis clubs, yacht clubs, athletic clubs, and similar private recreational facilities. This use may include recreational amenities such as swimming pools, golf courses, courts, courses, fitness facilities, clubhouses, dining facilities, pro shops, and related accessory structures, but does not include commercially operated health and fitness clubs open to the general public.

COLLEGE

See "University"

COMMUNITY CENTER

A facility operated principally by a nonprofit or municipal entity and used as a community center and for community-based activities, that includes, but is not limited to, facilities for community meetings, gatherings and conferences, child-care facilities, gymnasiums, exercise facilities, swimming pool, locker rooms, tracks, playing fields for various sports, recreational facilities and such other accessory facilities and uses as are normal and customary for a community center.

COMMUNITY RESIDENTIAL FACILITY

A dwelling occupied by not more than four (4) individuals with disabilities or elderly persons, excluding resident supervisory or care staff, who live and cook together as a single, no transient housekeeping unit in a residential environment. This includes, but is not limited to, community living arrangements, personal care homes, assisted living residences, and recovery homes. This definition does not include hospitals, skilled nursing facilities, psychiatric treatment facilities, or correctional facilities operated by or under contract with government agencies.

CONSUMER FIREWORKS

Any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, is suitable for use by the public, complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16 CFR (relating to commercial practices) or any successor regulation and complies with the provisions for "consumer fireworks" as defined by the American Pyrotechnics Association, APA Standard 87-1 (hereinafter referred to as "APA 87-1") or any successor standard, subject to the licensure by the Pennsylvania Department of Agriculture for the sale thereof. This term does not include devices such as "ground and hand-held sparkling devices," "novelties" or "toy caps" in APA 87-1 or any successor standard.

CONTINUING-CARE RETIREMENT COMMUNITY

A planned residential development intended for individuals or couples in which at least one occupant is 55 years of age or older. The "continuing-care retirement community" shall be distinguished from

other forms of residential development by the fact that it shall provide skilled nursing care for residents as an integral part of the development.

CONVENIENCE STORE

A mini food market designed to attract and serve a large volume of stop-and-go traffic, specializing in fast sales of bread, dairy, and luncheon meats, as well as both made-to-order and ready-to-consume sandwiches, meals and beverages intended for consumption off the premises, and providing a limited supply of grocery store stock as a convenience to its patrons, with less than 10% of its retail floor area or display area dedicated to, or which maintains 20% or less of its total merchandise, whether on display or in stock, for, products containing tobacco, tobacco paraphernalia, Delta-8 THC (or Delta-8-tetrahydrocannabinol) products, kratom, ingestible CBD/ cannabidiol products, and/or electronic nicotine delivery systems (ENDS), ENDS-related products and/or any materials that can be used in electronic nicotine delivery systems. A store exceeding this 10% requirement shall be considered a significant tobacco retailer. No game of skill machines shall be permitted within the same premises as a convenience store.

CONVALESCENT HOME

see "Nursing Home"

COVERAGE

See "building coverage."

CRAFT DISTILLERY

An establishment, licensed by the Pennsylvania Liquor Control Board, to manufacture, rectify, blend, treat, and mix distilled alcoholic beverages, and to sell and distribute the products under the terms of its license. A craft distillery may include accessory on-site retail sales, tastings, and tours for public consumption, provided such activities are clearly subordinate to and incidental to the principal distillation and production use.

CRAFT WINERY

An establishment licensed by the Pennsylvania Liquor Control Board for the production of wine from grapes or other fruits that produces less than 200,000 gallons of wine, mead, cider, and fermented fruit beverages per calendar year, primarily for wholesale distribution, off-premises consumption, or distribution to other licensed establishments. On-site retail sales and tasting room activities may be permitted as an accessory use, provided such activities are clearly subordinate to the wine production function and do not constitute a restaurant or principal on-premises consumption.

DRIVE-IN

An accessory use where customers remain in their vehicles on the site while conducting transactions, making purchases, or receiving services, including but not limited to drive-in movie theaters, drive-in restaurants, and similar uses. A drive-in use includes parking areas designed for viewing or service, associated facilities such as screens or service windows, and related amenities.

DRIVE-THROUGH

An accessory use allowing customers to conduct transactions, make purchases, or receive services from a vehicle and depart immediately without remaining on-site, including but not limited to drive-through windows at banks, pharmacies, restaurants, car washes, and similar retail or service establishments. A drive-through use includes drive-through lanes and associated queuing areas.

DATA CENTER

A facility used for the storage, processing, or transmission of digital information, including but not limited to servers, computers, and associated infrastructure such as cooling systems, power distribution equipment, and security systems.

DAY CARE

A use in which care, supervision, and related services are provided on a regular basis to children for less than twenty-four (24) hours per day and which is licensed or registered, as applicable, by the Commonwealth of Pennsylvania. Day care shall include after-school care but shall not include overnight care, schools, or care provided exclusively to members of one's family.

DAY CARE, IN-HOME

A day care located in a residential dwelling which is the primary residence of the operator, and in which care is provided to no more than six children unrelated to the operator.

DAY CARE, IN-HOME, SMALL

An in-home day care for not more than two (2) children not related by blood or marriage to the residents of the dwelling.

DAY CARE, IN-HOME, LARGE

An in-home day care for not more than six (6) children not related by blood or marriage to the residents of the dwelling.

DAY SCHOOL

See "Nursery School"

DECK

A structure, typically made of wood, or composite material, installed above grade and without walls or roof, as an extension or addition to a dwelling unit, which may include railings and low walls.

DENSITY

The maximum number of dwelling units per net acre, excluding streets and common open space dedicated to the Township.

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, the placement of mobile homes, streets and other pavings, utilities, filling, grading, excavation, mining, dredging or drilling operations, as well as the subdivision of land.

DRIVE-THROUGH COMMERCIAL ESTABLISHMENT

A retail establishment or portion thereof which, by design of construction, is intended to serve consumers in a motor vehicle without said consumers leaving their vehicles. Said definition shall apply to all retail and service establishments, including restaurants and banks. "Drive-through commercial establishments" are considered a separate use under the terms of this chapter and shall be permitted only in those districts where they are specifically authorized.

DRIVEWAY

A private paved or unpaved accessway providing vehicular access from a street or alley to a garage, parking area, or building entrance on the same lot. Driveways are designed primarily for vehicle circulation rather than vehicle parking or storage.

DRIVEWAY, SHARED

A privately owned and maintained right-of-way or access strip providing common vehicular access to two or more individual lots or principal buildings.

DWELLING UNIT

One or more living or sleeping rooms, together with separate cooking and sanitary facilities, which are accessible from the outdoors either directly or through an entrance hall shared with other dwelling units and used or intended to be used by a family as defined in this section; provided, however, that in the case of a continuing-care retirement community, each personal care bed shall be considered as a "dwelling unit."

EDUCATIONAL INSTITUTION

A facility or complex of buildings used primarily for the instruction and education of students at the elementary, middle, secondary, or post-secondary level, including but not limited to public and private schools, colleges, and universities but excludes commercial trade or business schools operated for profit. This use includes accessory facilities such as administrative offices, libraries, laboratories, gymnasiums, cafeterias, athletic fields, and parking areas.

EDUCATIONAL SERVICE

An establishment providing learning experiences, including, but not limited to testing, tutoring, vocational, trade or language schools. A state-licensed public, private, or charter school, or an institution of higher learning, shall not be considered an educational service use.

E-LIQUID

Any liquid that contains vegetable glycerin, propylene glycol, nicotine, water, and possibly flavoring that can be used in Electronic Nicotine Delivery Systems (ENDS) devices. E-liquids can also be referred to as "vape" or "vape juice."

ELECTRONIC CIGARETTE

An electronic oral device, such as one composed of a heating element and battery or electronic circuit, or both, which provides a vapor of nicotine or any other substance and the use or inhalation of which simulates smoking. The term includes any electronic nicotine delivery systems (ENDS) device, notwithstanding whether the device is manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar and e-pipe or under any other product, name or description.

ELECTRONIC NICOTINE DELIVERY SYSTEMS (ENDS)

Any device designed or used to transform an e-liquid (that may contain nicotine) into an aerosol that the user inhales. ENDS can also be referred to as "vapes," "vaporizers," "vape pens," "hookah pens," "electronic cigarettes," "e- cigarettes," "e-cigs," and "e-pipes."

EMPLOYEES OR NUMBER OF EMPLOYEES

The greatest number of persons to be employed in the building in question during any season of the year and at any time of the day or night.

ENLARGEMENT

An addition to the floor area of an existing building, an increase in the size of another structure, the increase in the density of residential uses, or an increase in that portion of a tract of land occupied by an existing use.

FAMILY

One or more persons occupying a single dwelling unit and living and cooking as a single housekeeping unit. A family shall include any number of individuals related by blood, marriage, adoption, or other legal relationship, but shall not include more than three (3) total unrelated persons. This limit shall not apply to foster children under the care of the household. A family may include no more than one (1) domestic employee, boarder, roomer, or lodger.

FARMERS MARKET

A temporary or seasonal retail market established to provide the sales of produce, plants or herbs, eggs, meats, dairy, honey and other similar products sold directly from the grower, harvester or producer of the

said products, and certain prepared foods goods or beverages including wine that are produced by the seller for the sale to the general public. A farmers' market may include sellers of handcrafted items such as those sold at an Artisanal Market.

FENCE

An artificially created barrier intended to prevent escape or intrusion, to obscure visibility or mark a boundary.

FIREWORKS OUTDOOR STORAGE UNIT

A consumer fireworks building, trailer, semitrailer, metal shipping container or magazine meeting the specifications of the National Fire Protection Association's American National Standard, NFPA 1124: Code for the Manufacture, Transportation, and Storage of Fireworks and Pyrotechnic Articles (hereinafter referred to as "NFPA 1124").

FIREWORKS, TEMPORARY STRUCTURE

A structure, other than a permanent facility with fixed utility connections, which is in use or in place for a period of 20 consecutive calendar days or less and is dedicated to the storage and sale of consumer fireworks and related items. The term includes temporary retail sales stands, tents, canopies and membrane structures meeting the specifications of NFPA 1124. The term shall not include a facility that is not licensed to sell consumer fireworks under this chapter.

FITNESS STUDIO

A facility offering instruction and training in specific physical fitness and wellness disciplines, including but not limited to yoga, pilates, dance, aerobics, spinning, and boxing. A fitness studio is typically focused on a single type or limited range of classes or activities and does not include the extensive equipment, recreation facilities such as swimming pools and racquet sports courts, or comprehensive amenities characteristic of a health and fitness club.

FLOOR AREA

The sum of the gross horizontal areas of all floors of a building or structure measured from the exterior faces of the exterior walls, or from the centerline of walls separating adjoining buildings. Floor area shall include basements, cellars, mezzanines, lofts, accessory structures, and penthouses when used for occupancy or storage, but shall exclude unenclosed porches, balconies, terraces, exterior stairways, roof overhangs, and floor area devoted solely to mechanical equipment, parking, or loading.

FORESTRY

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

GAME OF SKILL MACHINE

A gaming machine, apparatus, or device that resembles and often functions like casino slot machines, in that a player inserts money, tokens or a card for the chance to win more money, credits or a similar benefit, but where the outcome is determined mainly by mental or physical skill, rather than chance. [Added 4-8-2024 by Ord. No. 2997-2024]

GARAGE, COMMUNITY

A garage accessory to a principal building shared by common property owners which is used for automobile storage purposes only and in which no business, service or industry, whether connected directly or indirectly with motor vehicles, is conducted.

GARAGE, PRIVATE

A building accessory to a principal building, used for storage of motor vehicles and other personal items, and in which no business, service or industry, whether connected directly or indirectly with motor vehicles, is conducted, provided that private garage shall be used only by the occupant or owner of the premises. [Amended 1-13-2025 by Ord. No. 3011-2024]

GARAGE, PUBLIC OR COMMERCIAL

A garage, not a private or community garage, used for the storage, repair or servicing of motor vehicles of any type or ownership, but not including an automobile-wrecking establishment.

GARDEN CENTER

A retail establishment engaged primarily in the sale of plants, flowers, shrubs, trees, seeds, bulbs, gardening tools, outdoor furniture, landscaping materials, and horticultural supplies. A garden center may include accessory uses such as landscape design services, plant propagation areas, and outdoor display areas, but does not include the commercial cultivation of crops for wholesale distribution.

GASOLINE SERVICE STATION

A lot or area of land, together with any structure thereon, used for the retail sale of motor fuel and lubricants; incidental services such as lubrication and an incidental one-bay car washing facility; and the sale, installation or minor repair of tires, batteries or other automobile accessories.

GASOLINE AND CONVENIENCE MARKET

A commercial establishment engaged primarily in the retail sale of gasoline, diesel fuel, and other motor fuels from pump islands, and includes a convenience store with food market facilities where food and beverages are prepared and sold on-site, including but not limited to sandwiches, prepared meals, and fresh food items. A gas and service station may include accessory uses such as automated car washes, air pumps, and vacuum services, but does not include full-service restaurant operations or major automotive repair services except for minor maintenance and repair incidental to fuel sales.

GOLF COURSE

An open area and its necessary buildings and structures used for the playing of golf, together with incidental amenities that are customarily associated with golf, such as accessory dining facilities. Neither a commercial driving range nor a commercial miniature golf area shall be considered a golf course for purposes of this chapter.

GREEN ROOF

A vegetated roof system consisting of waterproofing, root barrier, drainage layer, growing medium, and vegetation installed on the roof of a building or structure, which serves the purpose of reducing stormwater runoff, providing insulation, and/or mitigating urban heat island effects, among other purposes.

GROUP HOME

See "Community Residential Facility"

HABITABLE FLOOR AREA

The total floor area of a building or structure that is designed and used for living, sleeping, working, or other occupancy purposes, measured from the interior faces of exterior walls. Habitable floor area includes all rooms designed for human occupancy, such as bedrooms, living rooms, kitchens, bathrooms, dining areas, and home offices, but excludes basements, cellars, garages, mechanical rooms, attics, and accessory spaces not designed for regular occupancy.

HEALTH AND FITNESS CLUB

A commercial establishment providing facilities and equipment for physical exercise, fitness training, and wellness activities, which may include cardiovascular and strength training equipment, group exercise classes, locker rooms, and related amenities such as personal training services, nutritional counseling,

swimming pools, juice or snack bars, courts for racquet sports, and spa services. This use does not include medical or therapeutic treatment facilities.

HOME OCCUPATION

An occupation or activity carried out for gain by a resident and conducted as a customary, incidental and accessory use within the resident's dwelling unit or other structure located on the lot.

HOKKAH BAR

Any establishment that is devoted to, marketed as, or designed for, whether as its primary use or as an accessory use, the on-premises use of smoking through a water pipe with a smoke chamber, a bowl, a pipe and a hose, commonly referred to as a "hookah," and also known as narghile, argileh, shisha, hubble-bubble and/or goza, or any similar device used for on-premises smoking. The term "hookah bar" includes, but is not limited to, establishments variously known as hookah parlors, hookah cafes, and hookah lounges. A hookah bar shall be considered a significant tobacco retailer.

HOSPITAL

An institution providing health services primarily for inpatient medical or surgical care of the sick or injured and including related facilities such as laboratories, outpatient departments, training facilities, central service facilities and staff offices which are an integral part of the institution.

HOSPITAL, VETERINARY

A structure designed or converted for the care and treatment of sick or wounded domestic animals. Use as a kennel shall be limited to short-term boarding and shall be incidental to such hospital use.

HOTEL

A building containing individual lodging accommodation units available to transient guests, with each unit containing individual sleeping and bath facilities and each having public access to a common hallway linked to a central lobby area. Permitted accessory uses associated with a hotel include banquet facilities, restaurants, pubs and taverns, gym facilities, swimming pools, and conference rooms.

IMPERVIOUS COVERAGE

A measure of the intensity of use of a parcel of land. The "impervious surface ratio" shall be measured by dividing the total area of all impervious surfaces within a site by the net site area.

IMPERVIOUS SURFACE (IMPERVIOUS AREA)

A surface which prevents or significantly limits the infiltration of stormwater, including but not limited to all buildings, parking areas, driveways, roads, sidewalks, swimming pools, and any areas in concrete or asphalt. Impervious surface shall also include compacted gravel, crushed stone, and other surfaces that are functionally impermeable due to compaction or design.

IMPROVED OPEN SPACE

That portion of a lot, excluding areas set aside or used for buildings, parking, loading and streets, which is devoted to recreational uses and/or play areas with appropriate recreational equipment, park furniture and landscape plantings.

INDOOR RECREATIONAL OR AMUSEMENT FACILITIES

An establishment containing an indoor premises or place of business that primarily or substantially offers indoor recreational and/or amusement activities, including, without limitation, movie and live theaters, bowling alleys, sports fields or playing courts, video arcades, billiards, playground equipment, laser tag, go-carts, golf game simulators, mini-golf, ax/knife throwing, virtual reality experiences, trampolines, batting cages, or similar indoor facilities. Devices and facilities used solely for retail sales product testing or demonstrations, playgrounds used accessory to an eating/drinking establishment, and private sports clubs

or gyms that require at least monthly memberships to participate shall not be considered indoor recreation or amusement facilities.

INDUSTRIAL

The use of land or buildings for the manufacturing, processing, fabrication, assembly, treatment, packaging, storage, distribution, or repair of goods and materials, including related accessory uses such as offices, laboratories, warehouses, and outdoor storage areas. Industrial uses are characterized by operations that may generate noise, vibration, dust, odors, or truck traffic, and typically require specialized infrastructure, equipment, or processes not compatible with residential or commercial environments.

JUNKYARD

An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used and discarded materials, including but not limited to wastepaper, rags, metal, building materials, house furnishings, machinery, vehicles or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage on a lot of two or more unlicensed, wrecked or disabled vehicles or the major part thereof shall be deemed to be a "junkyard."

KINDERGARTEN

See "Nursery School"

LABORATORY

An office or facility, whether operated by a nonprofit or for-profit entity, for conducting research, experiments, testing, engineering and development in computer science or the physical and biological sciences, with the objective of creating end products or services. Any associated administrative office; storage areas; meeting rooms; focus and consumer testing group areas; pilot plants, and utility corridors and utility rooms directly related to the laboratory research areas; or similar amenities shall be included.

LIGHT INDUSTRIAL

An establishment primarily engaged in the manufacturing, processing, assembly, packaging, fabrication, repair, storage, distribution, bottling and canning of nonalcoholic beverages, or testing of goods, where such activities are conducted entirely within enclosed buildings and do not create significant noise, vibration, smoke, dust, odors, glare, heat, hazardous materials, or other impacts detectable beyond the property boundaries.

LIGHT MANUFACTURING

The fabrication, processing, assembly, packaging, or production of finished goods from previously prepared materials, conducted entirely within an enclosed building, with operations that do not create objectionable noise, odor, smoke, dust, vibration, or other nuisance conditions beyond the property line. Light manufacturing typically involves small-scale production, limited use of heavy machinery, minimal truck traffic, and minimal outdoor storage, and is compatible with commercial or mixed-use districts.

LOADING SPACE

An off-street space or berth, whether enclosed or unenclosed, designed, reserved, and used for the temporary standing, parking, loading, or unloading of commercial vehicles in connection with the use of a building or premises.

LODGER

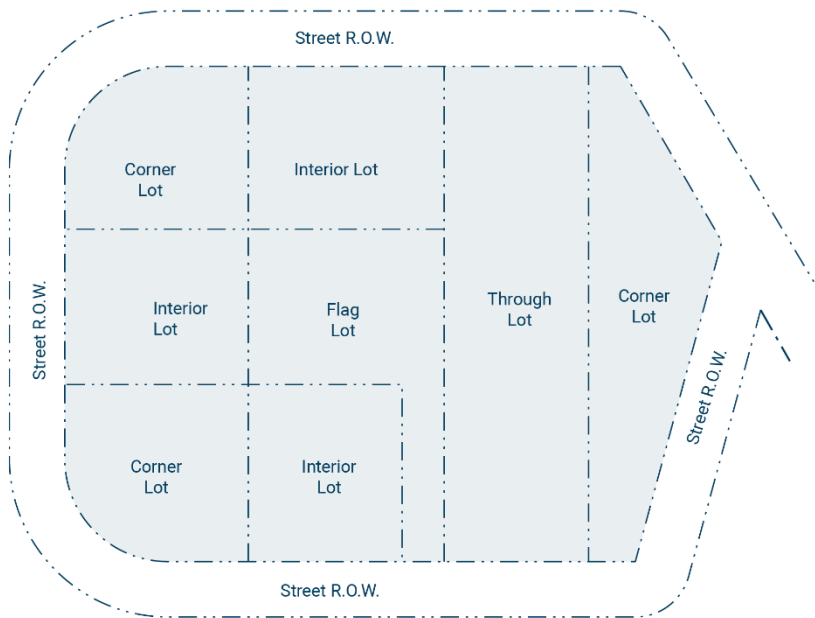
See Roomer.

LOT

A parcel or tract of land identified by a unique tax parcel number, description set forth in the deed or other instrument vesting title in the owner of record, or other instrument dividing or allocating land, air rights or

subsurface rights below the surface of the land, and designated to be occupied by one or more buildings or uses, along with their associated open spaces and accessory structure.

Lot



LOT AREA

The total horizontal area within the lot lines of a property excluding any part of the lot lying within the right-of-way lines of a street, road or highway. The following areas within the lot shall be excluded from the calculation of the lot area: floodplains, wetlands, very steep slopes, fifty percent (50%) of steep slopes, and rights-of-way dedicated to third parties or other public or private agencies.

LOT, CORNER

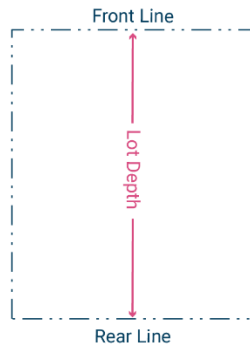
A lot bounded on at least two sides by streets whenever the lines of such streets extended form an interior angle that is less than or equal to 135°.

LOT DEPTH

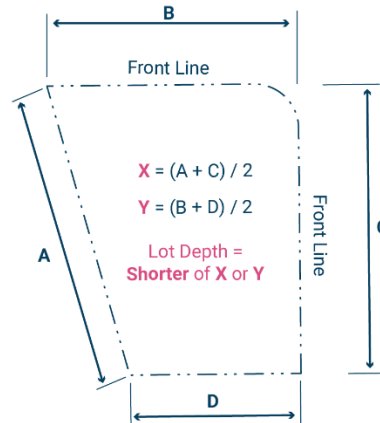
The horizontal distance between the front lot line and the midpoint of the rear lot line. For irregularly shaped lots where a clear rear lot line may not exist, the lot depth can be calculated as the distance from the midpoint of the front lot line to the midpoint of the lot line which is furthest from the front lot line. In the case of corner lots, lot depth is measured as the lowest value of the average depth of the lot lines that intersect with the front lot lines, as illustrated below.

Lot Depth

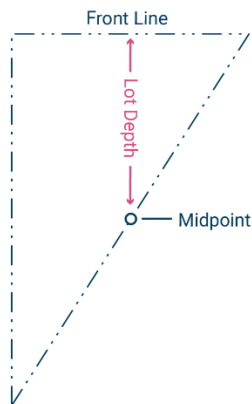
Regular Lots



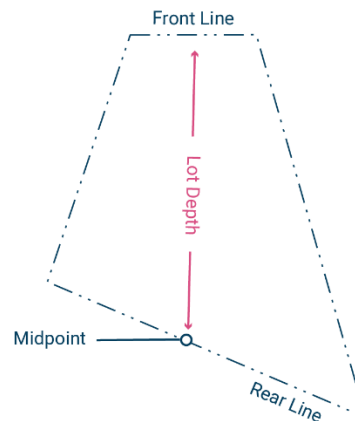
Corner Lots



Triangular Lots



Pie-Shaped Lots



LOT, FLAG

A tract or parcel of land in which the majority of the lot does not meet the minimum required frontage on a public street and in which access to a public street is provided by a narrow strip of land which, at any point, is less in width than 80% of the street frontage required in its respective district. Sometimes referred to as a Panhandle Lot.

LOT, INTERIOR

A lot that has frontage on only one public street and is not located at the corner of two intersecting streets, as defined in Corner Lot.

LOT LINE

The boundary that legally and geometrically demarcates a lot.

LOT, LANDLOCKED

A lot that has no direct frontage or access to a public street and relies upon an easement, shared driveway, private road, or other legal means of access to provide vehicular access to a public street.

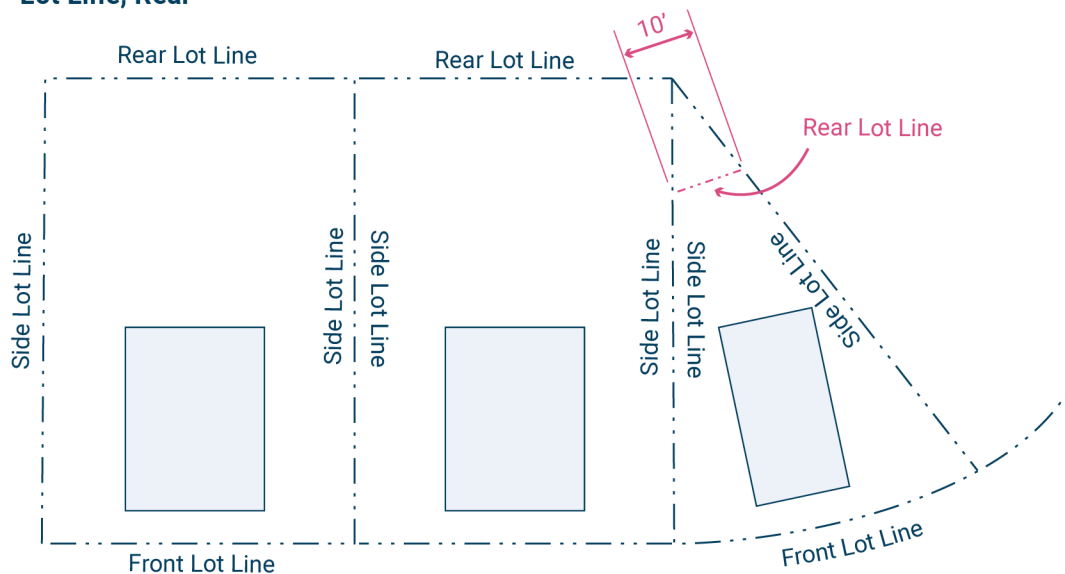
LOT LINE, FRONT

The street line or the line separating the lot from the street right-of-way. Where a future right-of-way for a road or a street has been established, then that line shall determine the location of the Front Lot Line. Corner lots may have more than one Front Lot Line.

LOT LINE, REAR

The lot line that is generally opposite and furthest from the front lot line. In cases of irregular, triangular, or pie-shaped lots where a single rear lot line may not exist, the rear lot line shall be a line at least 10 feet long, parallel to and at the maximum distance from the front lot line within the confines of the lot. For corner lots, there may not be a rear lot line.

Lot Line, Rear



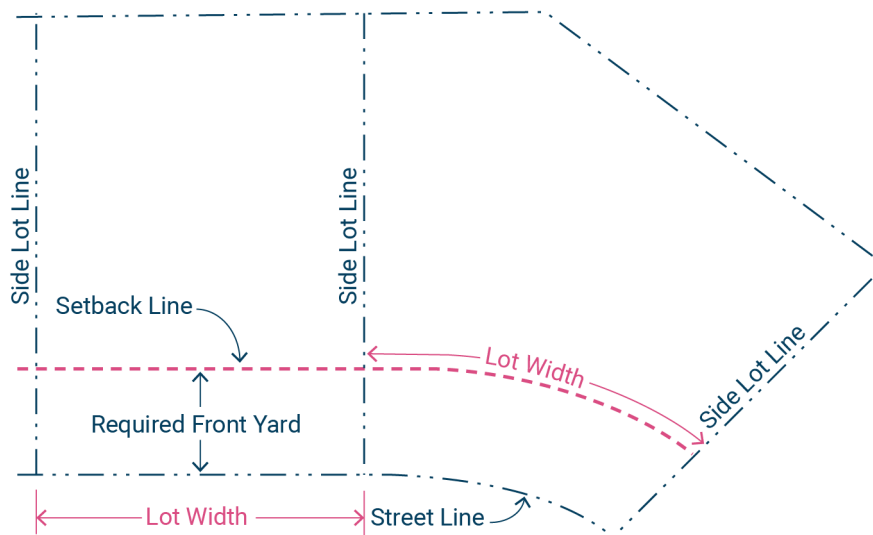
LOT LINE, SIDE

Any lot line which is not a front lot line or a rear lot line.

LOT WIDTH

The horizontal distance between side lot lines, measured at the building line and along a straight line perpendicular to the lot depth. Where the front lot line is curved, the measurement shall be made along the chord of the arc parallel to the curve of the front lot line. In the case where the side lot lines are converging, the minimum lot width shall be maintained at the midpoint between the front and rear setback. For lots that do not achieve the minimum required lot width at the building line, see Building Line.

Lot Width



MECHANICAL AMUSEMENT DEVICE

Any machine, apparatus, or device which, upon the insertion of a ticket, coin, slug, token, plate, card, disk or key into any slot, crevice or other opening, or by the payment of any price, may be operated or used as a game, entertainment or amusement, whether or not registering a score and whether or not a prize or redeemable tickets or points are offered. It shall include, without limitation, such devices as game of skill machines, skill games, marble machines, pinball machines, skill ball, skee ball, mechanical grab or claw machines, mechanical or video bowling machines, electronic dart boards, golf simulator games, photoelectric or video shooting games or target machines, electronic video games, air-hockey tables, football games or other ball, disk, or bag throwing, rolling, or kicking games, riding or driving games or devices, virtual reality games, and all other games, operations, or transactions similar thereto under whatever name they may be designated or described. It shall not include devices or machines which dispense candy or merchandise unrelated to playing a game or Pennsylvania Lottery kiosks or devices. No mechanical amusement device shall be permitted within the same premises as a significant tobacco retailer.

MEDICAL CLINIC

A facility for the provision of urgent care services and/or examination and treatment of primarily outpatient, ill or afflicted humans, and those obtaining elective medical procedures and which may include offices for licensed professionals working at the facility. Also known as an ambulatory health care facility.

MEDICAL MARIJUANA

Marijuana for certified medical use as legally permitted by the Commonwealth of Pennsylvania and the provisions of Act 16 of 2016.

MEDICAL MARIJUANA ACT

Act 16 of 2016, 35 P.S. § 10231.101 et seq.

MEDICAL MARIJUANA DISPENSARY

A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which is registered by the Department of Health of the Commonwealth of Pennsylvania under the Medical Marijuana Act to dispense medical marijuana. The term does not include a health care medical marijuana organization under Chapter 19 of the Medical Marijuana Act.

MEDICAL MARIJUANA GROWER/PROCESSOR

A person, including a natural person, corporation, partnership, association, trust or other entity, or any combination thereof, which is registered by the Department of Health of the Commonwealth of Pennsylvania under the Medical Marijuana Act to grow and process medical marijuana. The term does not include a health care medical marijuana organization under Chapter 19 of the Medical Marijuana Act.
[Added 6-12-2017 by Ord. No. 2810]

MENTAL HEALTH FACILITY

A building or facility that provides diagnosis, treatment, counseling, or rehabilitation services for individuals with mental health, behavioral health, or substance use disorders, including but not limited to psychiatric hospitals, community mental health centers, outpatient clinics, residential treatment facilities, and crisis intervention centers. This use includes accessory functions such as administrative offices, patient waiting areas, and on-site parking.

MICOBREWERY

An establishment licensed by the Pennsylvania Liquor Control Board for the brewing and manufacture of malt or brewed beverages that produces less than 15,000 barrels (465,000 gallons) per year, primarily for wholesale distribution, off-premises consumption, or distribution to other licensed establishments. On-site retail sales and tasting room activities may be permitted as an accessory use, provided such activities are clearly subordinate to the brewing and production function and do not constitute a restaurant or principal on-premises consumption.

MIXED-USE DEVELOPMENT

A development that accommodates two or more different types of uses, typically residential use in combination with one or more non-residential uses, to be integrated within a single building, multiple buildings, or a unified development site.

MOBILE HOME

A transportable, single-family detached dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and which is installed upon a mobile home lot. This term shall also apply to manufactured housing. A modular (manufactured, fabricated) housing unit is considered to be a single-family detached residential dwelling provided that said unit shall be factory certified by BOCA (Building Officials and Code Administrators International, Inc.) or other applicable industry standards, and is assembled in part via factory sections being combined at the site and intended to be permanent and non-transportable.

MOBILE HOME LAND DEVELOPMENT

The improvement of one or more contiguous tracts of land for the purpose of creating two or more mobile home lots which have been planned and improved for the placement of mobile homes for non-transient use, regardless of the form of ownership of the land. A modular (manufactured, fabricated) housing unit is considered to be a single family detached residential dwelling provided that said unit shall be factory certified by BOCA (Building Officials and Code Administrators International, Inc.) or other applicable industry standards, and is assembled in part via factory sections being combined at the site and intended to be permanent and non-transportable.

MOBILE HOME LOT

A parcel of land in a mobile home land development, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

MORTUARY

A building or facility used for the preparation and temporary holding of deceased human bodies prior to burial or cremation, and for conducting funeral services and viewings. A mortuary may include embalming facilities, viewing rooms, chapels, crematory equipment, and accessory office space, but does not include a cemetery or burial grounds.

MOTEL

A building containing individual lodging accommodation units available to transient guests, with each unit containing individual sleeping and bath facilities and each having public access directly from the building exterior. Permitted accessory uses associated with a hotel include banquet facilities, restaurants, pubs and taverns, gym facilities, swimming pools, and conference rooms.

MUNICIPAL BUILDING

A building or facility owned, leased, controlled, occupied and/or operated by Haverford Township for conducting government operations, administrative services, public meetings, or public works activities, including but not limited to offices, meeting spaces, equipment storage, and maintenance facilities.

NONCONFORMING BUILDING/STRUCTURE

A building, structure, or part thereof that does not currently comply with the applicable provisions of this chapter or any amendment hereto, where such building or structure lawfully existed prior to the enactment of this chapter or amendment changing the compliance of the building, structure or part thereof.

NONCONFORMING LOT OR LAND

Any lawful lot which does not conform to one or more of the applicable area regulations of the district in which it is located either on the effective date of this chapter or as a result of a subsequent amendment thereto.

NONCONFORMING USE

A use, whether of land or of a structure, which does not comply with the applicable use provisions of this chapter or any amendment heretofore or hereafter enacted where such use was lawfully in existence prior to the enactment of this chapter or amendment changing the compliance of the use.

NURSERY SCHOOL

A facility which provides daytime care and instruction to a number of persons between the ages of two and six years and operates on a regular or seasonal basis. Notwithstanding any provisions of this Code, a license from the Commonwealth of Pennsylvania, Department of Public Welfare, is required for all nursery school, day school or kindergarten facilities.

NURSING HOME

Any premises in which nursing care and related medical and other health services are provided for a period exceeding 24 hours for two or more individuals who are not relatives of the operator and not in need of hospitalization but who, because of age, illness, disease, injury, convalescence or physical or mental infirmity, need such care.

OCCUPANCY

Any use, possession or tenancy of a property, including a sub-use or tenant or portion of real estate not a part of the principal occupancy of a specific property.

OCCUPANT

A person having possessory rights who has control over activities at a specific property, including a legal owner or tenant or real estate. [Added 1-9-1996 by Ord. No. 2237]

OFFICE

A room, group of rooms, or building used for conducting the affairs of a business, executive, professional, managerial, service, industry, or government. An office does not include as a primary use retail sales, personal service establishments, medical or dental clinics involving on-site treatment, educational or instructional uses, or other uses involving frequent public visitation.

OFFICE, MEDICAL

An office where a licensed medical professional or a licensed health care professional receives and treats patients on an outpatient basis, including performing minor surgical procedures where the treatment and supervision of the patient requires less than a 24-hour day.

OFFICE, PROFESSIONAL HOME-BASED

The office of a psychiatrist, psychologist, attorney, architect or similar member of a recognized profession conducted entirely within a dwelling unit by a resident of the dwelling as an accessory use to the principal residential occupancy and does not include retail sales, on-site employees other than residents of the dwelling

OPEN SPACE

Any portion or area of land or water essentially unimproved by permanent buildings and devoted to passive use or recreation, such as pools, tennis courts, and similar recreational uses.

OUTDOOR DINING

The use of an outdoor area adjacent to an eating establishment for the service and composition of food and/or beverages by customers seated at tables.

OUTDOOR ENTERTAINMENT VENUE

An outdoor facility or premises used for commercial amusement, recreation, entertainment, or public assembly, including but not limited to amphitheaters, concert venues, fairgrounds, amusement parks, sports stadiums, race tracks, outdoor theaters (excluding drive-in theaters), and similar uses that attract public gatherings for entertainment or recreational purposes.

PARK

A publicly or privately owned area of land devoted to recreation and public enjoyment, including but not limited to natural areas, landscaped grounds, walking trails, picnic areas, playing fields, sports courts, athletic facilities, playgrounds, and similar recreational amenities.

PARKING PAD

An improved, off-street surface area, constructed of asphalt, concrete, gravel, pervious pavement, or other approved material, used for the parking or storage of one or more vehicles and located on a residential lot. A parking pad is not enclosed by a structure and is distinguished from a garage or carport by the absence of a roof or walls.

PARKING SPACE

A paved accommodation for the parking of a motor vehicle on a lot provided for restricted use in connection with a particular business, businesses, or private enterprise(s) or as an adjunct to a housing development or private residence, whether cooperatively established and operated or not. Such parking spaces may consist of parking lots, private garages or, where permitted, other structures and accessories and may be surface facilities or facilities above or under the ground.

PAVED AREA

A portion of land paved with an impervious surface for parking space, driveways or streets. In the computation of such, the area covered by buildings shall be excluded.

PERSONAL CARE HOME

A premises operated by a legal entity holding a certificate of compliance document issued by the Pennsylvania Department of Human Services (license), in which food, shelter, and personal assistance or supervision are provided for a period exceeding 24 hours, for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in activities of daily living or instrumental activities of daily living.

PERSONAL SERVICE

An establishment primarily engaged in providing services involving the care of a person or his or her personal goods or apparel, including, but not limited to, the following: cleaning and pressing service, linen supply, diaper service, beauty shops, barbershops and salons, tailoring, and shoe repair.

PERVIOUS PAVEMENT

A pavement system designed to allow the infiltration of storm water through the surface into an underlying layer for on-site filtration and groundwater recharge. This includes, but is not limited to, porous asphalt, pervious concrete, and permeable interlocking pavers.

PLACE OF WORSHIP

A building or set of buildings used for public worship and related uses by a congregation, excluding buildings used exclusively for residential, educational, recreational or other uses not normally associated with worship. Place of worship shall include residential facilities for clergy and/or staff.

PLANNED COMMUNITY SHOPPING CENTER

A large-scale, unified commercial development consisting of multiple commercial uses (including but not limited to retail establishments, offices, restaurants, and services) situated on a single lot or tract of land, designed and developed according to a comprehensive site plan with shared parking, access, landscaping, and site improvements.

PORTABLE STORAGE UNIT (HEREINAFTER REFERRED TO AS "PSUS")

Any container, storage unit, shed-like container or other portable structure that can be or is used for the storage of personal property of any kind and which is located for such purposes outside an enclosed building other than an accessory building or shed complying with all building codes and land use requirements. This term shall not include dumpsters, roll-off, or storage containers with storage capacity of less than 150 cubic feet used for such purposes as yard waste and debris removal.

PRINCIPAL BUILDING(S)

A structure or structures used to enclose or house the primary use(s) located on a lot; the main building(s) on a lot.

PRIVATE RECREATIONAL USE

A recreational facility or amenity located on private residential property and used exclusively by residents and their guests, including but not limited to swimming pools, tennis courts, basketball courts, and similar athletic or recreational facilities accessory to single-family dwellings or small multi-family residential development.

RECREATIONAL AREA

See Park.

RESIDENTIAL DWELLING

A building or portion thereof or mobile homes which are supported by a permanent foundation designed for and used exclusively for residential occupancy by one (1) household, containing independent living facilities, including permanent provisions for sleeping, cooking, eating, and sanitation, and intended for occupancy on a long-term basis.

APARTMENT BUILDING OR DEVELOPMENT, GARDEN

A group of multiple-family dwellings, not more than three stories in height, having common open spaces and designed in accordance with the special requirements of this chapter.

APARTMENT BUILDING OR DEVELOPMENT, HIGH-RISE

A multiple-family dwelling or a group or complex of such buildings on a lot, each such building six stories or more in height, with elevator service, having common open spaces and designed in accordance with the special requirements of this chapter.

APARTMENT BUILDING OR DEVELOPMENT, MEDIUM-RISE

A multiple-family dwelling, each such building being over three but not more than five stories in height, with elevator service, and having common open spaces and designed in accordance with the special requirements of this chapter.

CARETAKER UNIT

A dwelling unit located on the same lot as a permitted non-residential use and occupied by a watchman, caretaker, or security personnel responsible for the maintenance, security, or supervision of the principal use or facility. The caretaker unit is accessory to and clearly incidental to the principal use and may not be separately sold or leased apart from the principal property.

DORMITORY

A building that contains dwelling rooms that provide sleeping and living accommodations for students enrolled at a college or university, occasional college or university guests, participants in college or university-sponsored summer camps, and members of its faculty or staff, provided that the dormitory is owned or managed by the college or university where the students are enrolled, or in the case of a college or university owned or operated by a governmental unit, the dormitory is owned or operated, or both, by an entity that was formed to promote the interests of, and is operated for the benefit of, that college or university.

MULTIPLE DWELLING OR MULTIPLE-FAMILY DWELLING

A building used or designed as a residence for three or more families living independently of each other and doing their own cooking therein, including apartment buildings, apartment hotels, and flats.

SINGLE-FAMILY DETACHED DWELLING

A building designed for and occupied exclusively as a residence for only one family, having no party wall in common with an adjacent building and having yard areas on all four sides.

SINGLE-FAMILY QUADRUPLIX DWELLING

A building designed for and occupied exclusively as a residence for only one family, having one side and one rear party wall in common with an adjacent building and having yard area on the one remaining side and the front.

SINGLE-FAMILY SEMIDETACHED DWELLING

A building designed for and occupied exclusively as a residence for only one family, having one party wall in common with an adjacent building and having yard areas on three sides.

TOWNHOUSE STRUCTURE OR DEVELOPMENT

A structure or a group or complex of structures on a lot, containing not less than three nor more than eight single-family dwelling units in any one structure extending from basement to roof and attached in a series by approved masonry party or partition walls or a wall in the case of end units, which townhouse structure or development has common open spaces and is designed in accordance with the special requirements of this chapter.

TWO-FAMILY DETACHED DWELLING (DUPLEX)

A building designed for and occupied exclusively as a residence for two families, either with one family living wholly or partly over the other, with yard areas on all four sides, or sharing a party wall in common with an adjacent building and having yard areas on three sides.

TRIPLEX (THREE-FAMILY DETACHED DWELLING)

A multiple-family dwelling designed for occupancy as a residence for three families and having no party wall in common with an adjacent building and yard areas on all four sides.

QUADRUPLEX (FOUR-FAMILY DETACHED DWELLING)

A building designed for and occupied exclusively as a residence for only one family, having one side and one rear party wall in common with an adjacent building and having yard area on the one remaining side and the front.

STUDENT HOME

A privately owned living arrangement for not more than three students unrelated by blood, marriage, or legal adoption, attending or planning to attend undergraduate or graduate programs at colleges or universities, or who are on a semester or summer break from such studies, or any combination of such persons. The residents of a student home share living expenses and may live and cook as a single housekeeping unit, or may share only access to cooking facilities. A student home is distinguished from a dormitory in that it is not owned, managed, or operated by a college, university, or entity formed to promote the interests of a college or university. A student home shall not include fraternities or sororities that are nationally recognized or chartered and that preexisted passage of this chapter. This definition does not apply to property owned and operated by an accredited educational institution.

RESTAURANT, DRIVE-THROUGH

Any place or premises used for the sale, dispensing or serving of food, refreshments or beverages whose design, method of operation or any portion of whose business includes the delivery of the food or beverage directly to the customer in their motor vehicle, to consume the food or beverage or off-site or within a motor vehicle parked on the subject property.

RESTAURANT, FAST FOOD

Any place or premises used for the sale, dispensing or serving of food, refreshments or beverages whose design, method of operation or any portion of whose business involves the serving of the food or beverage in disposable or edible containers and in which food or beverage is not normally delivered to the customer's table by an employee of the restaurant.

RESTAURANT, STANDARD

An establishment where food and drink are prepared and/or served and consumed at tables within the principal building, including outdoor dining, where allowed, and takeout service without facilities for drive-through pickup

RETAIL CENTER

A commercial development consisting of two or more retail establishments, restaurants, or service uses situated in a single building or group of attached buildings on a single lot or tract of land, sharing common parking, access, and site improvements, and developed and managed as a unified project. A retail center may include a mix of retail, dining, personal service, and entertainment uses, but does not include isolated standalone commercial establishments.

RETAIL SERVICES

An establishment providing services, as opposed to products, to the general public, including, but not limited to, finance, real estate and insurance, travel agencies, copying, mailing and packing services,

and photographic services. No retail service use shall have any walk-up windows nor any drive-through aisles or windows.

RETAIL GOODS

An establishment engaged in selling goods or merchandise to the general public for personal or household consumption. Even though certain establishments, including but not limited to hardware, paint, glass and wallpaper stores, may do a substantial portion of their business with contractors, they are included in this definition of retail trade. No retail trade establishment shall have any drive-through vehicular aisles or windows, or any service to the public in that manner.

RETAINING WALL

A Wall, greater than 48 inches in height, used to retain soil, typically serving as a topographic grade transition to prevent downslope movement or erosion and provide support for vertical or near-vertical grade changes.

RIGHT-OF-WAY, STREET

The total extent of land reserved or dedicated as a street or alley for public or private purpose.

ROOMER

A person who resides in a dwelling unit, for a time of 30 days or longer, occupied by another and pays compensation for lodging only, without meals being provided by the owner or occupant of the dwelling unit.

SANITORIUM

See "Nursing Home"

SETBACK

The minimum required horizontal distance measured perpendicularly from a specified reference line to the nearest point of a building or structure.

SETBACK LINE

The line that marks the minimum required setback distance from a specified reference point, object, or line.

SHORT-TERM RENTAL

Any dwelling unit, or portion thereof, rented by the property owner, for income-producing purposes, to a person or group for a period of less than 30 consecutive days.

SIGN

Any name, nameplate, billboard, poster, panel, display, illustration, structure or device used for visual communication which is affixed, painted or represented, directly or indirectly, upon a building or other outdoor surface for the purpose of bringing the subject thereof to the attention of the public or advertising a business, commodity, service or product or for identifying a business structure or use of land

ADVERTISING SIGN (OFF-SITE)

A sign which directs attention to a business, commodity, service or entertainment which is conducted, sold or offered elsewhere than upon the property on which the sign is located. "An off-site advertising sign" shall include a billboard.

BUSINESS SIGN

An accessory sign which directs attention to a business, profession, industry or similar activity conducted upon the property on which the sign is located.

ANIMATED SIGN

A sign or any device designed to attract attention by visual means through the movement or semblance of movement by mechanical, electrical or natural means.

BANNER

A temporary graphic or sign which has its letters or design applied to cloth, canvas or other flexible material which is durable and weather-resistant.

BILLBOARD SIGN

See Advertising Sign (Off-Site)

DIRECTIONAL SIGN

An informational sign indicating entry or exit, loading or service area, fire lanes, parking, no trespassing or a similar sign incidental to the primary use and not itself advertising or naming that use except as required by law.

FACADE AREA OF FIRST FLOOR

The area of one side of a building or portion of a building from the curb level to the bottom edge of any second-story window or the upper edge of a roof or parapet line.

FREESTANDING SIGN

A sign and supporting structure which is secured in the ground and independent of any building, fence or other support which may consist of:

- (a) A monument sign as defined herein.
- (b) A sign which is detached from a building and supported by no more than two poles or other structural supports which are architecturally dissimilar to the design of the sign.

INTERIOR SIGN

Any sign placed within a building but not including window signs as defined by this chapter.

ITEM OF INFORMATION

A word; abbreviation; initial; number or group of numbers up to seven in a row, including a telephone number; a trademark; logo; symbol; illustration; or distinct shape or element. A legal or fictitious name shall count as one "item of information." Letters of less than four inches in height, lettering within a logo and exempted signs do not count as "items of information."

ILLUMINATION OF SIGN, DIRECT

A sign which is designed to give forth artificial light directly or through transparent or translucent material from a source of light within or upon said sign.

ILLUMINATION OF SIGN, INDIRECT

A sign which is designed to be illuminated by artificial light from a source adjacent to outside of the sign in such a manner that the source of light is not directly visible from the street or any other intended vantage point of the sign.

MONUMENT SIGN

A freestanding sign constructed so that the maximum height from mean grade measured at points 10 feet from the face of the sign to the highest area of the sign face does not exceed four feet.

NAMEPLATE SIGN

A sign indicating only the name and/or profession and address of a person or persons residing on the premises or legally occupying the premises.

OFFICIAL SIGN

A sign erected by the state, county, Township or other legally constituted governmental body.

ELECTION/POLITICAL SIGN

A sign which indicates the name, cause or affiliation of a person seeking public office or on which reference is made to an issue for which a public election or referendum is scheduled to be held.

PROJECTING SIGN

A sign, also known as a blade sign, that is mounted to a wall or other vertical building surface, other than a wall sign, which projects more than eight inches from the wall or surface to which it is mounted. Included are signs on canopies and marquees.

ROOF SIGN

A sign erected on above or projecting above the eave, roof or parapet of any building.

SIGN, AREA OF

The face of a sign, including all lettering, wording, designs and symbols, together with background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing incidental to the display itself. Where a sign consists of individual letters, numbers, characters or symbols attached to a building wall, window or door, the area of the signs shall be considered that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols. When a double-faced sign is erected in such a manner that both sides are not visible from the same vantage point, then only one face shall be used to compute the sign area. In the case of three- or more-faced signs, only one side shall be excluded from the calculation of the sign area.

SIGNABLE AREA

A rectangular continuous area on the facade of a building which is not interrupted by architectural detail or opening such as trim, cornice, doors or windows.

SIDEWALK, SANDWICH BOARD OR A-FRAME SIGN

A movable sign which is not secured or attached permanently to the ground.

SUPER GRAPHIC

The application of paint, acrylic or other material directly onto a permanent wall in such a manner as to create a mural or an aesthetic design which will enhance the urban landscape. A super graphic shall not advertise or promote a product, service, business, organization, or event, and shall not include directional or instructional content. A super graphic may incorporate words, letters, phrases, or quotations only where such text functions as an artistic or aesthetic element of the overall design and does not identify or promote a business or commercial activity. Any super graphic that includes a business name, logo, brand, or product shall be considered a sign and regulated accordingly.

TEMPORARY SIGN

A sign constructed of paper, cloth, canvas or other lightweight material intended to be displayed for a short period of time, normally less than 30 days or a sign designed for the placement of removable letters and symbols which announce events of short duration. A device used to temporarily promote a business or other activity, including, but not limited to, a string of lights, search light, hot air balloon, or similar device that cannot be physically measured, shall not be considered a sign.

VEHICLE SIGN

A sign affixed or painted on a vehicle or trailer and parked at a specific location for a period of four or more days so that its primary purpose is as a sign.

WALL SIGN

A sign posted on, painted on, suspended from or otherwise affixed to a wall or vertical surface of a building which does not project more than eight inches from the wall or vertical surface to which it is attached.

WINDOW SIGN

A sign affixed to the interior or exterior surface of a window with its message intended to be visible to and readable from the public way or from adjacent property.

SIGNIFICANT TOBACCO RETAILER

Any of the following establishments:

- (1) Any retailer or wholesale establishment that devotes 10% or more of floor area or display area to, or maintains 20% or more of its total merchandise, whether on display or in stock, for, tobacco products, vape products, Delta-8 THC (or Delta-8-tetrahydrocannabinol), kratom, ingestible CBD/cannabidiol products, electronic nicotine delivery systems (ENDS), and/or ENDS-related products and/or any materials that can be used in electronic nicotine delivery systems;
- (2) Any retailer or wholesale establishment that holds itself out as, or otherwise promotes or markets itself as, a tobacco store, a smoke shop, a vape shop, a cigar shop or a similar establishment selling tobacco products and/or vape products or predominantly advertises tobacco products or vape products on its storefront or website;
- (3) A hookah bar, regardless of whether tobacco products or vape products are sold from the premises.

SITE AREA, GROSS

The total land area of a lot or tract of land, measured in square feet or acres, before any deductions for roads, rights-of-way, easements, environmentally constrained lands, or other encumbrances.

SITE AREA, NET

The remaining land area of a lot or tract after deducting from the gross site area all of the following: rights-of-way dedicated to public or private use, floodplains, wetlands, very steep slopes, fifty percent (50%) of steep slopes, and other constrained or encumbered lands as specified in this ordinance.

SOLAR ENERGY EQUIPMENT

Any device, structure or electronics that:

- (4) Converts solar energy into electrical energy;
- (5) Heats water; or
- (6) Produces hot air; or
- (7) Performs a similar function, through the use of solar panels.

SOLAR PANEL

A device containing one or more receptive cells equal to or greater than two square feet, the purpose of which is to convert solar energy into electrical or thermal energy.

SPECIAL EXCEPTION

Special permission granted only by the Zoning Hearing Board in accordance with the provisions of this chapter in any case where specific provision is made therefor by the terms of this chapter.

STEEP SLOPES

Areas where the existing slope of the ground is between 15% and 25% as measured between four consecutive two-foot contour intervals (six-foot elevation difference).

STEEP SLOPES, VERY

Areas where the existing slope of the ground is greater than 25% as measured between four consecutive two-foot contour intervals (six-foot elevation difference).

STORY

That portion of a building, other than the basement, except as indicated in the definition of "basement" within this section, included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, the portion included between the floor and the ceiling next above it.

STREET

A right-of-way or portion thereof publicly or privately owned, serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties and space for public utilities and improved to the satisfaction of the Township. The term "street" shall include an existing state, county or public street, road, highway or way or any street shown on an approved final subdivision plan or on the Official Map of Haverford Township.

STREET, CENTER LINE OF

A line which is at an equal distance from both street or right-of-way lines.

STREET FRONTAGE

The width or measurement of a lot, within the lot area, at the street line.

STREET LINE

The boundary line of a street right-of-way or easement

STRUCTURAL ALTERATION

Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls, except for a minor alteration as defined in this section.

STRUCTURAL ALTERATION, MINOR

Any change, addition, or modification in construction or occupancy which does not increase the exterior dimensions of a building or structure, and which is limited to:

- (1) Nonstructural Changes: Any incidental change or replacement in the nonstructural parts of a building or other structure including the replacement of existing materials or the repair of non-load-bearing elements, including but not limited to siding, roofing, windows (within existing openings), and interior finishes.
- (2) Limited Structural Changes: The rearrangement or removal of interior non-load-bearing partitions; the creation of new window or door openings in exterior walls; and the strengthening of load-bearing elements provided such work does not involve more than 10% of the total structural members of the building.
- (3) Nonconforming Buildings: Alterations to improve interior livability or utility, provided such changes do not increase the floor area, number of dwelling units, or the volume of the building, and do not extend or increase the nonconformity of the use.

STRUCTURE

Any object made by humans having an ascertainable stationary location on or in land or water, whether or not affixed to the land. A building is a type of structure, but not all structures are buildings. The following shall not be considered structures: driveways, walkways, steps and similar improvements.

TELECOMMUNICATIONS

The transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information sent and received.

TELECOMMUNICATIONS CARRIER (CARRIER)

Any provider of telecommunications services pursuant to the Telecommunications Act of 1996.

TELECOMMUNICATIONS EQUIPMENT

Equipment, other than customer premises equipment used exclusively by said customer, used by a carrier to provide telecommunications services.

TELECOMMUNICATIONS SERVICE

The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public regardless of the facilities used.

TELEPHONE CENTRAL OFFICE

A building and its equipment erected and used for purposes of facilitating transmission and exchange of telephone or radio-telephone messages between subscribers and other businesses of the telephone company.

TOBACCO PRODUCTS

Any substance containing tobacco leaf or accessory items used with or for tobacco consumption, including, but not limited to, cigarettes, cigars, pipe tobacco, shisha, snuff, chewing tobacco, dipping tobacco, other noncombustible tobacco products, matches, lighters, grinders, hookahs, pipes, cigarette rolling machines or papers, ashtrays, pipe tools, pipe supplies and pipe accessories.

TRACT SIZE

The total area of a parcel of land measured in square feet or acres, representing the gross land area of the property before any deductions for roads, easements, or other encumbrances.

TRADE SCHOOL

A specialized educational facility, typically operated for profit, that provides technical, vocational, or industrial training and instruction in a specific trade, craft, or profession. Such instruction may include, but is not limited to, automotive repair, construction, cosmetology, culinary arts, or information technology. Trade schools may include classroom space, training laboratories, equipment storage, and accessory administrative facilities.

TRANSIT FACILITY

A facility for the boarding, disembarking, and waiting of passengers using public or private transportation services, including but not limited to railway stations, bus stations, bus terminals, transit centers, and similar passenger transportation facilities. Such facilities may include accessory uses such as ticket sales, waiting areas, restrooms, parking areas, and incidental retail or food service establishments.

UNIVERSITY

An institution for advanced education duly accredited for this purpose with the Commonwealth of Pennsylvania.

USE

Any purpose for which a building or other structure or a lot or tract of land may be designed, arranged, intended, maintained or occupied or any activity, occupation, business or operation carried on in a building or other structure on a lot or tract of land.

UTILITY USE

A facility for the distribution, regulation, metering, or local service provision of public utilities, including but not limited to electric substations, water pumping stations, gas regulator stations, telephone exchange buildings, wastewater lift stations, stormwater management facilities, and communications equipment. This definition excludes large-scale generation plants, treatment facilities, and satellite dish installations.

VAPE PRODUCTS

Products containing nicotine and/or nicotine flavoring that are inhaled from a device designed for such purpose and/or products used to assist with the inhalation of nicotine, including, but not limited to, any device designed or used to transform an e-liquid (that may contain nicotine) into an aerosol that the user inhales, e-liquids, e-cigarettes, vape or e-cigarette cartridges or refills, vaporizers, vape pens, vapor products, hookah pens, electronic cigarettes, e-cigs, e-pipes, electronic nicotine delivery systems (ENDS), and/or ENDS-related products and/or any materials that can be used in ENDS. Vape products shall also be deemed a noncombustible tobacco product.

VARIANCE

Special permission granted only by the Zoning Hearing Board to modify, waive or deviate from the exact provision of this chapter as applied to a specific property in accordance with the provisions of this chapter.

WAIVERS

A discretionary grant of relief from the strict application of a specific procedural or technical requirement of the Haverford Township codes where literal compliance is not possible or reasonable, or where an acceptable alternative is available, and where granting such relief is not contrary to the public interest and the purpose and intent of this chapter is observed. Waivers are authorized under Section 503(8) of the Pennsylvania Municipalities Planning Code as an administrative procedure for relief from mandatory standards.

WOODLAND

A tree mass or plant community in which tree species are dominant or co-dominant and the branches of the trees form a complete, or nearly complete, aerial canopy. Any area, grove, or stand of mature or largely mature trees greater than six inches diameter at breast height (dbh) covering an area of one-quarter (1/4) acre or more, or consisting of more than ten (10) individual trees greater than six inches dbh, shall be considered a woodland. This definition also includes groves of flowering or subcanopy trees, such as dogwood trees, and young forests where immature branches may not yet be interlocking. For the purposes of this chapter, the extent of any woodland plant community or any part thereof shall be measured from the outermost dripline of all the trees in the community. Woodland shall include any area where timber has been harvested within the previous three years and/or woodland disturbance has occurred within the previous three years which would have met the definition of woodland prior to timbering or disturbance. Woodlands do not include orchards or old fields, defined as former agricultural fields or pastures where natural succession has been allowed to occur but where most trees are smaller than six inches dbh.

YARD

An open space on the same lot as a principal building or structure, lying between the building or structure and the nearest lot line, that is unoccupied and unobstructed from the ground upward except as otherwise permitted by this chapter. A yard extends across the full width or depth of the lot. Required yards shall include front yards, side yards, and rear yards as defined and regulated herein.

YARD, FRONT

A yard extending the full width of the lot along the street line and not less in depth than the minimum required in each district, measured from the street line to the building line. In the case of a corner lot, there shall be a front yard on each street on which the lot abuts.

YARD, REAR

A yard extending the full width of the lot along the rear lot line and not less in depth, measured from the rear lot line, than the minimum required in each district. In the case of a corner lot, the owner or developer

may specify which yard shall be the rear yard at the time of application for a permit, taking into consideration the prevailing yard pattern where established.

YARD, SIDE

A yard extending along the side lot line from the front yard to the rear yard and not less in width, measured from the side lot line, than the minimum required in each district. In the case of a corner lot, the owner or developer may specify which yard shall be the side yard at the time of application for a permit, taking into consideration the prevailing yard pattern where established.

Article III General to All

§ 182-301. Establishment and application of minimum and uniform regulations

- A.** Minimum and uniform regulations. The regulations set forth by this chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land.
- B.** New uses and structures. In all districts, after the effective date of this chapter, any new building or other structure or any tract of land shall be constructed, developed and used only in accordance with the regulations specified for each district.
- C.** Existing uses and structures. In all districts, after the effective date of this chapter, any existing building or other structure or any tract of land which is not in conformity with the regulations for the district in which it is located shall be deemed to be nonconforming and subject to the regulations of Article XIX.
- D.** Types of control. The following minimum and uniform regulations shall apply in the respective districts:
 - (1) Use regulations, including uses by right, accessory uses and uses by special exception and conditional use and all applicable Supplemental Use Regulations.
 - (2) Area and bulk regulations, including required front, side and rear yard maximum permitted height and allowable building coverage requirements in those districts in which they apply.
 - (3) In addition to the district-specific regulations set forth in this chapter, all development shall comply with the applicable regulations in Chapter 182 as well as any other Haverford Township Ordinance, including but not limited to regulations governing:
 - (a) Development Standards controlling the placement, character, and quality of site features that include but are not limited to fences and walls, lighting, impervious surfaces, and landscape and buffers.
 - (b) Building design standards controlling the form and configuration of buildings and structures, including but not limited to building height limitations, accessory buildings and structures, and architectural standards for residential and nonresidential development.
 - (c) Sign regulations controlling the type, size, placement, and illumination of signs.
 - (d) Parking and loading regulations controlling the provision, design, and location of off-street parking and loading facilities.
 - (e) Environmental protection standards, including but not limited to steep and very steep slope regulations and floodplain conservation requirements.
 - (f) Performance standards controlling noise, vibration, smoke, odor, glare, and other potential nuisances.
 - (g) Historic preservation regulations controlling the alteration and demolition of historic resources.
 - (4) In all districts, the requirements of Chapter 78, Erosion and Sediment Control; Stormwater Management shall apply.
 - (5) Where a conflict exists between a district-specific regulation and a development standard of general applicability, the more restrictive requirement shall apply unless otherwise expressly stated.

§ 182-302. Reduction or modification of existing lots.

The following shall apply in all districts:

- A.** No lot area shall be so reduced that the area of the lot or the dimensions of the open spaces shall be smaller than herein prescribed in a district, except as provided for in § 182-1101 relating to a plan for special residential development.
- B.** No lot shall be formed from part of a lot already occupied by a building unless the existing building and any proposed building comply in all respects with the area and other requirements of the district in which such building is located.
- C.** No yard or open space required in connection with any building shall be considered as providing required open space for any other building.

§ 182-303. Conformity of building setback lines.

Notwithstanding the minimum setback requirements established for each district, new construction shall conform to the median setback line of existing principal structures located on the same side of the street and within 300 feet of the proposed construction. This provision shall not apply to:

- A.** Uses and buildings developed within the C-5 Shopping Center Commercial District as part of a planned community shopping center; or
- B.** Lots where no existing principal structures are located within 300 feet on the same side of the street.

§ 182-304. Interpretation of Minimum and Maximum Standards.

Where a maximum height standard is expressed as both a footage limit and a story limit, both limits apply concurrently. A building shall not exceed either limit, and compliance with one does not excuse non-compliance with the other.

Article IV Residential Districts

§ 182-401. Districts Established

The residential districts of the Township of Haverford are listed in the following table. When this zoning law refers to residential or “R” zoning districts it is referring to one of the following:

District Name	Abbreviation & Map Symbol
R-1 Low-Density Residential District	R-1
R-1A Low-Density Residential District	R-1A
R-2 Low-Density Residential District	R-2
R-3 Low-to Medium-Density Residential District	R-3
R-4 Low-to Medium-Density Residential District	R-4
R-5 Low-to Medium-Density Residential District	R-5
R-6 Medium-Density Residential District	R-6
R-7 Townhouse District	R-7
R-8 Garden Apartment District	R-8
R-9 Medium- and High-Rise Apartment District	R-9

§ 182-402. Statement of Intent

In addition to the goals listed in § 182-102 of this chapter, the districts established in these regulations are intended to achieve the following:

- A. To provide sufficient space, appropriately located, for residential development to meet the housing needs of the present and expected future population of the Township within the range of house types and densities anticipated.
- B. To assure light, air and privacy as far as possible by controlling the spacing and height of buildings and other structures.
- C. To protect residential areas against the hazards of fire, offensive noise, vibration, smoke, odors, glare or other objectionable influences.
- D. To prevent congestion as far as possible by regulating the density of population and the bulk of buildings and by providing for sufficient off-street parking.
- E. To protect residential neighborhoods as much as possible from heavy or through traffic.
- F. To make possible provisions of those public and private educational, recreational, health and similar facilities serving the needs of nearby residents which perform most effectively in a residential environment and do not create objectionable influences.
- G. To promote the most desirable use of land and guide the direction of building development in accordance with the Comprehensive Plan, to promote a sound pattern of residential development, to protect the character of any district and its peculiar suitability for particular uses, to conserve the value of land and buildings and to protect the Township tax base.

§ 182-403. Specific Intent

A. R-1 Low-Density Residential District

It is the purpose of this section to permit continued residential development which is compatible with existing types of housing and lot sizes in low-density areas of the Township.

B. R-1A Low-Density Residential Districts

It is the purpose of this section to permit continued single-family residential development in this district at a density that is compatible with existing land use. Uses would be restricted to residential and accessory professional activities.

C. R-2 Low-Density Residential District

It is the purpose of this section to permit continued single-family residential development in this district at a density that is compatible with existing land use. Uses would be restricted to residential and accessory professional activities.

D. R-3 Low- to Medium-Density Residential District

It is the purpose of this section to permit continued development in appropriate areas of the Township on lots that will yield a density of approximately five dwelling units per acre. In addition, accessory professional uses would also be allowed in this district.

E. R-4 Low- to Medium-Density Residential District

It is the purpose of this section to permit continued development in appropriate areas of the Township on lots that will yield a density of approximately seven dwelling units per acre. In addition, accessory professional uses would be allowed in this district.

F. R-5 Low- to Medium-Density Residential District

It is the purpose of this section to permit continued development in appropriate areas of the Township on lots that will yield a density of approximately eight dwelling units per acre. In addition, accessory professional uses would be allowed in this district.

G. R-6 Medium-Density Residential District

It is the purpose of this section to limit residential development in this district to lots that will yield a maximum density of approximately eight to 14 dwelling units per acre. A variety of housing types are allowed, in addition to professional uses in conjunction with such structures.

H. R-7 Townhouse District

It is the purpose of this section to make special provision for townhouse development in selected locations of the Township at appropriate medium densities and subject to special plan and development requirements as provided for in this chapter and in any other applicable ordinances or regulations of the Township.

I. R-8 Garden Apartment District

It is the purpose of this section to make special provision for garden apartment development in selected locations of the Township at appropriate medium densities and subject to special plan and development requirements as provided for in this chapter and in any other applicable ordinances or regulations of the Township.

J. R-9 Medium- and High-Rise Apartment District

It is the purpose of this section to make special provision for medium- and high-rise apartment development, compatible with surrounding single-family residential districts, in selected areas of the Township in which such apartment development is considered appropriate by virtue of such criteria as direct access to major or intercommunity streets, proximity to public transportation and availability of necessary services and community facilities. Development in these districts may be authorized only in accordance with special plan and development requirements as provided for in this chapter and in any other applicable ordinances or regulations of the Township.

§ 182-404. Use Regulations

	Land Use	R-1	R-1A	R-2	R-3	R-4	R-5	Supplemental Regulations
A. Residential Uses								
(1)	Single-Family Detached	P	P	P	P	P	P	
(2)	Single-Family Semidetached							
(3)	Townhouse							
(4)	Mobile Homes						CU	§ 182-1218
(5)	Mobile Home Land Development						CU	§ 182-1218
(6)	Two-Family Detached							
(7)	Triplex							
(8)	Quadruplex							
(9)	Garden Apartment							
(10)	Medium-Rise Apartment							
(11)	High-Rise Apartment							
(12)	Assisted-Living Residence		CU					§ 182-1203
(13)	Continuing-Care Retirement Community	CU	CU					§ 182-1206
(14)	Student Home	SE					SE	§ 182-1226
B. Non-Residential Uses								
(1)	Club, Civic	SE					SE	§ 182-405.
(2)	Place of Worship	SE					SE	
(3)	Telecommunication Equipment							
(4)	Transit Facility	P	P	P	P	P	P	
(5)	Utility	P	P	P	P	P	P	§ 182-1301
C. Accessory Uses								
(1)	Day Care, In-Home, Large	SE						§ 182-1209.A(2)
(2)	Day Care, In-Home, Small	A	A	A	A	A	A	§ 182-1209.A(1)
(3)	Off-Street Parking and Garages	A	A	A	A	A	A	§ 182-1701
<i>P = Permitted Use; SE = Special Exception Use; CU = Conditional Use; A = Accessory; * = May have Special or Conditional Use Requirements</i>								

	Land Use	R-6	R-7	R-8	R-9	Supplemental Regulations
A. Residential Uses						
(1)	Single-Family Detached	P	P	P	P	
(2)	Single-Family Semidetached	P				
(3)	Townhouse		P			
(4)	Mobile Homes					
(5)	Two-Family Detached	CU				§ 182-406.D
(6)	Triplex	CU				§ 182-406.D
(7)	Quadruplex	CU				§ 182-406.D
(8)	Garden Apartment			P		
(9)	Medium-Rise Apartment				P	
(10)	High-Rise Apartment				P	
(11)	Assisted-Living Residence					
(12)	Continuing-Care Retirement Community					
(13)	Student Home					
B. Non-Residential Uses						
(1)	Club, Civic					
(2)	Place of Worship					
(3)	Telecommunication Equipment			SE	SE	§ 182-405.B
(4)	Transit Facility	P	P	P	P	
(5)	Utility	P	P	P	P	§ 182-1301
C. Accessory Uses						
(1)	Day Care, In-Home, Large					
(2)	Day Care, In-Home, Small	A	A	A	A	§ 182-1209.A(1)
(3)	Off-Street Parking and Garages	A	A	A	A	§ 182-1701
<i>P = Permitted Use; SE = Special Exception Use; CU = Conditional Use; A = Accessory; * = May have Special or Conditional Use Requirements</i>						

§ 182-405. Special Exception Requirements

A. Civic club

- (1) Clubs operated on a membership basis for civic, cultural, educational, social or recreational purposes are permitted as a special exception as indicated in § 182-404 provided that:
 - (a) The activity permitted shall be noncommercial, nonprofit and clearly one not customarily carried on as a business; and
 - (b) Each building or facility devoted to such use shall be for members and their guests only; and
 - (c) No such club shall provide for eating or dining except on an incidental basis, permit the sale of food or beverages or provide accommodations for the lodging of members or guests.

B. Student home

- (1) Student home are permitted as a special exception as indicated in § 182-404, provided that the Zoning Hearing Board shall find that the following standards are met:
 - (a) The number of persons living in such student home shall not exceed three. It is the intent of this chapter that any number of persons in excess of three would tend to create an institutional atmosphere.
 - (b) The student home shall meet the minimum yard setback and lot width requirements for single-family detached dwellings.
 - (c) No student home shall be located on a lot, any portion of which is closer to another lot lawfully used for a student home, closer than a distance determined by multiplying times 20 the required street frontage for a single-family detached dwelling in the district in which the building is located.
 - (d) The student home shall have a minimum of 1,850 square feet of building area, exclusive of building area covered by a garage or accessory building.
 - (e) A minimum of three paved on-site, off-street parking spaces located to the side or rear of the premises and not in the front yard shall be required in addition to those otherwise required for a single-family dwelling.
- (2) In addition, the owner or manager or agent of the student home shall register such home with the Township as required by Chapter 104, § 104-6, of the General Laws of the Township of Haverford, entitled "Housing Standards," and shall comply with the requirements of said chapter, including the yearly registration provisions. If such student home is not registered in accordance with the provisions of Chapter 104, the special exception permit shall expire, and the student home use shall be unlawful.

C. Telecommunications equipment

Telecommunications equipment of a licensed carrier providing telecommunications service is permitted as a special exception in R-8 and R-9 districts, provided that the Zoning Hearing Board shall find that the following standards have been met:

- (1) The equipment may include a roof-mounted antenna to an existing structure with a maximum height of 20 feet above the roofline of the building or structure.
- (2) No freestanding antenna towers or poles shall be permitted in a Residential District.

- (3) The existing structure must comply with all area and bulk regulations of the district in which the building is located, including any supplemental provisions for buffering.
- (4) The applicant shall submit certification from a structural engineer that the structural capacity of any existing building or structure on which an antenna is proposed to be mounted is adequate to withstand wind and other loads associated with the antenna's location.
- (5) The applicant shall comply with all applicable provisions of § 182-1228 of this chapter.

§ 182-406. Conditional Use Requirements

A. Assisted-living residence

Assisted Living Residence is permitted as a conditional use in R-1A when authorized in accordance with the provisions of § 182-1203.

B. Continuing-care retirement community

Continuing-care facilities for the elderly is permitted as a conditional use, when authorized in accordance with the provisions of § 182-1206.

C. Mobile home

A mobile home, mobile home lot or a mobile home land development may be permitted as a conditional use, subject to the provisions of § 182-1215.

D. Two-family Detached, Triplex or Quadruplex Dwellings

In any R-6 District, land, buildings or premises may be used for any of the following purpose(s) on the condition that the design and location of said proposal are approved by the Board of Commissioners acting upon recommendation of the Planning Commission and that said approval shall be based upon a review of the Township's Comprehensive Plan, the impact of the proposed development upon the surrounding neighborhood and that the plan complies with all design standards provided for by this chapter:

- (1) Two-family detached dwellings (duplex)
- (2) Three-family (triplex)
- (3) Single-family quadruplex dwellings, subject to the special provisions identified in Article XII, Article XIII, and Article XIV.

§ 182-407. Area and Bulk Standards

Standard		R-1	R-1A	R-2	R-3	R-4	R-5
A. Minimum Lot and Tract Standards							
(1)	Lot size (sqft)	43,560	21,780	10,125	8,125	6,000	5,500
(2)	Lot width at building line (ft)	100	85	75	65	50	50
(3)	Street frontage (ft)	75	75	55	45	38	38
B. Minimum Setbacks							
(1)	Front yard (ft)						
	General	50	40				
	Interior lots			40	30	30	30
	Corner lots (on one street)			40	30	30	30
	Corner lots (on other street)			30	12	12	12
(2)	Side yard (ft)						
	Total / Cumulative	50	30	30	20	20	16
	Each	20	15	10	8	8	8
	SE uses	25	25	25	20	20	20
(3)	Rear yard (ft)	40	25	25	25	25	25
C. Building Form- and Configuration							
(1)	Maximum height (ft)	35	35	35	35	35	35
(2)	Maximum height (Stories)	3	3	3	3	3	3
(3)	Maximum building coverage (%)	15	15	20	30	30	30
(4)	Maximum impervious surface ratio (%)	30	30	40	45	45	45

Standard		R-6 (SF-D)*	R-6 (SF-SD)*	R-6 (TF)*	R-6 (T&Q)*
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A. Minimum Lot and Tract Standards

(1)	Lot size (sqft)	4,000	3,000	4,000	
(2)	Lot width at building line (ft)	48	38	75	
(3)	Tract size (sqft)				87,120
(4)	Tract street frontage (ft)				200
(5)	Street frontage (ft)	38	25	55	

B. Minimum Setbacks

(1)	Front yard (ft)				
	Interior lots	20	20	20	
	Corner lots (on one street)	20	20	20	
	Corner lots (on other street)	12	12	12	
(2)	Side yard (ft)				
	Total	14			
	Each	7	12	15	
	SE uses	15	15	15	
(3)	Rear yard (ft)	25	25	25	
(4)	Setback (ft)				
	Public street				30
	Internal street				30
	Parking bay or other structure				30
	Other property lines				30

C. Building Form and Configuration

(1)	Maximum height (ft)	35	35	35	35
(2)	Maximum height (Stories)	3	3	3	
(3)	Maximum building coverage (%)	40	45	45	25
(4)	Density (units/acre)				8
(5)	Maximum impervious surface ratio (%)	65	75	75	45

SF-D = Single-family detached

SF-SD = Single-family semi-detached

TF = Two-family detached dwellings and uses by special exception

TQ = Triplex and quadruplex

Standard		R-7	R-8	R-9
A. Minimum Lot and Tract Standards				
(1)	Tract size (sqft)	217,800	87,120	217,800
(2)	Street frontage (ft)	150	150	§ 182-407.E
B. Minimum Setbacks				
(1)	Front yard (ft)	50	50	§ 182-407.E
(2)	Side yard (ft)	35	35	§ 182-407.E
(3)	Rear yard (ft)	35	35	§ 182-407.E
(4)	Setback (ft)			
	Internal street	25	25	50
	Parking bay	15	15	15
C. Building Form and Configuration				
(1)	Maximum height (ft)	35	35	90
(2)	Maximum height (stories)	3	3	-
(3)	Maximum building coverage (%)	20	20	15
(4)	Maximum density (units/acre)	8	12	25
(5)	Maximum impervious surface ratio (%)	45	45	45

D. Increase in Building Height

- (1) In any residential district, the maximum height limit of 35 feet may be exceeded by one foot for each foot by which the width of each side yard and the depth of the rear yard are increased beyond minimum yard requirements up to a maximum height of 45 feet.

E. Yard and building placement in the R7 and R8

- (1) Yards and building placement: Perimeter yards of not less than 50 feet shall be maintained along any public street line bordering the tract and yards of not less than 35 feet along any other property line. No building shall be closer than 25 feet to an internal street, unless specifically authorized by the Township in the approval of a plan to permit desired flexibility in the placement of the building, and no building shall be less than 15 feet from a parking bay or area, subject also to the requirements of § 182-1307, § 182-1403, and § 182-1703.

F. Yard and building placement in the R-9

- (1) Perimeter yards of not less than 70 feet shall be maintained along any public street line bordering the tract and yards of not less than 50 feet along any other property line. No building shall be closer than 50 feet to an internal street, unless specifically authorized by the Township in the approval of a plan to permit desired flexibility in the placement of apartment buildings, and no building shall be less than 15 feet from a parking bay or area, subject also to the requirements of § 182-1307, § 182-1403, and § 182-1703.

- (2) For each foot, or portion thereof, by which a building exceeds 45 feet in height, the required depths of the front and rear yards and the width of each side yard shall each be increased by one foot, up to maximums of 70 feet for the front yard and 50 feet for the rear and side yards.
- (3) In the R-9 District, minimum street frontage shall be 150 feet, or 30 feet in width per story of building height, whichever is greater.

Article V Office Districts

§ 182-501. Districts Established

The office districts of the Township of Haverford are listed in the following table. When this zoning law refers to office or “O” zoning districts it is referring to one of the following:

District Name	Abbreviation & Map Symbol
O-1 Office District	O-1
O-2 Office-Residential District	O-2

§ 182-502. Statement of Intent

In addition to the general goals listed in § 182-102 of this chapter, the districts established in these regulations are intended to achieve the following:

- A. To promote development in appropriate locations of selected types of office buildings and uses as anticipated in the Comprehensive Plan.
- B. To promote the most desirable use of land and an appropriate pattern of building development in accordance with the Comprehensive Plan, to strengthen the economic base of the Township, to protect the character of the office area and nearby districts, to conserve the value of land and buildings and to strengthen Township tax revenues.

§ 182-503. Specific Intent

A. O-1 Office District

It is the purpose of this section to make provision in certain selected areas of the Township for office development. These locations are areas which are supported by existing commercial and institutional uses and by access to the major circulation systems of the Township.

B. O-2 Office-Residential District

It is the purpose of this section to make provision along major arterial routes for office development in conjunction with residential uses. The latter would be allowed as a right, but emphasis would be placed on utilizing these areas for office development to obtain a higher type of land use and to buffer adjacent districts from the adverse effects of traffic.

§ 182-504. Use Regulation

	Land Use	O-1	O-2	Supplemental Regulations
A. Office Uses				
(1)	Office	P	P	§ 182-504.D
B. Non-Office Uses				
(1)	Conversion of dwellings to nonresidential use		SE	§ 182-1207
(2)	Government Building	P	P	
(3)	Medical Clinic	SE		
(4)	Retail Services	P	P	
(5)	Single-Family Detached		P	
(6)	Transit Facility		P	
(7)	Utility	P	P	§ 182-1301
C. Accessory Uses				
(1)	Day Care, In-Home, Small		A	§ 182-1209.A(1)
(2)	Off-Street Parking and Garages	A	A	§ 182-1701
<i>P = Permitted Use; SE = Special Exception Use; CU = Conditional Use; A = Accessory; * = May have Special or Conditional Use Requirements</i>				

D. Offices use

For purposes of this district, Office includes the following:

- (1) Office building or offices of an administrative, executive, or governmental agency, but not including shops or retail sale facilities.
- (2) Offices or studios, including optometrists, photographers, magistrates, insurance agents, musicians, masseurs, artists, or similar practitioners.
- (3) Professional offices.
- (4) Real estate, utility collection, or similar commercial or business offices not involving characteristics normally associated with retail activities on the premises.

§ 182-505. Area and Bulk Standards

Standard		O-1	O-2
A. Minimum Lot and Tract Standards			
(1)	Lot size (sqft)	21,780	12,500
(2)	Street frontage (ft)	100	100
B. Minimum Setbacks			
(1)	Front yard (ft)	§ 182-505.D	35
(2)	Side yard (ft)		
	Each	§ 182-505.D	7
	Total		15
(3)	Rear yard (ft)		
	Typical	20	20
	When abutting residential	35	
C. Building Form and Configuration			
(1)	Maximum height (ft)	45	45
(2)	Maximum height (Stories)		3
(3)	Maximum building coverage (%)	20	20
(4)	Maximum impervious surface ratio (%)	60	65

D. Setbacks in the O-1

- (1) Base Standards
 - (a) Minimum front yard: 35 feet
 - (b) Minimum side yard (each side): 15 feet on each side from property lines or adjacent structures, except where the side yard of the premises abuts any premises zoned residential, in such case the abutting side yard shall be a minimum of 35 feet.
- (2) Supplemental Standards
 - (a) For each foot or portion thereof by which said building exceeds 35 feet in height, the depths of the front and rear yards and the width of each side yard shall be increased by one foot.

E. Building placement in the O-2

In the O-2, the replacement of any building shall not be constructed closer to the street right-of-way line than the average setback of existing structures in the same block.

Article VI Commercial Districts

§ 182-601. Districts Established

The commercial districts of the Township of Haverford are listed in the following table. When this zoning law refers to commercial or “C” zoning districts it is referring to one of the following:

District Name	Abbreviation & Map Symbol
C-1 Limited Commercial District	C-1
C-2 Neighborhood Commercial District	C-2
C-3 General Commercial District	C-3
C-4 Highway Commercial District	C-4
C-5 Shopping Center Commercial District	C-5

§ 182-602. Statement of Intent

In addition to the general goals listed in § 182-102 of this chapter, the districts established in these regulations are intended to achieve the following:

- A. To provide sufficient space in appropriate locations for the types of commercial and service establishments believed to be appropriate in Haverford Township and anticipated in the Comprehensive Plan.
- B. To protect commercial development against intrusive uses which are incompatible with it and against objectionable influences such as noise or glare and from hazards of fire.
- C. To provide appropriate space for the requirements of present-day merchandising, including the provisions of off-street parking spaces and safe circulation of pedestrian and motor traffic in the district and in nearby areas.
- D. To promote the most desirable use of land and an appropriate pattern of building development in accordance with the Comprehensive Plan, to strengthen the economic base of the Township, to protect the character of commercial areas and nearby districts, to conserve the value of land and buildings and to strengthen Township tax revenues.

§ 182-603. Specific Intent

A. C-1 Limited Commercial District

It is the purpose of this section to make provision along certain major arterial routes for limited types of commercial development that complement each other and adjacent land uses.

B. C-2 Neighborhood Commercial District

It is the purpose of this district to provide retail and service facilities which serve primarily the daily needs of the immediate surrounding neighborhood and to encourage attractive, compact retail commercial development in locations close to the residences served.

C. C-3 General Commercial District

It is the purpose of this district to provide for the appropriate development of the Township's main and general business districts which are designed to offer Township-wide and regional services.

D. C-4 Highway Commercial District

It is the purpose of this district to make appropriate provision for commercial activities which are basically oriented to automotive use and traffic. This includes heavier service- type businesses which ordinarily require major arterial locations and serve transient, as well as local, customers.

E. C-5 Shopping Center Commercial District

It is the purpose of this district to provide areas for coordinated shopping centers which are developed in accordance with unified architectural, building and land use standards. Overall appearance and appropriate land use controls are important to assure compatibility with surrounding areas.

§ 182-604. Use Regulation

Land Use		C-1	C-2	C-3	C-4	C-5	Supplemental Regulations
A. Commercial Uses							
(1)	Art Studio			P	P	P	
(2)	Artisan Manufacturing			P	P	P	
(3)	Automobile Repair Shop				P		
(4)	Automobile Sales and Services				P*	P	0
(5)	Business School			P	P	P	
(6)	Car Wash				SE		§ 182-1205
(7)	Catering Establishments			P			
(8)	Club, Civic			SE			§ 182-605.A
(9)	Convenience Store		P				
(10)	Day Care		SE				§ 182-605.B
(11)	Exterminators				P		
(12)	Gasoline Service Station				P	P	§ 182-1214
(13)	Hotel or Motel	P		P	P	P	§ 182-604.E
(14)	Indoor Recreational or Amusement Facilities			SE	SE	SE	§ 182-605.C
(15)	Laboratory				P		
(16)	Medical Marijuana Dispensary					CU	§ 182-1216
(17)	Mortuaries			P	P		
(18)	Office	P	P	P	P	P	§ 182-604.G
(19)	One-family apartment in combination with business use			SE			
(20)	Outdoor Entertainment Venue				SE		§ 182-1220
(21)	Personal Service		P	P	P	P	
(22)	Restaurant, Fast Food	P	P	P	P	SE	§ 182-604.E

	Land Use	C-1	C-2	C-3	C-4	C-5	Supplemental Regulations
(23)	Restaurant, Standard	P	P	P	P	P	0
(24)	Retail Goods			P	P	P	§ 182-604.I
(25)	Retail Services	P	P				
(26)	Sales of consumer fireworks				SE		§ 182-1223
(27)	Significant Tobacco Retailer					CU	§ 182-1224
(28)	Tourist, rooming or boardinghouses				CU		§ 182-606.A
B. Non-Commercial Uses							
(1)	Conversion of dwellings to nonresidential use	SE	SE	SE	SE		§ 182-1207
(2)	Conversion of single-family dwellings to two-family and multiple-family uses			SE			§ 182-1208
(3)	Government Building	P		P	P	P	
(4)	Hospital, Veterinary				P		§ 182-604.K
(5)	Landfills					CU	§ 182-1215§ 182-604.G
(6)	Light Industrial				P*		§ 182-604.G
(7)	Telecommunication Equipment					SE	§ 182-1228
(8)	Utility	P	P	P	P	CU	
C. Accessory Uses							
(1)	Caretaker Unit		A				
(2)	Drive-through			SE	SE	P *	§ 182-1211
(3)	Garden Center					A	§ 182-1213
(4)	Outdoor Dining		A	A	A	A	§ 182-1219
(5)	Storage		A				
<i>P = Permitted Use; SE = Special Exception Use; CU = Conditional Use; A = Accessory; * = May have Special or Conditional Use Requirements</i>							

D. Automobile sales and services

- (1) In the C-4 District, automobile sales agencies are permitted, and trailer or truck sales agencies and used car lots are permitted by special exception.
- (2) In the C-5 District, automobile sales agencies are permitted, provided that no such use is located within 2,000 feet of another automobile sales agency and that all applicable regulations set forth in § 182-1204 are satisfied.

E. Fast food restaurants

Fast-food restaurants, including take-out restaurants and fast-food restaurants with outdoor dining, are permitted as indicated in § 182-604, except as otherwise provided below.

- (1) In the C-3 District, fast-food or take-out restaurants with drive-in facilities are permitted by special exception, subject to the requirements of § 182-1210.
- (2) In the C-5, fast food or take-out restaurants shall not be freestanding and shall be an integral part of the shopping center and that it is oriented for primary access from the main pedestrian traffic flow of the shopping center. Appropriate trash receptacles must be provided throughout the shopping center.
- (3) Appropriate trash receptacles shall be provided for all fast food or take-out restaurants.

F. Hotel or motel

- (1) Motels, hotels, or inns, including related facilities such as restaurants, meeting rooms, auditoriums, and swimming pools, are permitted in the C-3, C-4, and C-5 Districts.
- (2) Hotels, motels, or inns are also permitted in the C-1 District, provided the lot area is at least two acres.

G. Light industrial

- (1) Light industrial uses, including wholesale business establishments, are permitted by right in the C-4 District.
- (2) Express, trucking, or hauling stations are included within the light industrial use category but are only permitted by special exception in the C-4 District.

H. Office in commercial district

For purposes of the Commercial Districts, the use category "Office" includes the following types of offices:

- (1) Interior decorators.
- (2) Office buildings or offices of an administrative, executive, or governmental agency, excluding shops or retail sales facilities.
- (3) Offices for medical and other professions, including real estate, insurance, and banking offices; branch banks; messenger or telegraph services; and general business offices.
- (4) Offices or studios, including optometrists, photographers, magistrates, insurance agents, musicians, masseurs, artists, and similar practitioners.
- (5) Professional offices, subject to the special requirements mentioned in § 182-1221.

I. Retail goods

Retail Goods are permitted in the C-3, C-4, and C-5 Districts. Beverage distributors are included within the Retail Goods category but are permitted only in the C-4 District.

J. Standard restaurants

- (1) In the C-1 district, standard restaurants are permitted provided there is a minimum lot size of 1.5 acres.
- (2) The general and supplemental regulations set forth in § 182-1219 shall apply to all districts permitting seasonal outdoor dining in conjunction with a licensed restaurant.

K. Veterinary hospital

Office of a veterinarian, veterinary hospital, and kennel, is permitted in the C-4 District, provided that buildings and runs are not located within 150 feet of any lot zoned for residential use.

§ 182-605. Special Exception Requirements

A. Car wash

Car wash establishments are permitted as special exception in the C-4 Highway commercial district and are subject to the special regulations of § 182-1205.

B. Civic club

In the C-3 District, civic clubs are permitted by special exception and include lodge halls for fraternal organizations and public or private meeting places.

C. Day Care

Day-care facility, which is permitted as a special exception in C-2 Neighborhood commercial district, is subject to the provisions of § 182-1302 of this chapter

D. Indoor recreational or amusement facilities

Indoor recreational or amusement facilities, including theaters and bowling alleys, are permitted by special exception in the C-3, C-4, and C-5 Districts, provided that the facility is supervised by an on-site employee at all times when it is open for business.

E. Telecommunications equipment

Telecommunications equipment of a licensed carrier providing telecommunications service is permitted by special exception in the C-5 District, subject to the requirements of § 182-1228.

F. Uses in C-2 district

In the C-2 district, any use permitted in the C2 may exceed 10,000 square feet in floor area when authorized by the Zoning Hearing Board as a special exception.

§ 182-606. Conditional Use Requirements

A. Medical marijuana dispensary

A medical marijuana dispensary shall be permitted as a conditional use in C-5, in accordance with the specific standards set forth in § 182-1216.

B. Tourist, rooming or boardinghouses

Tourist, rooming, or boarding houses, are permitted by conditional use in C-4 district, and are subject to compliance with the applicable off-street parking, buffering, and design standards of § 182-1701 and § 182-1302.

§ 182-607. Area and Bulk Standards

Standard		C-1	C-2	C-3	C-4	C-5
A. Minimum Lot and Tract Sizes						
(1)	Lot size (sqft)	10,000	7,500	6,250	10,000	130,680
(2)	Street Frontage (ft)	100	50	50	75	150
B. Minimum Setbacks and Yards						
(1)	Front yard (ft)	20	20	20	25	
(2)	Side yard (ft)					
	Each	7	7	7 ^(a)	20	
	Total	15				
(3)	Rear yard (ft)	15	15	15	25	
(4)	From public street (ft)					50
(5)	From other property lines (ft)					25
(6)	Minimum distance between buildings (ft)					30
C. Building Form and Configuration						
(1)	Maximum building coverage (%)	20	20	25	30	30
(2)	Maximum impervious surface ratio (%)	65	70	75	80	90
(3)	Maximum height (ft)	45	45	45	45	45
(4)	Maximum height (stories)	3	3	3	3	

(a): For each building or group of attached buildings

D. Offices in commercial district

Office building or offices of an administrative, executive or governmental agency, but not including shops or retail sale facilities are subject to meeting the area and bulk requirements for an O-1 District.

Article VII **Mixed Use Districts**

(Reserved)

Article VIII Light Industrial Districts

§ 182-801. Districts Established

The light industrial districts of the Township of Haverford are listed in the following table. When this zoning law refers to LIN zoning districts it is referring to one of the following:

District Name	Abbreviation & Map Symbol
LIN Light Industrial District	LIN

§ 182-802. Special Procedural and Plan Requirements

- A. Performance and design standards in the LIN. Performance and design standards shall be as required by § 182-1501 and § 182-1302 of this chapter, Chapter 76, Environmental Performance Standards, and by other applicable regulations.

§ 182-803. Statement of Intent

In addition to the goals listed in § 182-102 of this chapter, the districts established in this Article are intended to achieve the following:

- A. To provide sufficient space, in appropriate locations, to meet anticipated future needs in Haverford Township for office-laboratory development.
- B. To ensure that the land most suitable for office, laboratory and related activities will be available by prohibiting the use of such land for new residential development and at the same time to protect residences by separating them from such activities.
- C. To protect modern laboratory and office use against congestion by limiting the bulk of buildings in relation to the land around them and to one another and by providing sufficient off-street parking and loading facilities for such developments.
- D. To promote the most desirable use of land and guide the direction of building development in accordance with the Comprehensive Plan, to strengthen the economic base, to protect the character of the area, to conserve the value of land and buildings and to strengthen the local tax base.
- E. To provide sufficient space in appropriate locations for light industrial development to meet the present and future needs of Haverford Township.
- F. To establish reasonable standards of areas and bulk, off-street parking and loading and performance standards so as to provide for a safe and orderly use of land.
- G. To strengthen and to guide the development of the economic base of the Township and to conserve and protect the value of land and buildings in and near the Light Industrial District.

§ 182-804. Specific Intent

- A. **LIN Light Industrial District**
- B. It is the purpose of this district to make special provision for office, research and light industrial development in appropriate areas of the Township. The LIN Light Industrial District classification is designed to provide a compatible environment for nonnuisance, light industrial

development which is free from offensive noise, vibration, smoke, dust, odor, glare, hazard or other objectionable effects and which is subject to special requirements relating to tract size, low lot coverage, building placement, landscaping and buffering and to strengthen and diversify the Township's property tax base.

§ 182-805. Use Regulation

In any Light Industrial District, land, buildings or premises shall be used by right only for one or more of the following, provided that such building or use does not create any (substantial) hazard or amount of noise, vibration, smoke, dust, odors, heat, glare or other objectionable influence as set forth in § 182-1501 and meets other provisions of this chapter:

	Land Use	LIN	Supplemental Regulations
A. Industrial Uses			
(1)	Laboratory	P	
(2)	Light Industrial Use	P*	§ 182-805.D
(3)	Mail-order merchandise businesses	P	
(4)	Medical Marijuana Grower/Processor	CU	§ 182-1217
(5)	Monument establishments	P	
B. Non-Industrial Uses			
(1)	Adult Commercial Use	SE	§ 182-1202
(2)	Agricultural Use	P	
(3)	Automobile Repair Shop	P	
(4)	Cinema studios and radio and television stations	P	
(5)	Community Center	P	
(6)	Office	P	
(7)	Personal Service	P	
(8)	Telecommunications Equipment	SE	§ 182-1228
C. Accessory Uses			
(1)	Off-Street Parking and Garages	A	§ 182-1701
<i>P = Permitted Use; SE = Special Exception Use; CU = Conditional Use; A = Accessory; * = May have Special or Conditional Use Requirements</i>			

D. Light industrial use

- (1) Light industrial use including small-scale manufacturing and repair shall be limited to repair, assembly, distribution, and service activities, with electrical appliances, supplies, and equipment not in excess of 50 cubic feet, and with manufactured, repaired, assembled, distributed, or serviced items not in excess of 25 cubic feet.

- (2) The manufacture, compounding, processing, bottling, and canning of nonalcoholic beverages is also part of light industrial use but is permitted only as a special exception in the LIN District.

§ 182-806. Special Exception Requirements

- A.** Any use of the same general character as any of the uses hereinbefore specifically permitted shall be permitted as a special exception when authorized by the Zoning Hearing Board.

B. Telecommunications equipment

Telecommunications equipment of a licensed carrier providing telecommunications service is permitted by special exception in the LIN District, subject to the requirements of § 182-1228.

§ 182-807. Conditional Use Requirements

A. Medical marijuana dispensary

A medical marijuana dispensary shall be permitted as a conditional use in LIN, in accordance with the specific standards set forth in § 182-1216.

§ 182-808. Prohibited uses

- A.** All industrial uses which are not of the same general character as those enumerated above and which do not meet the test defined above in § 182-805 shall be construed to be heavy industrial uses and shall be prohibited in any LIN District.

§ 182-809. Area and Bulk Standards

Standard		LIN
A. Minimum Lot and Tract Standards		
(1)	Lot size (sqft)	21,780
(2)	Lot width at building line (ft)	75
(3)	Street frontage (ft)	65
(4)	District standards ^(a)	
	District size ^(a) (sqft)	217,800
	District perimeter street frontage (ft)	300
B. Minimum Setbacks		
(1)	Front yard (ft)	35
(2)	Side yard (ft)	
	Each	25
	Property adjoining residential district	35
(3)	Rear yard (ft)	35
C. Building Form and Configuration		
(1)	Maximum height (ft)	0

(2)	Maximum height (stories)	0
(3)	Maximum building coverage (%)	30
(4)	Maximum impervious surface ratio (%)	60%

(a) Applicable to the entire district considered as a whole, even though the individual parcels of land within the district may be held in single and separate ownership

D. Height in the LIN district

Height in the LIN district can be a maximum of 35 feet or two stories, except that the permitted height may be increased to a maximum of 45 feet or three stories if all building setback lines specified above are increased one foot for each additional foot of elevation. This height may be increased a maximum of 10 feet to accommodate rooftop heating and air-conditioning equipment, provided that said equipment is set back from all roof edges one foot for each one foot in height.

§ 182-810. Expansion of nonconforming lots or structures

- A.** Lots or structures in any LIN District which existed at the time of the enactment of this chapter in an LIN District or at the time of any subsequent zoning change which creates an LIN District but which do not conform to the area and bulk requirements of this section may be expanded if the following conditions are met, in addition to those specified in Article XIX of this chapter:
 - (1) Landscaping and buffer planting strips shall be provided in accordance with the requirement of § 182-1302.C and § 182-1302.E if possible, but in no case shall the required planting strip be less than three feet in width.
 - (2) Lots lacking street frontage shall be connected to a public street by means of a paved driveway. Said driveway shall have a minimum width of 10 feet for each direction of traffic flow, and assurance shall be made to the Township that said driveway will be kept in a good state of repair into perpetuity.
- B.** All other requirements of this chapter, including parking, loading and outdoor storage, shall be complied with.

Article IX Institutional and Recreation and Open Space

§ 182-901. Districts Established

The institutional and recreation and open space districts of the Township of Haverford are listed in the following table. When this zoning law refers to INS or ROS zoning districts it is referring to one of the following:

District Name	Abbreviation & Map Symbol
INS Institutional District	INS
ROS Outdoor Recreation and Open Space District	ROS

§ 182-902. Statement of Intent

In addition to the goals listed in § 182-102 of this chapter, the districts established in this Article are intended to achieve the following:

- A. To preserve the open character of large areas of the Township which are now dominated by or are particularly suited to institutional and quasi-public uses.
- B. To encourage a harmonious pattern of institutional development which can mutually benefit the Township and the institutions themselves.
- C. To provide suitable areas for recreation and open space for residents of Haverford Township and to protect the same from encroachment from other types of developments.
- D. To conserve and protect land adjoining streams which periodically overflow their banks in the interest of protecting public health, safety and welfare and to the interest of preserving the ecological balance in such areas.

§ 182-903. Specific Intent

A. INS Institutional Districts

It is the purpose of this district to encourage the development of institutional uses in accordance with approved standards, to ensure the compatibility of institutional uses with surrounding land use and to promote the planning for the location of future institutional uses serving a regional population.

B. ROS Outdoor Recreation and Open Space Districts

It is the purpose of this district to encourage the provision of outdoor recreational opportunities, to protect existing outdoor recreational uses, to promote the planning for future sites in accordance with the comprehensive park and recreation plan of the Township and to preserve and maintain open space within Haverford Township.

The intent of this section is to encourage uses which will allow the enjoyment of recreation and open space land with minimal detrimental impact on the land and its resources. Accordingly, the Board of Commissioners specifically states that it does not intend the uses permitted in this district as either primary or accessory uses to be interpreted so as to allow such intensive recreational uses as amusement parks, racetracks, day camps or permanent stadiums, except that bleacher seats accommodating up to 50 individuals may be erected in conjunction with permitted playing fields or courts.

§ 182-904. Use Regulation

	Land Use	INS	ROS	Supplemental Regulations
A. Principal Uses				
(1)	Assisted-Living Residence	CU		
(2)	Cemetery	CU		§ 182-906.A
(3)	Civic Uses	P		
(4)	Club, Recreational	CU		§ 182-906.B
(5)	Conversion of dwellings to nonresidential use	SE		§ 182-1207
(6)	Educational institutions	CU		§ 182-906.B
(7)	Golf Course		P	
(8)	Government Buildings	P		
(9)	Health and Fitness Club		P	
(10)	Hospital	CU		
(11)	Marinas		P	
(12)	Mental Health Facility	CU		
(13)	Nature conservation areas		P	
(14)	Nursing Home	CU		
(15)	Parks		P	
(16)	Place of Worship	P		
(17)	Telecommunication Equipment	SE		§ 182-1228
B. Accessory				
(1)	Caretaker Unit	A		
(2)	Day Care	A		§ 182-904.C
(3)	Dormitory	A		
(4)	Office	A		
(5)	Recreational Area	A		
(6)	Restaurant, Standard	A	A	§ 182-904.D
<i>P = Permitted Use; SE = Special Exception Use; CU = Conditional Use; A = Accessory; * = May have Special or Conditional Use Requirements</i>				

C. Day care

Day care is permitted in INS district as an accessory use to a church or public school, provided that off-street parking requirements for the main use have been met.

D. Standard Restaurant

Dining or food service establishments, including takeout windows or food kiosks, are permitted as an accessory use in the INS District when operated in conjunction with a public community center, public library, or public park.

§ 182-905. Special Exception Requirements

- A.** The Zoning Hearing Board may permit similar uses of a recreational nature (like golf courses, marinas, health and fitness club etc) in the ROS as a special exception.
- B. Telecommunications equipment**

Telecommunications equipment of a licensed carrier providing telecommunications service is permitted by special exception in the INS District, subject to the requirements of § 182-1228.

§ 182-906. Conditional Use Requirements

- A. Cemetery**

Cemeteries and crematoriums are permitted as a conditional use in INS district, provided that no crematorium shall be located closer than 200 feet to a residential district boundary line.

- B. Educational institutions**

Public or private educational institutions, including colleges, elementary and secondary schools and nursery schools, but not including business or trade schools, dance studios or similar facilities, are permitted in INS district as a conditional use.

- C. Recreational Club**

Private outdoor recreational uses, including country clubs, swim clubs, and similar facilities, are permitted as a conditional use in the INS District, and subject to compliance .

§ 182-907. Future use of institutional lands

- A.** Because of the unique character of institutional land, it is not necessarily true that land zoned so as to permit one institutional use by right or by condition may be suitable to permit another use of a different character even though that use may also be permitted as a use by right or by condition in the Institutional District.
- B.** It is the intent of this section that provision be made to ensure a reasonable choice of appropriate uses for a property presently zoned for institutional use. In the event of the nonuse, abandonment or change in the current use of any institutionally zoned land, the Planning Commission, on its own motion or upon petition for rezoning, shall review the specific site and make a recommendation to the Board of Township Commissioners concerning the most appropriate use for the site and shall recommend a zoning district classification for the Zoning Map to accommodate such use.
- C.** No substantial change to the use or character of the use or occupancy of any existing institutional facility, whether it is a use by right, conditional use or use by special exception or whether such change is implemented by the current owner or occupant of the facility, may be made without first receiving permit approval from the Haverford Township Zoning Officer, so that a determination may be made that the proposed change is consistent with the provisions and intent of this Code. Such permit must be applied for pursuant to the provisions of § 182-902 of this chapter.

§ 182-908. Area and Bulk Standards

No structures shall be permitted in an ROS District unless such structures are clearly incidental to the primary use of the land and are intended for accessory uses as permitted.

Standard		INS	ROS
A. Minimum Lot and Tract Standards			
(1)	Lot size (sqft)	87,120	0
(2)	Street frontage (ft)	150	0
(3)	Lot area (caretaker unit)	§ 182-908.E	
B. Minimum Setbacks			
(1)	Front yard (ft)	100	75
(2)	Side yard (ft)		
	Each	50	35
(3)	Rear yard (ft)	75	50
C. Building Form and Configuration			
(1)	Maximum height (ft)	§ 182-908.D	12
(2)	Maximum height (stories)	§ 182-908.D	1
(3)	Maximum building coverage (%)	20	5
(4)	Maximum impervious surface ratio (%)	40	15

D. Increase in Height in INS

In INS district, height is 35 feet maximum or three stories; provided, however, that the height of a building may be increased to a maximum height of 60 feet or five stories by providing two feet of additional front, rear and side yard setbacks for each one additional foot of height of the building above 35 feet.

E. Lot area (caretaker unit)

In the case of living accommodations accessory to a main institutional use, the lot area, exclusive of that provided around a main building, shall not be less than 1,200 square feet per apartment and not less than 10,000 square feet per individual house intended for occupancy by the family of a resident staff member or other employee of an institution.

F. Structural Limitations in the ROS

No structures shall be permitted in the ROS District unless such structures are clearly incidental to the primary use of the land and are intended for accessory uses as permitted by § 182-904.

Article X Floodplain Conservation District

§ 182-1001. Districts Established

The institutional, recreation and open Spaces of the Township of Haverford are listed in the following table. When this zoning law refers to FPC zoning districts it is referring to the following:

District Name	Abbreviation & Map Symbol
FPC Floodplain Conservation District	FPC

§ 182-1002. Definitions

FLOOD-FRIDGE AREA

The remaining portions of the one-hundred-year floodplain in those areas identified as an AE Zone in the FIS, where a floodway has been delineated. The basis for the outermost boundary of this area shall be the one-hundred-year flood elevations as shown in the flood profiles contained in the FIS.

FLOOD-PRONE

Those areas denoted as having alluvial soils on the most recent soil survey of the Soil Conservation Service, 16 United States Department of Agriculture, or any area measured 50 feet landward from the top-of-bank of any watercourse.

FW (FLOODWAY AREA)

The areas identified as "floodway" in the AE Zone in the Flood Insurance Study (FIS) prepared by FEMA. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the FIS.

GENERAL FLOODPLAIN AREA

Those areas of the Township of Haverford which have been identified as Zone A in the FIS for which no one-hundred-year flood elevations have been provided. When available, information from other federal, state, and other acceptable sources shall be used to determine the one-hundred-year elevation, as well as a floodway area, if possible. When no other information is available, the one-hundred-year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question. In lieu of the above, the applicant may be required to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township.

BASE FLOOD

A flood which has a one-percent chance of being equaled or exceeded in any given year (also called the "one-hundred-year flood" or "one-percent-annual-chance flood").

BASE FLOOD ELEVATION (BFE)

The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, and A1-30 that indicates the water surface elevation resulting from a flood that has a one-percent or greater chance of being equaled or exceeded in any given year.

BASEMENT

Any area of the building having its floor subgrade (below ground level) on all sides.

BUILDING

See "structure."

DEVELOPMENT

Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion or alteration of buildings or other structures; the placement of manufactured homes; streets and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

FLOOD

A general and temporary inundation of normally dry land areas.

FLOOD INSURANCE RATE MAP (FIRM)

The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS)

The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood

FLOODPLAIN

- (1) A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation.
- (2) An area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOODPROOFING

Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY

The channel of a river or other watercourse and the adjacent land area that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation of that flood more than one foot at any point.

HISTORIC STRUCTURE

Any structure that is:

- (3) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (4) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

- (5) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (6) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior, or
 - (b) Directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR

The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access and incidental storage in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable nonelevation design requirements of this chapter.

MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.

MANUFACTURED HOME PARK

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MINOR REPAIR

The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including any addition, change or modification in construction, exit facilities or permanent fixtures or equipment.

NEW CONSTRUCTION

Structures for which the start of construction commenced on or after April 8, 2013, and includes any subsequent improvements to such structures. Any construction started after July 5, 1977, and before April 8, 2013, is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.

NEW MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

OBSTRUCTION

Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse or flood-prone area which may impede, retard or change the direction of the flow of water either in itself or by catching or collecting debris, corroding such water, or is a place where the flow of water might carry the same downstream to the damage of life or property.

ONE-HUNDRED-YEAR FLOOD OR BASE FLOOD

The flood having a one-percent chance of being equaled or exceeded in any given year.

RECREATIONAL VEHICLE

A vehicle which is:

- (1) Built on a single chassis;
- (2) Not more than 400 square feet, measured at the largest horizontal projections;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck;
- (4) Not designed for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

SATELLITE TELEVISION RECEIVE-ONLY ANTENNAS

A dish-shaped antenna, together with all attachments and parts, the purpose of which is to receive television transmissions from other antennas or orbiting satellites or other extraterrestrial sources.

SPECIAL FLOOD HAZARD AREA (SFHA)

An area in the floodplain subject to a one-percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or AH.

START OF CONSTRUCTION

Includes substantial improvement and other proposed new development and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit and shall be completed within 12 months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE (FOR FLOODPLAIN MANAGEMENT PURPOSES)

A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBDIVISION

The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building, or lot development; provided, however, that the division of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, shall be exempted.

SUBSTANTIAL DAMAGE

Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% or more of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any reconstruction, rehabilitation, addition, or other improvement of a structure, of which the costs equal or exceed 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include:

- (1) Any project for improvement of a structure to correct existing violation of state or local health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are the minimum necessary to assure safe living conditions.
- (2) Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this chapter, must comply with all requirements of this section that do not preclude the structure's continued designation as a historic structure. Documentation that a specific requirement of this section will cause removal of the structure from the National Register of Historic Places or the Pennsylvania inventory of historic places must be obtained from the Secretary of the Interior or the Pennsylvania Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

USABLE SIGNAL

A transmission and/or signal which, when viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations or by way of cable television.

VIOLATION

The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

§ 182-1003. FPC Floodplain Conservation District Standards

- A.** Statutory authorization and specific intent.
 - (1) Statutory authorization. The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Board of Commissioners of the Township of Haverford does hereby order as follows.
 - (2) Specific intent. It is the intent of this section to regulate development of lands in the Township which are subject to periodic flooding for the following purposes:
 - (a) To protect the ecology of the floodplain and promote the general health, safety and welfare of the community.
 - (b) To encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future or downstream bank erosion.
 - (c) To minimize danger to public health and safety by protecting water supply, sanitary sewage disposal and natural drainage.
 - (d) To reduce financial burdens imposed on the community, its governmental units and its residents by preventing the unwise design and construction of development in areas subject to flooding.
- B.** Applicability. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, the construction, reconstruction, substantial improvement, enlargement, alteration or relocation of any structure (including manufactured homes) or any other development of a structure or grounds within an identified one-hundred-year floodplain area or flood-prone area as set forth in the Flood Insurance Study (FIS) and on its attached Flood Insurance Rate Maps (FIRMs) prepared and approved by the Federal Emergency Management Agency, Community No. 420417, Map Panel Numbers 42045C0038F, 42045C0039F, 42045C0043F, 42045C0101F, 42045C0102F, 42045C0104F, 42045C0106F, 42045C0107F and 42045C0108F,

dated November 18, 2009, or any revisions or amendments thereto, and made a part thereof by reference, including any digital data developed as part of the flood study, unless an approved building permit has been obtained from the Township Code Enforcement Office. The above referenced FIS and FIRMs, and any subsequent revisions and amendments, are hereby adopted by Township of Haverford and declared to be a part of this chapter.

C. Severability, abrogation and greater restrictions.

- (1) If any section, subsection, paragraph, sentence, clause, or phrase of this section shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this section, which shall remain in full force and effect, and for this purpose the provisions of this section are hereby declared to be severable.
- (2) This section supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other Code provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this section, the more restrictive shall apply.

D. Liability. The degree of flood protection sought by the provisions of this section is considered reasonable for regulatory purposes in the identified floodplain area(s). Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris or upstream development. This section does not imply that areas outside any identified floodplain areas will be free from flooding or flood damages. This section shall not create liability upon the Township, its officers or employees for any flood damages that result from reliance on this section or any administrative decision lawfully made thereunder.

E. Administration.

- (1) The Township Zoning Officer, having been designated to administer and enforce this chapter at § 182-2101, shall be referred to herein as the Floodplain Administrator. The Floodplain Administrator will fulfill the duties and responsibilities set forth in these regulations and may, at his/her discretion, delegate such duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees, pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 CFR 59.22.
- (2) In the absence of a designated Floodplain Administrator, the Floodplain Administrator duties are to be fulfilled by the Haverford Township Manager or their designee.
- (3) No encroachment, alteration, relocation or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood-carrying capacity of the watercourse in any way and until all adjacent municipalities which may be affected by such action have been notified by the Haverford Township and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office, the Federal Emergency Management Agency and the Pennsylvania Department of Community and Economic Development.
- (4) Special requirements for subdivisions. All subdivision proposals and development proposals containing at least .50 lot or at least five acres, whichever is the lesser, all or partially located in flood hazard areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a conditional letter of map revision or letter of map revision. Submittal requirements and processing fees shall be the responsibility of the applicant.

- (5) Building permit(s) shall be required before any proposed construction or development is undertaken within any identified floodplain or flood-prone area of Haverford Township. The Township Floodplain Administrator shall issue a building permit after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances. No building permit shall be issued until all other required permits have been obtained from any other office or agency.
- (6) Application procedures. Applications for such a building permit shall be made in writing to the Township Floodplain Administrator on forms supplied by the Township. Such applications shall include the following minimum information:
 - (a) Name and address of applicant.
 - (b) Name and address of owner of land on which proposed construction is to occur.
 - (c) Name and address of constructor.
 - (d) Location of site.
 - (e) If the proposed construction involves new construction, the horizontal expansion or addition to or substantial improvement of an existing structure within an identified flood prone area, an elevation certificate prepared by a licensed professional engineer or land surveyor with the proposed lowest floor, basement and floodproofing elevations based upon North American Vertical Datum of 1988 shall be provided.
 - (f) Brief description of proposed work and estimated cost.
 - (g) A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
 - (h) The date of construction of the existing structure.
 - (i) The current market value of the existing structure.
- (7) Building permits. A copy of all applications and plans for new construction in any flood-prone area to be considered for approval shall be submitted by the Township Floodplain Administrator to the following offices or agencies for recommendations and/or comments:
 - (a) Delaware County Soil Conservation Service.
 - (b) Township Engineer.
 - (c) Township Planning Commission.
 - (d) Township Environmental Committee.
 - (e) The appropriate certified building plan examiner.
- (8) Other permit issuance requirements. Prior to the issuance of any building permit, the Floodplain Administrator shall review the application for a permit to determine if all other necessary governmental permits, such as those required by state and federal laws, have been obtained, including those required by Act 537, the Pennsylvania Sewage Facilities Act;¹⁴ the Water Obstruction Act of 1913;¹⁵ and the Federal Water Pollution Control Act Amendments of 1972, Section 404, 33 U.S.C. § 1334. No permit shall be issued until this determination has been made.
- (9) Changes/as-builts. After the issuance of a building permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. A certificate by an engineer or surveyor must be filed with the

Code Enforcement Office in accordance with Ordinance No. 1960, Chapter 58, Building Construction, § 58-2C.

- (10) Placards. In addition to the building permit, the Floodplain Administrator shall issue a placard which shall be conspicuously displayed on the premises during the time construction is in progress. This placard shall show the number of the building permit and the date of its issuance and shall be signed by the Floodplain Administrator and Building Code Official.
- (11) Provisions involving time limitations for the validity of a permit, inspection requirements, revocation procedures and required permit fees shall be governed under Chapter 58, Building Construction, of the General Laws of Haverford Township, and are hereby incorporated as if fully set forth herein.
- (12) Notices; hearings; orders; appeals.
 - (a) Notices. Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provision of this section, or of any regulation adopted pursuant thereto, such authority shall give notice of such alleged violation as hereinafter provided. Such notice shall:
 - [1] Be in writing.
 - [2] Include a statement of the reasons for its issuance.
 - [3] Allow a reasonable time for the performance of any act it requires.
 - [4] Be served upon the property owner or their agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served with such notice by any other method authorized or required by the laws of this state.
 - [5] Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this chapter, or any part thereof, and with the regulations adopted pursuant thereto.
 - (b) Hearings. Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this section, or of any regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Township Zoning Hearing Board, provided that such person files with the Township Zoning Officer a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within 30 days after the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and the suspension. Upon receipt of such petition, the Township Zoning Officer shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice shall be modified or withdrawn. The hearing shall be commenced not later than 60 days following the date on which the petition was filed.
 - (c) Findings and order. After such hearing, the Township Floodplain Administrator and Township Zoning Hearing Board shall make findings as to compliance with the provisions of this chapter and regulations issued thereunder and shall issue an order, in writing, sustaining, modifying or withdrawing the notice which shall be served as provided in § 182-2203.
 - (d) Record and appeals. The proceedings at such a hearing, including the finding and decision of the Zoning Hearing Board, together with a copy of every notice and order related thereto, shall be entered as a matter of public record in the Township of Haverford. Any

person aggrieved by a decision of the Zoning Hearing Board may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this commonwealth.

- (13) Penalties. Any person who fails to comply with any or all of the requirements or provisions of this section or who fails or refuses to comply with any notice, order or direction of the Floodplain Administrator, the Haverford Township Zoning Hearing Board or any other authorized employee of the municipality shall be guilty of an offense and shall be subject to the enforcement remedies and penalty provisions contained in § 182-2101.G and § 182-2101.H of this chapter. In default of any fine or penalty imposed by a court of competent jurisdiction, such person shall be imprisoned in county prison for a period not to exceed 10 days.

F. Floodplain provisions/variances.

- (1) No construction or development.
- (a) No construction, development, fill or other placement of an obstruction shall take place within any identified floodplain or flood-prone area of the Township of Haverford.
 - (b) Repairs, improvements or modifications to an existing structure which amount to less than 50% of the market value are permitted, provided that such work does not result in the horizontal expansion or enlargement of the structure.
 - (c) Water and sanitary sewer facilities and systems are permitted to be repaired or replaced, subject to the following:
 - [1] All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of floodwaters.
 - [2] Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
 - [3] No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
- (2) Identification.
- (a) The identified floodplain area may be revised or modified by the Township Board of Commissioners where studies or information, provided by a qualified agency or person documents the need for such revision or modification. However, prior to any change to the special flood hazard area, approval must be obtained from the Federal Emergency Management Agency. Additionally, as soon as practicable, but not later than six months after the date such information becomes available, the Township shall notify FEMA of the changes to the special flood hazard area by submitting technical or scientific data.
 - (b) Should a dispute concerning any identified floodplain boundary arise, any party aggrieved by such determination may appeal from any decision by the Township Floodplain Administrator or any other authorized employee of the municipality. The burden of proof shall be on the appellant. Technical or scientific data shall be submitted by the applicant to FEMA for a letter of map revision (LOMR) as soon as practicable but within six months of any new construction, development, or other activity resulting in changes in the BFE. The situations when a LOMR or a conditional letter of map revision (CLOMR) are required are:
 - [1] Any development occurring in Zone A which will cause a rise of more than one foot in the base flood elevation (as determined using methodology above); or

- [2] Alteration or relocation of a stream (including but not limited to installing culverts and bridges).
- (3) Variances.
 - (a) All of the information required in § 182-2205, as well as:
 - [1] A plan which accurately delineates the area which is subject to flooding, the location of the proposed construction, the location of any other flood-prone development or structures and the location of any existing or proposed stream improvements or protective works. Included shall be all plans for proposed subdivision and land development in order to assure that:
 - [a] All such proposals are consistent with the need to minimize flood damage.
 - [b] The proposed lowest floor and basement elevations based upon North American Vertical Datum of 1988.
 - [c] All utilities and facilities, such as sewer, gas, electrical and water systems, are located, elevated and constructed to minimize or eliminate flood damage.
 - [d] Adequate drainage is provided so as to reduce exposure to flood hazards.
 - [2] Such plan shall also include existing and proposed contours; the elevation of the one-hundred-year floodplain, flood depths, velocities and other applicable information such as pressures and impact and uplift forces associated with the one-hundred-year flood; size of structures; location and elevations of streets; water supply and sanitary sewage facilities; soil types; and floodproofing measures.
 - [3] Sufficient details for the following shall be submitted to assure:
 - [a] All buildings and structures (including manufactured homes) shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement;
 - [b] All air ducts, large pipes, storage tanks and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation;
 - [c] Building materials are flood-resistant;
 - [d] Appropriate practices that minimize flood damage have been used;
 - [e] Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.
 - [f] Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

- [i] A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - [ii] The bottom of all openings shall be no higher than one foot above grade.
 - [iii] Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
 - [iv]
 - [4] A document, certified by a registered professional engineer or architect, which states that the proposed construction has been adequately designed to withstand the one-hundred-year flood elevations, pressures, velocities, impact and uplift forces and other hydrodynamic and buoyancy factors associated with the one-hundred-year flood. Such statement shall include a detailed description of the type and extent of floodproofing measures which have been incorporated into the design of the structure, including the design requirements for water and sanitary sewer provisions above. The statement should also provide supplemental information as may be necessary under 34 Pa. Code, Chapters 401 to 405, as amended, and any applicable provisions of the International Building Code or International Residential Code in effect at the time of permit application.
- (b) Notwithstanding the provisions of this section, no variance shall be granted for:
- [1] The commencement of any of the following activities or the construction, enlargement or expansion of any structure used or intended to be used for any of the following activities:
 - [a] Hospitals.
 - [b] Nursing homes.
 - [c] Jails or prisons.
 - [2] The commencement of, or any construction of, a new manufactured home park or manufactured home park, subdivision or substantial improvement to an existing manufactured home park or manufactured home subdivision.
 - [3] Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume of any amount of radioactive substances) of any of the following dangerous materials or substances on the premises:
 - [a] Acetone.
 - [b] Ammonia.
 - [c] Benzene.
 - [d] Calcium carbide.
 - [e] Carbon disulfide.
 - [f] Celluloid.
 - [g] Chlorine.

- [h] Hydrochloric acid.
 - [i] Hydrocyanic acid.
 - [j] Magnesium.
 - [k] Nitric acid and oxides of nitrogen.
 - [l] Petroleum products (gasoline, fuel oil, etc.).
 - [m] Phosphorus.
 - [n] Potassium.
 - [o] Sodium.
 - [p] Sulphur and sulphur products.
 - [q] Pesticides (including insecticides, fungicides and rodenticides).
 - [r] Radioactive substances, insofar as such substances are not otherwise regulated.
- (c) If granted, a variance shall involve only the least modification necessary to provide relief. If it should become necessary to grant any variance, the applicant shall be required to comply with all applicable requirements of the National Flood Insurance Program Regulations (60.3), including the requirements for elevation, floodproofing and anchoring and no increase in the one-hundred-year flood elevations within the floodway. Within any identified floodplain area, the lowest floor (including basement) of any new construction, or any substantial improvement to an existing structure, shall be at least 1 1/2 feet above the one-hundred-year flood elevation. Except for those used solely for the parking of a vehicle, building access, or incidental storage, fully enclosed spaces below the lowest floor shall be prohibited. The applicant must also comply with any other requirements considered necessary by the Zoning Hearing Board.
- (d) In granting any variance, the Township shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety and welfare and to achieve the objectives of this subsection.
- (e) Whenever a variance is granted, the Township shall notify the applicant, in writing, that:
- [1] The granting of the variance may result in increased premium rates for flood insurance.
 - [2] Such variances may increase the risks to life and property.
 - [3] No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by Haverford Township and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office. In addition, the Federal Emergency Management Agency and Pennsylvania Department of Community and Economic Development shall be notified by Haverford Township prior to any alteration or relocation of any watercourse.
- (f) In reviewing any request for a variance, the Township Zoning Hearing Board shall consider, at a minimum, the following:
- [1] That there is good and sufficient cause.

[2] That failure to grant the variance would result in exceptional hardship to the applicant.

(4) Within any identified floodplain area, recreational vehicles shall be prohibited.

Article XI Overlays

§ 182-1101. Special residential developments

A. Purpose and intent.

- (1) In the case of a plan for the residential development of a tract of land 10 acres or more in size in R-1 and R1-A Residential Districts and five acres or more in size in R-2 and R-3 Residential Districts, the Board of Township Commissioners may, on the basis of a subdivision or land development plan and following recommendation by the Planning Commission, authorize modifications in the use, dimensional and design requirements of R-1, R1-A, R-2 and R-3 Residential Districts pursuant to the express criteria and standards set forth in this section. Among the objectives of this section are to permit clustering and other innovative approaches to residential development which can result in a more attractive and interesting building arrangement that is more closely related to the physical environment, to encourage a more desirable and usable pattern of open space, to preserve trees and other natural characteristics of the land, to facilitate the more economical and efficient use of land, and to reduce the costs of utility extension and other public services.
- (2) It is the specific intent of the Board of Commissioners that certain cluster developments be encouraged to permit greater flexibility in building design and efficiency of land area, preserve open space and natural features, and maintain the general character of the neighborhood. special residential developments shall:
 - (a) Provide for a reasonable amount of residential development in the form of compact neighborhoods of single-family detached, single-family semidetached and multiple-family dwellings clustered together to maximize open space.
 - (b) Provide for various mixed uses and housing types on larger parcels where large percentages of environmentally sensitive areas can be preserved.
 - (c) Allow for certain nonresidential uses within a special residential development on a tract or tracts exceeding 50 acres to serve and support the residential development.
 - (d) Preserve natural features such as:
 - [1] Woodlands: to minimize erosion on areas of steep slopes and streambanks; to improve groundwater quality and quantity; to provide habitats for wildlife and plants; to provide effective stormwater management and erosion control; to reduce greenhouse effects; to provide wind breaks; to provide active and passive recreation opportunities; to enhance the scenic characteristics; and to reduce air pollution by absorbing airborne pollutants.
 - [2] Steep slopes conservation: to limit soil erosion and the resultant destruction of land, siltation of streams and wetlands; and to reduce flooding and the overall damage to low-lying areas.
 - [3] Wetlands: to provide for groundwater recharge; to serve as a natural filter in the removal of pollutants and sediment from the groundwater and surface water; and to provide aquatic habitats essential to breeding, rearing and feeding grounds for many species of fish, plants and other wildlife.
 - [4] Floodplains: to protect the subject property owner and downstream properties against increased floodwater heights and velocities.

- (e) Implement the goals of the Township Comprehensive Plan and Open Space Plan, specifically:
 - [1] Provide for the permanent preservation of remaining open space areas.
 - [2] Provide for appropriate development of undeveloped or underdeveloped land.
 - [3] Preserve natural, scenic, cultural and historical resources.
 - (f) The provisions of a special residential development shall serve as an overlay to the underlying district.
 - (g) Where the provisions of this section conflict with any other provision of this chapter, this section shall prevail.
- B.** Use regulations. In addition to the uses permitted in the underlying zoning district, a special residential development may include the following uses:
- (1) Uses by right.
 - (a) Open space and recreational areas.
 - (b) Single-family semidetached dwellings and multiple-family dwellings on a tract or tracts exceeding 50 acres, provided the special residential development is designed and constructed as part of a single tract development.
 - (2) Accessory uses.
 - (a) Nonresidential uses. A special residential development on a tract or tracts exceeding 50 acres may include nonresidential uses accessory to the special residential development to serve and support the residents and users of such development, subject to the following:
 - [1] Types of nonresidential uses permitted:
 - [a] Bank, excluding drive-through facilities;
 - [b] Automated teller machine ("ATM");
 - [c] Convenience store, including the sale of grocery and food products, newspapers and magazines, drugs and variety items;
 - [d] Personal service establishment, including barber, beautician, shoe repair, dry cleaning shops;
 - [e] Post office;
 - [f] Snack bars and concessions to support any recreational areas;
 - [g] Other similar uses.
 - [2] Limitation on size of nonresidential uses permitted:
 - [a] The floor area of any individual nonresidential use within a special residential development shall not exceed 2,400 square feet.
 - [b] The aggregate floor area of all nonresidential uses within a special residential development shall not exceed 12,000 square feet.

- (b) Recreational uses. A special residential development on a tract or tracts exceeding 50 acres may include uses accessory to the dwellings, such as a swimming pool, tennis courts or any other recreational use or facility, subject to the requirements of § 182-1201.F of this chapter, and a central dining room, provided that any such accessory use shall be owned by a homeowners' or condominium association and operated exclusively to serve the residents of the development, and that there shall be no external evidence of any such accessory use other than a name or accessory use sign as provided in the sign regulations, § 182-1603.
- (c) Off-street parking. Off-street parking space, a private garage, a community garage or a storage garage, provided that such parking space or garage shall not be located within 50 feet of any property line of the overall tract for which the development application is submitted.

C. Dimensional requirements.

(1) Lot size.

- (a) Single-family detached dwellings. The lot size requirements relating to an individual lot may be reduced to not less than the following, provided that the gross or overall density of dwelling units in the entire tract shall be no greater than the maximum allowed by the underlying district, which maximum shall be calculated by dividing gross acreage by the minimum lot size for the underlying district, except as allowed under the bonus provisions of § 182-1101.E(2) in this chapter:

District	Minimum Lot Area Per Lot (sq ft)
R-1	20,000
R-1A	10,125
R-2	8,000
R-3	6,500

- (b) Single-family detached dwellings, single-family semidetached dwellings and multiple-family dwellings. There shall be no minimum lot size requirements for single-family semidetached dwellings and/or multiple-family dwellings, provided that the gross or overall density of all dwelling units in the entire tract shall be no greater than the maximum allowed by the underlying district, which maximum shall be calculated by dividing gross acreage by the minimum lot size for the underlying district.

(2) Other dimensional requirements.

- (a) Single-family detached dwellings on individual lots. The lot width, height and yard requirements of the district may be reduced or modified as a special residential development as follows:
 - [1] In R-1 Districts, the R-1A requirements shall apply.
 - [2] In R-1A Districts, the R-2 District requirements shall apply.
 - [3] In R-2 Districts, the R-3 District requirements shall apply.
 - [4] In R-3 Districts, there shall be a minimum lot width of 50 feet at the building line, a lot coverage of not more than 40%, front and rear yards not less than 25 feet in depth and side yards not less than eight feet each in width.

- (b) Single-family semidetached and multiple-family dwellings.
 - [1] Unit width: Each dwelling unit shall be not less than 20 feet in width.
 - [2] Minimum floor area: Each dwelling unit shall have a minimum of 1,200 square feet of habitable floor area, exclusive of stairs and corridors.
 - [3] Yards and building placement. Unless specifically authorized by the Township in the approval of a plan to permit desired flexibility in the placement of buildings:
 - [a] No principal building shall be located within 50 feet of any public street, any property line of the overall tract for which the development application is submitted or any other principal building, nor located within 20 feet of an internal street.
 - [b] No accessory building shall be located within 20 feet of any public street or any other building, nor within 50 feet of any property line of the overall tract for which the development application is submitted.
 - [c] No building shall be located within 10 feet of an external parking space or area, or any internal street.
 - [4] Height:
 - [a] Single-family semidetached dwellings: three stories maximum, exclusive of basements, not to exceed 35 feet, subject to the provisions of § 182-407.D.
 - [b] Multiple-family dwellings: four stories maximum, exclusive of basements, not to exceed 65 feet. However, a building may exceed 65 feet up to a total height of 75 feet where, for each foot or portion thereof by which the building exceeds 65 feet in height, the depths of the front and rear yards and the width of each side yard are increased by one foot.
- (3) Impervious coverage ratios. The total of all impervious areas of the overall tract for which the development application is submitted shall not exceed the percentage of underlying districts. In the event the overall tract includes land which is located in other than a R-1, R-1A, R-2 or R3 District, which land is shown as undeveloped, the impervious coverage ratio shall be that of the underlying district of the portion of the tract which is proposed to be developed.
- D.** Special design and development regulations for single-family semidetached dwellings and multiple-family dwellings as part of a single tract development. Single-family semidetached and multiple-family dwellings that are part of a single tract development must meet the provisions of § 182-1403.A of this chapter.
- E.** Density provisions.
 - (1) In order to comply with the gross density requirement for the tract as stated in § 182-1101.C(1) of this section, sufficient area within the proposed development shall be set aside for common open space purposes and/or a certain percentage of oversized lots shall be included in the plan. No lot of such size as to be capable of further subdivision under the district regulations shall be included in determining the average lot area, unless the possibility of such further subdivision is eliminated by a deed restriction or agreement when acceptable to the Board of Commissioners. Street area shall be excluded in computing the gross density.
 - (2) In R-1 Districts, the Township may grant an increase in density of no more than 20% as a bonus for the provision of common open space in excess of the amount already required. Each

additional 2% of a tract devoted to common open space will result in a one-percent increase in density over that otherwise allowed in an R-1 District. Such land, if requested, may be counted as developable land for the purpose of determining density. This bonus shall not be utilized in conjunction with any other density bonus provided for in this chapter.

- F.** Off-street parking. Off-street parking regulations shall be as required by § 182-1701 of this chapter.
- G.** Off-street loading. Off-street loading regulations shall be as required by § 182-1704 of this chapter.
- H.** Performance and design standards. Performance and design standards shall be as required by § 182-1501 and § 182-1302 of this chapter.
- I.** Open space provisions.
 - (1) Land designated as common open space under the provisions of this section shall conform with the characteristics described below:
 - (a) Common open space shall consist of a parcel or parcels of land or an area of water or a combination of land or water within a development site designed and intended for the use or enjoyment of residents of the development or the public, not including streets, off-street parking areas and areas set aside for public facilities.
 - (b) Consideration shall be given to the arrangement and location of common open space to take advantage of physical characteristics of the site and to place common open space within easy access and view of dwelling units while at the same time preserving and enhancing natural features. Areas set aside for common open space shall contain no building or structure other than a building or structure related to any recreational area.
 - (c) The common open space shall be contiguous to the development and shall not be separated from the tract by existing roads.
 - (2) The open areas or spaces to be reserved for open space may be retained by or conveyed to the Township if acceptable to the Township, conveyed to a legally constituted homeowners' association or retained and managed by private common ownership. Satisfactory written arrangements acceptable to the Township in all cases shall be made for the perpetual preservation and maintenance of all common areas to be set aside and reserved for private use. If open areas or spaces are not properly maintained, the Township may assume responsibility of maintenance and charge the property owner or homeowners' association.
- J.** General limitations. A special residential development on a tract or tracts exceeding 50 acres shall be subject to the following additional general and performance standards:
 - (1) Steep slopes. Not more than 20% of the total of all steep slopes of the overall tract for which the development application is submitted may be disturbed in the development of an SRD, including disturbance involving the construction or placement of dwellings or dwelling units, roads, driveways, curb, sidewalk or walking paths, grading or filling activities or the installation of utilities.
 - (2) Very steep slopes. Not more than 10% of the total of all very steep slopes of the overall tract for which the development application is submitted may be disturbed in the development of an SRD, including disturbance involving the construction or placement of dwellings or dwelling units, roads, driveways, curb, sidewalk or walking paths, grading or filling activities or the installation of utilities.
 - (3) Woodlands. The developer of an SRD shall submit a plot of the site woodlands. Not more than 5% of the total woodland areas of the overall tract for which the development application is submitted may be affected or disturbed by development without compensatory planting. In the event that more than 5% of the total woodland areas are to be affected, replacement

plantings of two trees per lot or dwelling unit shall be provided. At least one tree shall be considered as a street tree, with a minimum caliper of three inches and located 10 feet from the street right-of-way line. The other tree shall have a minimum caliper of three inches and shall be planted within the internal area of each lot or parcel. The developer may submit an alternative tree replacement proposal and the Board of Commissioners may approve such alternative tree replacement proposal if it finds that such proposal satisfies the purpose of the tree replacement provisions and would better serve the residents of the development. In no case shall more than 15% of the woodland area be affected.

- (4) Floodplains. The provisions Article X shall prevail.
 - (5) Wetlands. The developer of an SRD shall submit a wetland delineation plan prepared by a soil scientist who shall consider recent National Wetlands Inventory Maps of the United States Fish and Wildlife Service, areas delineated as wetlands by the United States Army Corps of Engineers, areas encompassed by hydric soils, as defined and mapped by the United States Department of Agriculture, National Resources Conservation Service or by the United States Department of Agriculture, National Resources Conservation Service. There shall be a fifty-foot buffer from the edge of any wetland to the closest dwelling unit and a minimum twenty-five-foot buffer from the edge of earth disturbance, unless required as part of an approved stormwater management plan.
 - (6) Ownership. Individual structures may be leased or sold as individual ownership, rental, cooperative or condominium units.
 - (7) Open space. Open space shall be held in common ownership or by the Township and shall be available to all Township residents, subject to the requirements of § 182-1403.A(2) of this chapter.
 - (8) Off-street parking. Off-street parking shall be provided in common parking lots conveniently located to all units, or in combination with individual dwelling units.
- K.** Public sewer and water. Each dwelling shall be served by public sewer and water facilities.
- L.** Application procedures.
- (1) The application for development of a tract under the requirements of this section shall be filed by the owner or owners of the entire tract, and it shall be agreed that the tract shall be developed under single direction in the manner approved within a reasonable time as established at the time of approval. The application shall be accompanied by a sketch plan, which shall comply with the requirements of the Township Subdivision and Land Development Ordinance²⁹ and other applicable ordinances, and shall in every case be adequate to enable the Planning Commission and Board of Commissioners to determine that such plan complies with the requirements of this chapter.
 - (2) Special residential developments may be permitted as a conditional use by the Board of Commissioners acting upon recommendation of the Planning Commission. The approval of the conditional use shall be based upon a review of all land use considerations, including external impacts upon the surrounding neighborhood, and may be approved if it is determined that the proposed development meets the specific intent specified in § 182-1101.A herein, is consistent with land use concepts inherent in the Township's Comprehensive Plan and if the resultant traffic, environmental impact and similar externalities will not unduly burden nearby facilities. In reviewing an application for conditional use, the Board of Commissioners shall apply the following design standards in addition to all other design standards applicable under this chapter:

- (a) That all proposed traffic accessways are adequate but not excessive in number; adequate in width, grade, alignment and visibility; located not too near street corners or places of public assembly; and comply with other similar safety considerations as determined by the Township Engineer.
- (b) That the interior circulation system is adequate to provide safe accessibility to all required off-street parking lots, loading bays and building services and conforms to the standards contained in this chapter.
- (c) That the site can be properly drained without adversely affecting adjoining properties, and that all slopes are adequately protected against erosion.
- (d) That all playgrounds, parking, service areas and other nonresidential uses are reasonably screened at all seasons of the year from the view of adjacent residential lots and streets, and that the general landscaping of the site is in character with that generally prevailing in the neighborhood. Standards shall be those contained in § 182-1302 of this chapter for uses in residential districts.
- (e) That all environmentally significant areas, such as woodlands, streams, wetlands, steep slopes and the like, shall be protected to the maximum extent possible.
- (f) That all plazas and other paved areas intended for use by pedestrians shall use pavements and plant materials in a fashion designed to prevent the creation of vast monotonous expanses of unsightly pavement.
- (g) That all adjoining properties and streets shall be protected against noise, glare, unsightliness and other objectionable features.
- (h) That all other standards contained in § 182-1302 of this chapter as they pertain to uses by special exception in residential districts shall be applicable, as well as off-street parking and loading standards as contained in § 182-1701 and § 182-1704.

Article XII Supplemental Use Regulations

§ 182-1201. Accessory uses, incidental and subordinate to principal uses

- A. Customarily Incidental and subordinate to:** The following uses shall be considered customarily incidental and subordinate to the following principal uses but, in certain circumstances as indicated below, are only permitted as a special exception.

Uses	Residential	Office	Commercial	Industrial	Institutional	Additional Regulations
(1) Caretaker Unit				A		§ 182-1201.F
(2) Deck	A					
(3) Employee Cafeteria				A		
(4) Home Occupation	A					§ 182-1201.D
(5) Pool Houses	A					§ 182-1201.F
(6) Portable Storage Unit	A					§ 182-1309
(7) Private Greenhouses	A					
(8) Private Recreational Use	A					§ 182-1201.G § 182-1201.F
(9) Satellite Dish	SE	SE	SE	SE	SE	§ 182-1311
(10) Signs	A	A	A	A	A	Article XVI

B. Apartments

Uses accessory to the apartment development include swimming pool and tennis courts or any other recreational use or facility, provided that any such accessory use shall be designed primarily to serve the residents of the development, and that no accessory use within an apartment building shall have any external evidence of any such secondary use other than a name or accessory use sign.

C. Building management office in townhouse or apartments

An office customarily accessory to the residential use of a townhouse or an apartment is subject to the requirements of § 182-1221 and the following:

- (1) The accessory use must be located in an apartment located on the first floor of the apartment building and in the apartment in which the practitioner or user resides.
- (2) The accessory use shall not exceed 25% of the floor area of the apartment unit.
- (3) In the R-9 Medium- and High-Rise Apartment Districts, a building lobby shall not be used as a waiting room for the accessory office.

D. Home occupation

Where home occupations are permitted they shall be subject to the following requirements, in addition to all other applicable requirements of the district in which the use is located:

- (1) Such home occupation shall be located in the dwelling in which the practitioner resides or an accessory building to the principal dwelling.
- (2) There shall be no one engaged or employed in such home occupation who is not a resident of the dwelling.
- (3) The area used for the practice of a home occupation shall not exceed 25% of the total floor area of the premises in which such use is located.
- (4) The occupation shall be clearly incidental to the residential use of the dwelling and dwelling unit.
- (5) No external alterations inconsistent with residential use of the dwelling shall be permitted.
- (6) There shall be no display of products, storage of goods or materials or window or other sign visible from outside the building, except for a name or accessory use sign or a professional office sign as permitted outside a dwelling in the sign regulations, Article XVI, and no accessory use shall have any other external evidence or a secondary use.
- (7) No goods or services shall be offered for sale or lease to the general public on the premises, except that business conducted primarily by mail or telephone shall be permitted.
- (8) The following additional requirements shall apply to professional office uses:
 - (a) They shall serve not more than one client at any given time.
 - (b) Three off-street parking spaces, located to the side or rear of the premises, but not in the front yard, shall be required in addition to the single space required for a single-family dwelling.
 - (c) Professional offices shall not be permitted within a nonconforming multifamily structure.

E. Mobile home land development

The following uses are permitted when accessory to a permitted mobile home land development:

- (1) A community room, recreational facilities, laundry, indoor storage areas and similar facilities provided for the individual or common use of all residents of all the mobile home development.
- (2) Any office and maintenance facilities for the operation and management of the entire mobile home development.

F. Pool houses

Accessory pool houses may include changing rooms, bathrooms, and a great room with accessory kitchen facilities. Sleeping rooms are expressly prohibited.

G. Private recreational uses

- (1) The regulations of this section shall apply to all open private recreational uses, including swimming pools, which require the installation of permanent surfaces, either at ground level or elevated.
- (2) Such uses are considered structures for the purpose of permits and certain other regulations; however, they are not counted as floor area in computing building coverage.
- (3) No such use shall be located in front yards or less than 10 feet from any property line as measured from the edges of any permanent surface.
- (4) No such use shall be constructed in the Township except in accordance with a permit therefore previously secured from the Zoning Officer of the Township. The application for said

permit shall be accompanied by a plan showing the size and location of any recreational facility and its enclosure and such other information as may be necessary for the Zoning Officer to determine whether said facility complies with the requirements of this section.

- (5) All tennis or paddle tennis courts shall comply with § 182-1315
- (6) All swimming pools shall comply with § 182-1314

H. Recreation and Open Space Uses

- (1) The following uses shall be customarily incidental to any of the uses permitted in the ROS district: storage facilities, snack bars, pro shops and offices associated directly with the permitted use.

I. Solar Energy Equipment

Solar energy equipment shall be considered accessory structures and the generation of energy or heat as an accessory use to the principal use in any zoning district and shall be subject to and comply with the following § 182-1313.

J. Special regulations for caretaker unit

In the case of living accommodations for caretakers, accessory to a main institutional, the lot area, exclusive of that provided around a main building, shall not be less than 1,200 square feet per apartment and not less than 10,000 square feet per individual house intended for occupancy by the family of a resident staff member or other employee of an institution.

K. Townhouse development

Uses accessory to a townhouse development include swimming pool, tennis courts, tot lots, sauna baths or any other recreational use or facility designed primarily to serve the residents of the development.

§ 182-1202. Adult commercial use

Any building or structure containing an Adult Commercial Use, whether as a primary or accessory use, shall conform to the following provisions if the area devoted to such use exceeds 75 square feet or 2% of the total floor area:

- A.** The building, lot or structure of such use shall be located no closer than 500 feet, measured in any direction, from any other building, lot or structure having a school, church, recreational, religious, institutional and/or educational use.
- B.** No such use shall be located within 2,000 feet, measured in any direction, of a similar use.
- C.** No entertainment or materials sold within shall be visible from any window, door or exterior of the building or structure.
- D.** No person under the age of 18 years of age shall be permitted to patronize an adult commercial use or sold any pornographic material.

§ 182-1203. Assisted-living residence. Where required the following standards shall apply.

- A. Area and bulk regulations.** The following area and bulk regulations and standards shall apply:
 - (1) Lot area: A minimum lot size of 3 1/2 acres shall be required subject to § 182-1203.D(4).
 - (2) Building area: The maximum percentage of the lot covered by buildings shall not exceed 20%.
 - (3) Impervious coverage: The maximum percentage of the lot covered by buildings, driveways, parking lot surfaces, walkways and other impervious surfaces shall not exceed 50%.

- (4) Density: The maximum gross density shall not exceed 25 personal care units per acre.
- (5) Height: The height of any building shall not exceed three stories or 35 feet. In addition, § 182-407.D shall apply.
- (6) Yards:
 - (a) Front yard: not less than 100 feet.
 - (b) Side yard: not less than 50 feet.
 - (c) Rear yard: not less than 75 feet.
- (7) Street frontage: 75 feet minimum.
- (8) Buffer planting: A twenty-foot buffer planting strip adjacent to residential districts and five feet adjacent to all other districts shall be provided along the entire perimeter of the Assisted Living Residence, except where a break is necessary to provide vehicular or pedestrian access and except where the Commissioners, with the recommendation of the Planning Commission, determine that a buffer planting strip should not be required.

B. Uses permitted in a Assisted Living Residence:

- (1) Residential living units.
- (2) The following accessory uses when provided for the exclusive use of the residents:
 - (a) Common dining facilities.
 - (b) Activity, social, recreation and exercise facilities.
 - (c) Administrative office facilities.
 - (d) Other accessory uses customarily incidental to a Assisted Living Residence.

C. Parking standards shall be as required by § 182-1701 of this chapter.

D. Standards for approval of conditional use. Applications for conditional use shall be forwarded within 15 days of filing to both the Haverford Township Planning Commission and to the Delaware County Planning Commission for their review and comments. Within 45 days of the date of filing, a hearing shall be commenced before the Board of Commissioners of the Township. Said hearing shall be conducted in accordance with the provisions of Article XXII; provided, however, that all references to the Zoning Hearing Board shall be construed to be references to the Board of Commissioners and all references to a special exception shall be construed to refer to an application for a conditional use. In determining whether or not to grant an application for a Assisted Living Residence for the elderly, the Board of Commissioners shall consider the following criteria in addition to the general standards set forth in § 182-2405:

- (1) The integration of the proposed land use with the existing development and existing land use adjacent to the site.
- (2) The conditions and availability of adjacent streets to efficiently and safely afford a movement of traffic to be generated by the proposed development.
- (3) Additional public services made necessary by the proposed development.
- (4) The amount, location and proposed use of the green space achieved by the development. At least 50% of the site area must be maintained as open space, which shall not include detention basins, parking lots and accessory buildings. Open spaces shall include outdoor sitting areas and pedestrian walks. To assure adequate green spaces for use by residents, areas of steep slope, very steep slope, wetlands and floodplain shall not be calculated as part of the minimum lot size of 3 1/2 acres.

- (5) The preservation of existing trees within required buffer areas.
- (6) Accessibility of the site to public transportation.
- (7) The proximity of commercial and institutional facilities, including medical facilities for the use of residents.
- (8) The applicant shall file with the Township Secretary a covenant, to run with the land, endorsed by the Township Solicitor, in which said applicant shall covenant, on behalf of the applicant, their heirs, successors and assigns, not to use the property for any other use than a Assisted Living Residence and accessory uses permitted under § 182-1203.B, for a period of not less than 25 years.
- (9) In determining the compatibility of the proposed development with existing development and land uses, and to encourage interaction between the community and personal care facility residents, no Assisted Living Residence shall be permitted which does not meet the following criteria:
 - (a) The proposed development must be located within 1/4 mile of at least four of the following services:
 - [1] Post office.
 - [2] Drug store.
 - [3] Grocery store.
 - [4] Dry cleaner.
 - [5] Library.
 - [6] Barber or beauty shop.
 - [7] House of worship.
 - [8] Movie house.
 - [9] Restaurant.
 - (b) Should the development fail to comply with the proximity to the services required in § 182-1203.D(9)(a), the Board may permit the substitution of public transportation and a regional shopping center within 1/4 mile of the proposed facility.

§ 182-1204. Automobile sales and services

A. In the C-5 District, the following shall apply:

- (1) The overall shopping center tract of which the automobile sales and service agency is a part shall contain an area of at least 20 acres.
- (2) The automobile sales and service agency shall have direct vehicular access to an internal site roadway with access to a Pennsylvania State Highway and/or directly to a Pennsylvania State Highway.
- (3) If the automobile sales and service agency is on a tract which adjoins lands used for residential purposes, outdoor loud speakers shall be prohibited and outdoor lighting for the automobile dealership shall be reduced to appropriate security levels starting no later than one hour after the close of business, which lights shall be shielded to prevent glare on the adjoining properties or the roads adjacent to the automobile sales and service agency.

- (4) Notwithstanding § 182-1224, § 182-1302.D, and § 182-1222.A.4 outdoor storage and/ or display of vehicles shall be permitted, including beyond the front line of the building and on surfaces other than parking areas, provided that no vehicles shall be displayed on lifts, in the applicable buffer areas or within a public right-of-way. Outdoor storage and/or display of vehicles shall be buffered from view of adjoining residential properties by opaque ornamental fencing, walls or evergreen planting, but need not be buffered from view of other portions of the shopping center, other adjoining commercial uses/parcels or the adjoining roadways. The remaining provisions of § 182-1302 shall be applicable.
- (5) Notwithstanding and in lieu of any of the provisions of § 182-1701.B, in addition to areas for storage and/or display of inventory, four off-street parking spaces shall be provided for each service bay, which parking may be provided inside and/or outside of a building and in stacked aisles without individual access to a road or interior drive. Additionally, one parking space shall be provided for each 500 square feet of floor area excluding service bays, bathrooms, indoor space occupied by vehicles and any space not devoted to regular patron use.

§ 182-1205. Car wash

- A. **In C-4 district:** Any car wash establishment shall be subject to the following specifications and regulations:
 - (1) The minimum lot size shall be 24,000 square feet.
 - (2) The minimum lot width throughout the entire depth shall be 120 feet.
 - (3) The minimum lot depth throughout the entire width shall be 200 feet.
 - (4) The minimum setback from all street lines shall be 40 feet.
 - (5) The minimum distance from all property lines other than street lines shall be 20 feet.
 - (6) The minimum distance between any buildings, including accessory uses, and any residential district shall be 50 feet.
 - (7) The minimum distance between any access driveway and any residential district shall be 50 feet.
 - (8) The minimum distance between any access driveway and any adjoining property line shall be 10 feet.
 - (9) The minimum distance between any access driveway and any church, library, school, college, nursing home, hospital or similar use shall be 200 feet, measured along the same street line in the same block.
 - (10) Curb cuts shall be as follows:
 - (a) The maximum width of curb cuts for ingress driveways shall be 35 feet.
 - (b) The maximum width of curb cuts for egress driveways shall be 35 feet.
 - (11) Driveways providing entrance and exit shall not be located within 300 feet of the intersection of any two street lines.
 - (12) Except for access driveway openings where the curb shall be depressed, a raised curb of at least six inches in height shall be provided along all street lines or within the right-of-way if approved by the State Department of Transportation.
 - (13) Exterior lighting shall be shielded so that it is deflected away from adjacent properties and from passing motorists.

- (14) All parking spaces and access driveways shall be paved with a weatherproof material.
- (15) Impervious surface ratio: 65% maximum.

§ 182-1206. Continuing-care retirement community.

A. R-1 and R-1A Residence Districts: For a continuing-care facility for the elderly allowed as a conditional use in the R-1 and R-1A Residence Districts, the following requirements and standards, in addition to all other applicable requirements and standards, shall apply:

- (1) A minimum tract size of 25 acres shall be required.
- (2) The maximum gross density for continuing-care facilities for the elderly shall not exceed six units per acre. The permitted number of dwelling units shall be based upon the sum of all residential units and personal-care beds. Skilled-nursing-care beds shall not be counted toward the total number of permitted dwelling units.
- (3) No lot line of a continuing-care facility may be closer than 2,640 feet to the lot line of another such facility.
- (4) A perimeter setback shall be provided as follows:
 - (a) Principal buildings and accessory buildings of two or more stories in height shall be set back not less than 150 feet from any perimeter line adjoining a residential zoning district and not less than 50 feet from a perimeter line adjoining any other zoning district.
 - (b) All other accessory structures shall be governed by the provisions of § 182-1310.
- (5) The minimum distance between any two separate buildings shall be 30 feet.
- (6) The maximum percentage of the site which may be covered by buildings shall not be more than 20%.
- (7) The maximum percentage of the site which may be covered by hard surface, including buildings, parking lot surfaces, walkways and other impervious surfaces, shall not exceed 35%.
- (8) The height of any building shall not exceed three stories or 35 feet. The foregoing height restrictions shall not apply to conversions of existing buildings to continuing-care facilities for the elderly.
- (9) A twenty-foot-wide buffer planting strip, as defined herein, shall be provided along the entire perimeter of the continuing-care facility except where a break is necessary to provide vehicular or pedestrian access. The buffer planting strip shall be designed in accordance with the standards provided in this chapter to produce an effective visual screen. All plant materials shall be guaranteed for two years, and any plant material which dies within that time shall be replaced by the applicant at his or her cost.

B. Permitted Uses. Uses permitted in a continuing-care facility for the elderly.

- (1) Principal uses.
 - (a) Residential living units of any type permitted in the R-1 through R-8 Residential Districts and personal-care units.
 - (b) Skilled nursing facilities; provided, however, that admission into such skilled nursing facilities shall comply with all restrictions stipulated in the certificate of need for such skilled nursing facility issued by the Department of Health of the Commonwealth of Pennsylvania.
- (2) Accessory uses when provided for the exclusive use of residents.

- (a) Common dining facilities.
 - (b) Physical therapy facilities.
 - (c) Auditoriums.
 - (d) Recreation facilities.
 - (e) On-site service shops.
 - (f) Administrative offices.
 - (g) Other ancillary services deemed appropriate by the Board of Commissioners in granting the conditional use.
- C. Parking standards.** Parking shall be as required by § 182-1701 of this chapter, and shall be buffered by a minimum twenty-foot planted buffer strip from an adjoining property or street frontage.
- D. Standards for approval of conditional use.** Applications for conditional use shall be forwarded within 15 days of filing to both the Haverford Township Planning Commission and to the Delaware County Planning Commission for their review and comments. Within 45 days of the date of filing, a hearing shall be commenced before the Board of Commissioners of the Township. Said hearing shall be conducted in accordance with the provisions of Article XXII: provided, however, that all references to the Zoning Hearing Board shall be construed to be references to the Board of Commissioners and all references to a special exception shall be construed to refer to an application for a conditional use. In determining whether or not to grant an application for a conditional use for a continuing-care facility for the elderly, the Board of Commissioners shall consider the following criteria:
- (1) The long-range aims and goals pertaining to the physical and social development of the Township as provided in the Comprehensive Plan.
 - (2) The integration of the proposed land use with the existing development and existing land use adjacent to the site.
 - (3) The conditions and availability of adjacent streets to efficiently and safely afford a movement of traffic to be generated by the proposed development.
 - (4) Additional public services made necessary by the proposed development.
 - (5) The amount, location and proposed use of the permanent open space achieved by the development.
 - (6) The preservation of trees, groves, waterways, scenic points, historic spots and other community assets and landmarks.
 - (7) Accessibility of the site to public transportation.
 - (8) The proximity of commercial and institutional facilities, including medical facilities for the use of residents.
 - (9) No continuing-care for the elderly facility shall be constructed within a site area containing slopes in excess of 15%.
 - (10) The developer shall file with the Township Secretary a covenant, to run with the land, endorsed by the Township Solicitor, in which said owner shall covenant on behalf of themselves, their heirs, executors and assigns not to use the development for any other use than housing for the elderly, handicapped and its ancillary facilities for a period of not less than 25 years.

- E. Safety features.** It is necessary in the design and development of a continuing-care facility, that the safety and physical capabilities of the future residents be considered. The design features of the continuing-care facility shall be such that potentially dangerous situations are minimized and the independence and mobility of the residents maximized. The following safety features shall be incorporated into the design of the continuing-care facility as a condition of approval:

- (1) Handle type spigots and doorknobs.
- (2) Showers designed for wheelchairs, in place of tubs, in at least 30% of all units.
- (3) Nonskid surfaces in tubs and showers.
- (4) All floors shall be nonskid.
- (5) Control of water temperature to avoid accidental scalding.
- (6) Flush door entrances for easy wheelchair access.
- (7) Emergency signal systems in bathrooms and bedrooms connected with either an adjacent apartment or central office.
- (8) Grab bars around all toilets and tubs; in addition, all grab bars and towel racks shall be made of noncorrosive metal and shall be able to withstand up to 250 pounds.
- (9) All cooking stoves shall be electric.
- (10) Stove burner controls shall be located in the front.
- (11) Waterclosets shall be handicapped accessible units.
- (12) Lighting fixtures shall be located on the walls at convenient levels to avoid accidents that might otherwise occur in the repair of ceiling fixtures.
- (13) Electrical outlets shall be located at levels at least 24 inches above the floor.
- (14) There shall be ramps or elevators in addition to stairs in all buildings exceeding one story in height.
- (15) All elevators shall have slow closing doors with sensitive reopening mechanisms.
- (16) Hand rails shall be provided along all steps, hallways, ramps and sloped walks, both indoors and outdoors.

- F.** All rooms in the continuing-care for the elderly facility shall be provided with sprinkler systems for fire protection and shall contain and be served by wet-charged standpipes to the top floor.

§ 182-1207. Conversion of dwellings to nonresidential uses.

Where permitted by special exception, the Zoning Hearing Board may permit the conversion of any dwelling existing at the effective date of this chapter to any nonresidence use permitted in the district in which such dwelling is located, provided that:

- A.** The proposed use shall comply with the yard, area, off-street parking and other requirements of the applicable district.
- B.** No existing yards or required open space shall be reduced to less than the requirements of the applicable district governing a permitted use.
- C.** Living accommodations or sleeping quarters shall be permitted, provided that the minimum habitable floor area per family is not less than 600 square feet, excluding stairs and corridors, and that no basement shall contain habitable rooms except for custodian living quarters.

- D. The proposed reconstruction and conversion shall be in keeping with the predominant character of the applicable district and shall not detract from the use of an adjoining property for any permitted use
- E. Any such building shall comply with the requirements of the Building Code and any other applicable ordinance or requirement of the township.
- F. No dwelling shall be converted unless, in connection therewith, the Township shall be assured that the building, when completed, will comply in all respects with sound, present day standards for the proposed use.
- G. The Zoning Hearing Board may prescribe such further conditions with respect to the conversion and use of such building or property as it may deem appropriate.

§ 182-1208. Conversion of single-family dwellings to two-family and multiple-family uses.

Where permitted by special exception, the Zoning Hearing Board may authorize the conversion of a property from single-family to two-family or multiple-dwelling occupancy, subject to the following requirements:

- A. The lot area per dwelling unit shall not be reduced below 3,000 square feet per family.
- B. One and one-half off-street parking spaces shall be provided for each additional dwelling unit created.
- C. Each family unit shall have not less than 600 square feet of gross habitable floor area, excluding stairs and corridors.
- D. Any such building shall comply with the requirements of the Building Code and any other applicable ordinance or requirement of the Township.
- E. No dwelling shall be converted unless, in connection therewith, the Township shall be assured that such building when completed will comply in all respects with sound, present-day standards for the proposed use.
- F. The Zoning Hearing Board may prescribe such further conditions with respect to the conversion and use of such building or property as it may deem appropriate.

§ 182-1209. Day-care, in-home

- A. In-home day care permitted or allowed as accessory use shall comply with the following standards:

(1) Day care, in-home, Small

- (a) The day care shall be located within the dwelling in which the caregiver resides.
- (b) No person who is not a resident of the dwelling may be engaged or employed in the operation.
- (c) The use shall not be subject to licensing requirements for a business operation.
- (d) The use shall remain clearly incidental to the residential character of the dwelling.

(2) Day care, in-home, Large

- (a) Such use shall be located in the dwelling in which the operator or care giver resides.
- (b) Not more than one person shall be engaged or employed in the operation of such day-care use who is not a resident of the dwelling.

- (c) Such use shall be clearly incidental to the residential use of the dwelling and shall not include any alterations or renovations inconsistent with the residential use of the dwelling.
- (d) There shall be no window or other signs displayed at the site.
- (e) Buffering and other applicable site improvements must be provided in accordance with § 182-1302.
- (f) A minimum of three off-street parking spaces must be provided in addition to the off-street parking required for the dwelling. Such parking shall be designed in accordance with § 182-1701 and § 182-1302.B of this chapter.

§ 182-1210. Drive-ins

- A.** No drive-in restaurant shall be located within 200 feet of an abutting residential zoning district, a school, a place of worship or another drive-in restaurant.
- B.** Drive-In restaurants shall be subject to § 182-1303

§ 182-1211. Drive-throughs

A. C-4 District

In the C-4 District, drive-through commercial establishments are permitted as an accessory use, provided that the following conditions are met:

- (1) Each door, window, or similar facility used to serve consumers in motor vehicles shall contain a waiting lane of not less than 100 feet for each such facility to accommodate vehicles awaiting service.
- (2) Said waiting lanes shall be not less than 10 feet in width, shall be wholly located on the subject property, and shall not block or cross circulation patterns for consumers not using drive-through facilities.
- (3) No drive accessway for the drive-through facility shall be located on any street within 150 feet of an intersecting street or driveway.

B. C-5 District

In the C-5 District, drive-through commercial establishments are permitted as an accessory use, provided that the following conditions are met:

- (1) For drive-through facilities with one pick-up location, a stacking lane of not less than 100 feet in length, not including the space at the pick-up location, shall be provided.
- (2) If multiple pick-up locations are provided, each pick-up location shall be provided with a stacking lane with a minimum length of 50 feet, not including the space at the pick-up locations.
- (3) All stacking lanes required hereunder shall be not less than 10 feet in width, shall be wholly located on the subject property, and shall not block or cross circulation patterns for vehicles not using the drive-through facilities.
- (4) No drive accessway for the drive-through facility shall be located on any street within 150 feet of an intersecting street or driveway.

§ 182-1212. Farmers' markets.

A farmers' market shall be permitted by conditional use approval authorized by the Board of Commissioners, subject to the following conditions and the applicable sections of Article XXIV of this chapter:

- A.** An applicant(s) seeking to operate a farmers' market must comply with § 182-2402.
- B.** A farmers' market shall be incidental to a permitted principal use within a nonresidential zoning district.
- C.** A farmers' market may not be permitted to operate for more than one day in any seven-day period. An applicant may submit a single zoning permit application in order to utilize a property as a farmers' market for multiple, disparate dates within a single calendar year.
- D.** Each vendor space in a farmers' market must be at least 10 feet in width.
- E.** Parking. Two parking spaces shall be required for each 10 feet in width of vendor space. In the event that a farmers' market is located on a property that has a principal use with days or hours of operation that do not overlap with the days or hours of operation of a farmers' market, any parking spaces serving the principal use may be counted toward the required number of parking spaces for a farmers' market. In the event that a farmers' market is located on a property that has a principal use with hours of operation that overlap with the hours of operation of a farmers' market, shared parking may be permitted only if the applicant can demonstrate that the parking provided will be sufficient for each use.
- F.** No vendor stall shall be situated such that it interferes with any clear sight triangle.
- G.** In the event that a farmers' market will include more than 10 vendors, the applicant must provide event security and adequate traffic controls.
- H.** If conditional use approval is granted, a farmers' market shall obtain a permit from the Township Zoning Officer. The application form shall be provided by the Township and shall be fully completed by the applicant. In the event that the applicant is not the legal or equitable owner of the property on which a farmers' market is proposed, the applicant must submit written approval for such use on the property from the legal owner of the property.

§ 182-1213. Garden center

- A.** A garden center is permitted as an accessory use in C-5, provided that:
 - (1) The garden center is contiguous to the principal building.
 - (2) The garden center is not enclosed by more than two walls, not including any principal building wall to which the garden center is attached.
 - (3) The garden center is not air-conditioned or heated.
 - (4) Where these conditions are met, the area of the garden center shall not be counted as part of the gross leasable area of the building for purposes of applying the off-street parking requirements of this Code.
 - (5) For purposes of this section, a wall shall not include:
 - (a) any fencing with openings in more than 50% of its surface area;
 - (b) a column, pier, or similar structure; or
 - (c) any fence or wall four feet in height or less.

§ 182-1214. Gasoline service center

A. C-4 district: Gasoline service stations shall be subject to the following special regulations:

- (1) The minimum lot size shall be 32,000 square feet.
- (2) The minimum lot depth shall be 100 feet.
- (3) The minimum lot width shall be 140 feet.
- (4) The minimum setback line from all street lines shall be 40 feet.
- (5) The minimum distance from all property lines other than street lines shall be 25 feet.
- (6) The minimum distance between any buildings, including accessory uses, and any residential district shall be 50 feet.
- (7) The minimum distance between any access driveway and any residential district shall be 50 feet.
- (8) The minimum distance between any service station and repair garage access driveways and any church, library, school, college, nursing home, hospital or similar use shall be 200 feet, measured along the same street line in the same block.
- (9) The minimum distance between structures of any service station and/or repair garage and another service station and/or repair garage shall be 400 feet, measured along the same street line in the same or adjoining block.
- (10) The minimum distance between gasoline pump islands, compressed-air connections and similar equipment and facilities and any street lines shall be 40 feet.
- (11) The maximum width of curb cuts for access driveways shall be 35 feet.
- (12) Spacing of access driveways shall be as follows:
 - (a) Minimum distance from adjoining property lines: 10 feet.
 - (b) Minimum distance between access driveways: 20 feet.
- (13) Except for access driveway openings where the curb shall be depressed, a raised curb of at least six inches in height shall be provided along all street lines or within the right-of-way if approved by the State Department of Transportation.
- (14) Hydraulic hoists, pits and all lubrication, greasing, washing and repair equipment shall be entirely enclosed within a building.
- (15) Exterior lighting shall be shielded so that it is deflected away from adjacent properties and from passing motorists.
- (16) All pumps shall be at least 20 feet back from the right-of-way.
- (17) Impervious surface ratio: 65% maximum.

§ 182-1215. Landfills

A. Applications. An applicant wishing to establish and operate a sanitary landfill shall present the following with its application:

- (1) A topographical drawing, prepared by a registered engineer to a scale no greater than one inch equals 200 feet showing:
 - (a) Location of site relative to public roads.
 - (b) Owners of adjacent properties.

- (c) Proposed fencing and improvements.
 - (d) Proposed screening.
- (2) A statement from the Pennsylvania Department of Environmental Resources or its successor indicating the general feasibility of the site for development as a sanitary landfill. Such statement must indicate preliminarily the appropriateness of the site, but need not include completion of actual on-site testing for soil, groundwater and rock conditions.
- (3) Information as to the owner of the site, and relationship of the applicant to the owner.
- (4) Statements indicating the expected useful life of the site as sanitary landfill and the condition of the site upon completion of the operation.
- (5) A statement as to the estimated number of vehicles weighing over 20,000 pounds, loaded, which are expected to use the site on the daily basis, during the first two years of operation.
- (6) A statement of the applicant's prior experience, if any, in operating sanitary landfills.
- B.** Requirements and standards applicable to sanitary landfills. Prior to approving a site for use as a landfill, the Board of Commissioners shall:
 - (1) Require that any application for a sanitary landfill be in compliance with the requirements of the Pennsylvania Department of Environmental Resources and that, prior to the onset of operation of such landfill, a permit be obtained from the Pennsylvania Department of Environmental Resources for said operations.
 - (2) Require that such landfill be so located that safe and adequate access is available over public roads at all times. In doing so, the Board may require that any road providing access to the proposed landfill be a minimum of 24 feet in width and paved with a surface and base course of sufficient depth to withstand traffic loads determined by the number and weight of trucks anticipated in the daily operation of the proposed landfill. The Board may further require that the cost of improvement of roads to provide this standard of access may be assessed against the applicant either by requiring contribution of moneys sufficient to pay for the improvement on the road or by assessing dumping fees on the operation of said landfill sufficient to pay for the improvement and maintenance of access roads.
 - (3) Require that provision be made by the applicant that all trucks entering and leaving the landfill shall be covered and that as a part of the daily operation of the landfill roads used for access to the landfill be patrolled daily to pick up and dispose of scattered and blowing papers or other refuse.
 - (4) Require that the landfill be properly fenced to prevent blowing papers and other nuisance on adjoining properties.
 - (5) Be assured that the proposed operation will not cause a nuisance or otherwise impose a hardship on adjoining property owners and within the Township in general.
 - (6) Require that the final grading of the land be done in a manner so that the land is left in a useful condition and encourage the owners and operators of the proposed landfill to provide for the future dedication of properties used for landfill purposes to the Township for park and recreational facilities.
- C.** Status of application following Township approval. Approval granted shall be final, unless during the course of obtaining final approval from the Pennsylvania Department of Environmental Resources substantial variations are made in the plans submitted, in which latter event such approval shall be considered conditional only; and further application shall be made to the Board of Commissioners for final approval. Nothing in this chapter shall be construed so as to supersede or set aside any lawful requirement imposed by the Pennsylvania Department of Environmental Resources.

§ 182-1216. Medical marijuana dispensary uses.

- A.** A medical marijuana dispensary facility shall have a single secure public entrance and shall implement appropriate security measures in accordance with policies of the Department of Health of the Commonwealth of Pennsylvania to deter and prevent unauthorized entrance to areas containing medical marijuana.
- B.** A dispensary facility shall not be located within 1,000 feet of the boundary of any institutional zoning district or the property line of any parcel containing an institutional zoning use, including, but not limited to, public, private and parochial schools and day-care centers. This distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the dispensary is located to the closest property line of the protected district or use, regardless of the municipality in which it is located.
- C.** A dispensary facility shall be a minimum distance of 1,000 feet from the next nearest medical marijuana dispensary facility. measured along a straight line between the closest walls of each of the two facilities.

§ 182-1217. Medical marijuana grower/processor uses.

- A.** There shall be no emission of dust, fumes, vapors, odors or waste into the environment from any grower/processor facility where medical marijuana growing, processing or testing occurs.
- B.** Marijuana remnants and byproducts shall be secured and properly disposed of in accordance with policies of the Department of Health of the Commonwealth of Pennsylvania. No such remnants or byproducts shall be disposed of in any exterior refuse container.

§ 182-1218. Mobile homes and mobile home land developments.

- A.** Statement of special intent. Mobile homes and mobile home land developments are recognized as legitimate single-family detached residential land uses which offer the potential for low to moderate cost housing opportunity. This section seeks to provide for these uses while protecting surrounding neighborhoods from incompatible land uses that may result from poor design, inappropriate exterior appearance, overcrowding and unsafe conditions. It is believed that the provision of economical housing in a form that is compatible with other nearby housing types is in the best interest of the mobile home resident, the residents of nearby conventional housing units and the Township as a whole.
- B.** Conditional uses. The placement of individual mobile homes on mobile home lots or in a mobile home land development shall be allowed only in those zoning districts where they are specifically authorized as a conditional use by the Board of Commissioners and in no other districts. The following procedures shall apply to all applications for this conditional use:
 - (1) The applicant shall file a written application with the appropriate Township official together with such fees as shall be established by ordinance for conditional or special exception use hearings. The application shall be accompanied by a sketch development plan and shall contain sufficient information to enable the Township to evaluate such factors as:
 - (a) Density.
 - (b) Traffic impact and safe means of ingress and egress.
 - (c) Impact on the environment.
 - (d) Compatibility of the design of the development and the mobile homes to be located therein with the surrounding neighborhood as provided for herein.

- (e) Those additional requirements provided for by § 182-720.
- (f) Such other information as shall be reasonably requested of the applicant by the Township.
- (2) The application shall be referred to the Haverford Township and to the Delaware County Planning Commissions, each of which shall make a recommendation to the Board of Commissioners as to the suitability of the proposed use with respect to the land upon which it is proposed, the surrounding neighborhood and the Township's Comprehensive Plan.
- (3) The Board of Commissioners shall conduct a hearing, pursuant to public notice, to provide the applicant an opportunity to explain his proposal, to receive testimony from all interested parties and from the general public, to consider the recommendations of the Township and County Planning Commissions, and to allow the Board of Commissioners to obtain such additional evidence as it shall deem necessary. Said hearing shall commence within 45 days of the date the filling of an application and payment of appropriate fees for consideration of the conditional use.
- (4) The Board of Commissioners shall consider such factors as safety, environmental impact, suitability of the proposed use to the surrounding neighborhood, compliance with the requirements of this chapter, overall design and the standards contained in § 182-2204.A(2); provided, however, that all references to the Zoning Hearing Board shall be interpreted to apply to the Board of Commissioners and all references to special exceptions shall be interpreted to apply to conditional uses.
- (5) The Board of Commissioners shall render a decision on the application within 30 days from the conclusion of the hearing. Said decision shall be provided to the applicant in writing in a timely fashion.
- (6) No application for subdivision or land development approval shall be permitted to be filed until the application for a conditional use shall have been approved.

C. Area and bulk regulations.

- (1) Individual mobile homes. An individual mobile home may be placed upon any legally subdivided lot subject to the following:
 - (a) The use has been approved as a conditional use.
 - (b) The lot has been improved as a mobile home lot as provided for by § 182-1218.E(2).
 - (c) The mobile home placed upon the mobile home lot shall conform with the residential character guidelines provided for by § 182-1218.D.
 - (d) The use shall conform with all requirements of the zoning district in which it is located, including standards for minimum lot area and yard setbacks.
 - (e) The placement of more than one mobile home on land which is now or has within the past 10 years been part of one or more contiguous tracts of land shall be deemed to be a mobile home land development and shall be subject to the standards prescribed therefor.
- (2) Mobile home land developments.
 - (a) Tract Standards:
 - [1] Minimum tract size: 10 contiguous acres. The tract may be divided by streams and other natural features but it shall not be divided by any public streets, railroad tracks or similar man-made barriers.
 - [2] Minimum street frontage: 200 feet.

[3] Required buffer planting strip: 50 feet wide along the tract boundary except where it is interrupted by accessways. This area shall be undeveloped and planted as prescribed in the definition of "buffer planting strip" in § 182-1302.

[4] Maximum density: six mobile homes per net acre.

(b) Standards for mobile home lots:

[1] Minimum mobile lot area: As prescribed for the zoning district in which it is located.

[2] Minimum lot width at the building line: 50 feet.

[3] Maximum building coverage: 30%.

[4] Yard setbacks: As prescribed for the zoning district in which it is located.

[5] Minimum distance between buildings: 25 feet.

[6] Maximum height: As prescribed for the zoning district in which it is located.

[7] Minimum distance between center lines of internal streets: 200 feet.

D. Acceptability standards for mobile homes. All mobile homes assembled or installed on a mobile home lot, whether on individual lots or in a mobile home land development, must meet the following standards:

(1) The mobile home must conform to the Manufactured Housing Construction and Safety Standards Code, as amended, of the United States Department of Housing and Urban Development, originally effective June 15, 1976.

(2) The exterior appearance of the mobile home shall be of similar design to conventional dwellings which are constructed on the site. The following criteria shall determine if the exterior appearance of the mobile home conforms with this requirement.

(a) The minimum width of the main body of the mobile home as assembled on the side shall not be less than 20 feet, as measured across the narrowest part.

(b) The pitch of the main roof shall be not less than one foot of rise for each four feet of horizontal run. The minimum distance from eaves to ridge shall be 10 feet.

(c) Any materials that are generally acceptable for housing built on the site may be used for the exterior finish of a mobile home, provided that it is applied in such a manner as to be similar in appearance and provided further that the reflection from such exterior finish shall not be greater than that from siding coated with a clean, white, gloss, exterior enamel.

(d) All mobile homes shall be placed upon a permanent foundation. The foundation shall be of a material and appearance similar to that commonly used for residences constructed on site. Said foundation shall be of sufficient size and opaqueness that it shall serve to completely screen the undercarriage of the mobile home.

(e) No mobile home shall have fenestration or other features, nor use colors or color combinations, that would be incompatible in a general residential neighborhood of site-built housing.

E. Special development regulations applicable to mobile home developments.

(1) The varied orientation of mobile homes on mobile home lots is encouraged, provided that the required setback limitations are observed. Homes angled or parallel to the street are preferable and no two contiguous lots shall contain mobile homes placed perpendicular to the street.

- (2) Every mobile home lot shall be improved with a concrete pad and with utility connections before any certificates of occupancy are issued for mobile homes in the mobile home development; provided, however, that mobile home developments may be developed in sections of not less than 50 mobile home lots each, in which case this requirement shall be applicable only to the lots in any given section.
 - (a) Each mobile home lot shall be provided with a minimum of six ground anchors.
 - [1] Each ground anchor shall be capable of resisting an allowable working load of 3,150 pounds applied in the direction of its corresponding tiedown. Deflection under this load shall not be more than twenty-five hundredths (0.25) inches measured subsequent to normal tiedown procedures. The ground anchor shall be capable of withstanding a fifty-percent overload without failure.
 - [2] Tensioning devices, such as turnbuckles or yoke-type fasteners shall be ended with clevis, forged or welded eyes.
 - [3] Steel strapping, cable, chain or other material approved by the Department of Housing and Urban Development Code may be used to tie the mobile home to the ground anchor. All ties shall be drawn tight with turnbuckles or similar adjustable tensioning devices.
 - (b) The utility connections shall include electricity, natural gas (when available), public water and sanitary sewage. Connections shall be underground and of a form acceptable to the Township and the utility generally responsible for the provision of service in the area of the proposed site.
- (3) Every mobile home shall contain a minimum of 600 square feet of habitable floor area, as defined by this chapter.
- (4) An area equal to 10% of the gross site area or 400 square feet per dwelling unit, whichever is greater, shall be set aside for common open space and not more than 25% of this area shall include floodplain or areas with slopes exceeding 15%. This land shall be used for the active and passive recreational needs of the residents of the mobile home development, provided that the requirement may be waived if the minimum area required for each mobile home lot is increased by 10%.
- (5) All exterior areas not devoted to structures, patios, streets, sidewalks, parking spaces, and similar types of coverage shall be landscaped with grass, shrubs, trees or similar vegetative ground cover. Each mobile home lot shall be provided with at least one shade tree of a species acceptable to the Shade Tree Commission, and said shade tree shall have a minimum caliper of three inches at the time of planting.
- (6) Each mobile home shall be provided with a minimum of two off-street parking spaces as provided for by § 182-1701. Additional off-street parking space shall be required for community rooms, common laundry facilities, and similar service, maintenance or administrative offices of the mobile home development.
- (7) Internal private streets shall have a minimum width of 24 feet and a minimum paved radius for culs-de-sac of 45 feet. All streets shall be paved with concrete or macadam of sufficient bearing strength and design to accommodate mobile homes and the trucks necessary to deliver them. No more than 25 dwellings shall be served by a single point of access to a public street without providing for an emergency accessway.
- (8) Sidewalks shall be provided along both sides of interior streets and along perimeter streets.

- (9) There shall be no outside storage of any kind permitted; provided, however, that trash and garbage may be stored outside in an area screened from view from the street or from adjoining lots.
- (10) Outdoor lighting facilities shall be arranged to protect adjoining residences or streets from direct glare or hazardous interference.

§ 182-1219. Outdoor dining

The following general and supplemental regulations shall be observed in all districts providing for seasonal outdoor dining in conjunction with a licensed, permitted restaurant.

- A.** Outdoor dining areas that are entirely located upon the private property of the restaurant shall be subject to the following regulations:
 - (1) No outdoor food preparation or storage, busing station or open outdoor trash receptacle shall be permitted.
 - (2) The dining area shall not obstruct the use of any egress door or aisle, access lane or standpipe.
 - (3) Outdoor dining is permitted between the hours of 7:00 a.m. and 11:00 p.m., except where the restaurant adjoins a residential use, in which case outdoor dining is permitted between the hours of 7:00 a.m. and 9:00 p.m.
 - (4) Outdoor sound amplification systems are prohibited.
 - (5) Tables or other dining surfaces must be smooth and washable.
 - (6) Furnishings for outdoor dining shall be designed for outdoor use, maintained in good repair and in a clean and safe condition at all times. The use of unweighted furnishings is prohibited. Upholstered furniture is not permitted to be used in an outdoor dining area.
 - (7) The outdoor dining area shall be subject to all Health Code provisions of the Township of Haverford.
 - (8) Alcoholic beverage service, properly licensed by the Commonwealth of Pennsylvania, is permitted only in conjunction with the service of food.
 - (9) No service of food or beverages is permitted to unseated patrons.
 - (10) Portable heating devices with an open flame are prohibited.
 - (11) The outdoor dining area shall be set back a minimum of 50 feet from any R-1, R-1A, R-2, R-3, R-4, R-5 or R-6 Zoning District.
 - (12) Outdoor dining is permitted from April 1 to October 31 only.
- B.** Outdoor dining areas may extend into street rights-of-way subject to the provisions of § 182-1219.A and the following additional regulations:
 - (1) Outdoor dining areas shall provide not less than five contiguous feet of sidewalk clear of obstructions to allow unimpeded pedestrian traffic. Dining areas shall be arranged to permit a smooth alignment of the pedestrian sidewalk across several properties and shall not cause abrupt turns or angles. At street corner intersections there shall be a minimum of eight feet of unobstructed sidewalk between the area measured from the outside edge of handicapped ramps on each street frontage. Obstructions shall include, but not be limited to, light poles, traffic signal poles, fire hydrants, trees, utility structures and street signs. Further, the location of outdoor dining cannot obstruct the clear sight distance for vehicles or access or crossings for the disabled, nor be located with three feet from the face of the curb or traffic lane. Any

unobstructed portion of the three-foot setback from the face of the curb may be counted toward the five-foot sidewalk area required herein.

- (2) A highway occupancy permit is required. Forms for occupancy are available in the Department of Public Works. Prior to placing any furnishings, enclosures or other items associated with the use upon any public sidewalk, the Township will inspect the condition of the sidewalk to assure that the surface is level and free of defects or tripping hazards.
- (3) All furnishings, planters, railings or enclosures associated with outdoor dining must be approved by the Director of Public Works and must be properly weighted to prevent movement.
- (4) Furniture, planters, railings and fences must be removed from the sidewalk and stored indoors when outdoor dining is not in seasonal operation.
- (5) Awnings shall be adequately secured and retractable. Umbrellas over tables must be adequately weighted.
- (6) No carpet, rug, artificial turf, platforms or other change in elevation from the surface of the concrete sidewalk, of any kind, shall be permitted.
- (7) The operator of an outdoor dining area and his or her employees shall not be permitted to remove, destroy, deface or otherwise alter any sign, notice, curb, storm inlet, or other public device or improvement.
- (8) Within the outdoor dining area, one host stand and/or menu board sign may be displayed. The menu board shall not exceed six square feet, may not encroach into the street right-of-way and shall be mounted on an easel or other easily removable fixture. When the outdoor dining is not in operation, such hostess stand and/or menu board shall be stored indoors.
- (9) Except emergency repairs or other emergency activities, the operator of such outdoor dining area shall be required to cease that operation within two days of notice given by the Township to perform public works.
- (10) The licensee of the outdoor dining is responsible for keeping the premises clean at all times, including the public sidewalk and other furnishings of the outdoor dining. At no time may trash or debris of any kind be blown, swept or otherwise deposited into the street. The presetting of tables with utensils, glasses, napkins, condiments and the like is prohibited.
- (11) All food and beverages served in a street right-of-way outdoor dining area shall be served in nondisposable containers.

§ 182-1220. Outdoor entertainment venue

Outdoor places of amusement, recreation or assembly, not including drive-in theaters, on a lot not less than two acres in area, and provided that the following conditions have been met:

- A.** Such facility shall provide one off-street parking space for every four patrons permitted to enter the facility, in addition to those required for employees as defined in § 182-1701.
- B.** A planted visual barrier of at least 50 feet in width shall be provided along a side or rear property line which is adjacent to a residential district.
- C.** The applicant/operator of such place of amusement, recreation or assembly shall fully comply with all provisions of § 182-1501 and § 182-1302 this chapter, excluding planted visual barrier provisions.

§ 182-1221. Professional Offices

Professional office, subject to the following special requirements in addition to all other applicable requirements of this chapter for the residential district in which such use is located:

- A. Such office shall be located in the dwelling in which the practitioner resides or within a building accessory thereto.
- B. Not more than one person shall be engaged or employed in such practice who is not a resident of the dwelling, except that two members of a recognized profession related by marriage and both residing within said dwelling shall be permitted to practice together.
- C. The area used for the practice of a professional shall not exceed 25% of the total floor area of said dwelling.
- D. The profession shall be clearly incidental to the residential use of the dwelling and shall not change the residential character of a dwelling.
- E. No external alterations inconsistent with the residential use of the dwelling shall be permitted.
- F. There shall be no displays, goods or materials visible from outside the building, except for a name or a professional office sign as permitted in the sign regulations, § 182-1602, and no professional office shall have any other external evidence of a secondary use.

§ 182-1222. Prohibited uses.

- A. The following uses are prohibited in every district:
 - (1) No single mobile home or boat may be used for living or housekeeping purposes within the Township.
 - (2) An unoccupied mobile home, a boat, motor home, travel trailer or other recreational vehicle shall not be parked on a lot unless it is parked at all times in the rear one-half (1/2) of the lot and parked upon a hard surface.
 - (3) Outdoor storage of any type shall not be permitted unless such storage is a part of the normal operations of a use conducted on the premises, subject to design and performance standards for the prevailing district, and provided further that the following requirements are conformed to:
 - (a) No flammable or explosive liquids, solids or gases shall be stored in bulk above ground; provided, however, that tanks or drums of fuel directly connecting with energy devices, heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this requirement.
 - (b) All outdoor storage facilities shall be enclosed by an opaque fence adequate to conceal the facilities from any adjacent properties.
 - (c) No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces.
 - (d) All material or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.
 - (e) Junkyards, including automobile or motor vehicle junkyards or wrecking establishments, are expressly prohibited in all districts.
 - (f) Outdoor storage facilities within a planned community shopping center in the C-5 Shopping Center Commercial District shall be permitted in accordance with the provisions of § 182-1225.B.

- (4) No automobile may be parked or stored upon any surface other than an improved parking space as further described in § 182-1701.
- (5) Vehicles regularly parked or maintained on the premises.
 - (a) No commercial vehicle with a gross weight in excess of 11,000 pounds shall be parked or maintained on a property located in any residential district or the streets adjacent thereto.
 - (b) No commercial vehicle shall be permitted to load or unload in a residential district except for normal retail deliveries or moving the contents of a home.
 - (c) It shall be unlawful for any person to use premises located in a residential district for a loading station or warehouse.
- (6) No panhandle or flag lot shall be created within Haverford Township, either by subdivision or lot line change.
- (7) No adult commercial use shall be permitted in any zoning district other than LIN Light Industrial District.

§ 182-1223. Sale of Consumer fireworks

A. Where sales of consumer fireworks is permitted as a special exception, it shall be subject to the following conditions:

- (1) The facility shall be licensed by the Commonwealth of Pennsylvania Department of Agriculture.
- (2) The facility shall comply with the provisions of the Act of November 10, 1999 (P.L. 491, No. 45), known as the Pennsylvania Construction Code Act.12
- (3) The facility shall be a standalone permanent structure.
- (4) Storage areas shall be separated from wholesale or retail sales areas to which a purchaser may be admitted by appropriately rated fire separation.
- (5) The facility shall be located no closer than 250 feet to a facility selling or dispensing gasoline, propane or other flammable products.
- (6) The facility shall be located at least 1,500 feet from another facility licensed to sell consumer fireworks.
- (7) The facility shall have a monitored burglar and fire alarm system.
- (8) Quarterly fire drills and preplanning meetings shall be conducted as required by the Township Manager or such person designated by the Township Manager.
- (9) The facility shall comply with the provisions of Title 72 P.S., Taxation and Fiscal Affairs, § 9409, Conditions for facilities.
- (10) The facility shall comply with the area and bulk provisions of the C-4 Highway Commercial Zoning District, including the parking requirements of § 182-1701.B for a retail stores.

B. Temporary sale of consumer fireworks

Temporary sale of consumer fireworks, also SE in C-4, is subject to the following conditions:

- (1) The sale of consumer fireworks from a temporary structure shall be limited to the following:
 - (a) Helicopter, aerial Spinner (APA 87-1, 3.1.2.3).
 - (b) Roman candle (APA 87-1, 3.1.2.4).

- (c) Mine and shell devices not exceeding 500 grams.
- (2) An evacuation plan shall be posted in a conspicuous location in accordance with NFPA 1124.
- (3) The outdoor storage unit, if any, shall be separated from the wholesale or retail sales area to which a purchaser may be admitted by appropriately rated fire separation.
- (4) The temporary structure shall be secured at all times during which consumer fireworks are displayed within the structure.
- (5) The sales period shall be limited to June 15 through July 8 and December 21 through January 2 of each year.
- (6) Consumer fireworks not on display for retail sale shall be stored in an outdoor storage unit.
- (7) The temporary structure and storage unit shall comply with NFPA 1124 as it relates to retail sales.
- (8) The temporary structure and associated facilities shall be inspected by the Fire Code Official prior to occupancy.

§ 182-1224. Significant tobacco retailers

- A.** A significant tobacco retailer shall not be located within 1,000 feet of the boundary of any institutional zoning district or the property line of any parcel containing an institutional zoning use, including, but not limited to, public, private and parochial schools and day-care centers. This distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the significant tobacco retailer is located to the closest property line of the protected district or use, regardless of the municipality or zoning district in which it is located.
- B.** A significant tobacco retailer shall not be located within 1,000 feet of the boundary of any outdoor recreation and open space zoning district. This distance shall be measured in a straight line from the closest exterior wall of the building or portion thereof in which the significant tobacco retailer is located to the closest property line of the protected district or use, regardless of the municipality or zoning district in which it is located.
- C.** A significant tobacco retailer shall be a minimum distance of 1,000 feet from the next nearest significant tobacco retailer, measured along a straight line between the closest walls of each of the two facilities.
- D.** Significant tobacco retailers shall cease operations between the hours of 11:00 p.m. and 10:00 a.m.
- E.** No mechanical amusement devices shall be permitted within the premises of a significant tobacco retailer.
- F.** No alcoholic beverages shall be served or consumed within the premises of a significant tobacco retailer.

§ 182-1225. Special regulations for the C-5 district

- A.** Any application for development under the terms of this subsection shall provide initially at least for the construction of either a minimum of 60,000 square feet of floor area or a minimum of 25% of the total floor area of the anticipated permitted uses in the proposed shopping center, whichever is greater. Any development that contemplates phased improvements requires the submission of a concept plan for the entire site as a part of the initial land development application.
- B.** Storage of merchandise, articles or equipment shall be permitted outside a building provided that all outdoor storage facilities shall be secured and enclosed by a fence, wall, or other enclosure, or combination thereof, adequate to properly enclose, secure and screen the stored items and not located between the front of the building and the adjoining street.
 - (1)** Pardons of outdoor storage facilities adjacent to a residential district shall be adequately screened with opaque fencing, walls, evergreen planting, or other means such that the materials stored within cannot be seen from the adjacent residential district when viewed by a person standing at ground level on the adjacent property.
- C.** No parking, loading or service area shall be located within the required ten-foot buffer planting strip provided in § 182-1302.C of this chapter.
- D.** The use and design of any property in the district shall comply with all provisions of § 182-1302 and § 182-1403 of this chapter.
- E.** Seasonally related goods may be displayed for sale outside a building or other enclosed area during the applicable season, provided the display of such goods is arranged to provide safe pedestrian access to and around such goods, and provided that pedestrian access of a minimum of five feet between the display and any adjoining vehicle access ways is maintained at all times. Goods stacked on pallets and general outdoor storage shall not be permitted by this provision.

§ 182-1226. Student home

Student home as a special exception, provided that the Zoning Hearing Board shall find that the following standards are met:

- A.** The number of persons living in such student home shall not exceed three. It is the intent of this chapter that any number of persons in excess of three would tend to create an institutional atmosphere.
- B.** The student home shall meet the minimum yard setback and lot width requirements for single-family detached dwellings.
- C.** No student home shall be located on a lot, any portion of which is closer to another lot lawfully used for a student home, closer than a distance determined by multiplying times 20 the required street frontage for a single-family detached dwelling in the district in which the building is located.
- D.** The student home shall have a minimum of 1,850 square feet of building area, exclusive of building area covered by a garage or accessory building.
- E.** A minimum of three paved on-site, off-street parking spaces located to the side or rear of the premises and not in the front yard shall be required in addition to those otherwise required for a single-family dwelling.

The owner or manager or agent of the student home shall register such home with the Township as required by Chapter 104, § 104-6, of the General Laws of the Township of Haverford, entitled "Housing Standards," and shall comply with the requirements of said chapter, including the yearly registration provisions. If such student home

is not registered in accordance with the provisions of Chapter 104, the special exception permit shall expire, and the student home use shall be unlawful

§ 182-1227. Storage facilities for flammable and combustible liquids.

The following regulations shall apply to all storage facilities for flammable and combustible liquids, other than heating oil, in every zoning district in the Township:

- A.** Storage facilities other than those associated with permitted gasoline service stations in a C-4 District.
 - (1) No such facility shall be permitted in any residential zoning district.
 - (2) In any zoning district, other than residential, a storage facility for a flammable liquid other than heating oil, whether aboveground or in the ground, shall be permitted only as a special exception. Said special exception shall be granted only if the following conditions are met:
 - (a) The applicant shall demonstrate that said storage facility is necessary to the conduct of a permitted use in the district for which it is intended.
 - (b) The applicant shall demonstrate that the granting of said special exception for this purpose shall not create an undue danger to public health, safety or well-being.
 - (c) All ordinances of the Township shall be complied with, including the Basic Building Code and the Fire Code.³⁰
 - (d) Approval shall be secured from the office of the Pennsylvania State Fire Marshal.
- B.** Gasoline storage tanks for permitted gasoline service stations in a C-4 District. An in-ground gasoline storage tank may be installed as a matter of right, provided that a permit shall be obtained from the Pennsylvania State Fire Marshal's Office and from the Township Director of Code Enforcement, and provided further that all Township ordinances shall be complied with, including the Fire and Building Codes.

§ 182-1228. Telecommunications equipment

- A.** The following supplemental and general regulations shall be observed when telecommunications equipment is proposed to be installed:
 - (1) Any applicant proposing a new freestanding antenna tower or pole structure must demonstrate that a good faith effort has been made to obtain permission to mount the antenna on an existing building or structure or collocate the antenna on an existing telecommunications equipment tower or pole, within a one-thousand-foot radius of the proposed site. Co-location shall not be required where:
 - (a) The proposed equipment would exceed the structural capacity of the existing building, structure or telecommunications equipment tower or pole and reinforcement of the existing building, structure, tower or pole cannot be accomplished at a reasonable cost.
 - (b) The proposed equipment would cause radio frequency (RF) interference with other existing or proposed equipment for that building, structure or telecommunications equipment tower or pole and the interference cannot be abated at a reasonable cost.
 - (c) Addition of the proposed equipment would result in nonionizing electromagnetic radiation (NIER) levels which exceed any federal or state emission standards.
 - (2) New freestanding telecommunications equipment towers or poles shall not exceed 150 feet in height from grade to the highest point of the antenna and shall be set back from adjoining

property lines a minimum distance of 50% of the tower height. New freestanding telecommunications equipment towers or poles shall otherwise comply with the area and bulk regulations for this district.

- (3) New freestanding telecommunications equipment shall be enclosed by a six-foot high chain link fence with mesh openings of not more than 1 1/2 inches to eliminate foot and hand holds. Additionally, such facilities shall be surrounded by evergreen, shrubbery or tree plantings not less than the height of the fence, with sufficient density to screen out the facility.
- (4) Applicants for new freestanding telecommunications equipment towers or poles shall submit certification from a RF engineer indicating that the proposed height of the antenna is the minimum height necessary to function effectively.
- (5) An antenna which is proposed to be mounted on an existing building, structure or telecommunications tower or pole shall be required to meet the standards provided in § 182-405.C of this chapter.
- (6) No sign or advertisement shall be mounted on any telecommunications tower, pole or antenna and no such tower, pole or antenna may be illuminated, except as may be required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC).
- (7) In January of each year, the operator shall provide verification to the Township Zoning Officer that there have been no changes in the operating characteristics of the telecommunications equipment as approved at the time of the special exception application, including:
 - (a) Direction of the signal.
 - (b) Frequency, modulation and class of service.
 - (c) Transmission and maximum radiated power.
 - (d) Manufacturer, type and model of equipment.
 - (e) Height of the antenna.
 - (f) Name, address and emergency telephone number for the operator.
 - (g) Copy of current FCC license.
- (8) The applicant for any proposed antenna installation shall demonstrate that the proposed facilities are constructed in accordance with applicable industry standards, including the American National Standards Institute (ANSI-C95.1, as amended), the Institute of Electrical and Electronic Engineers (IEEE-C95.1, as amended), The National Council on Radiation Protection and Measurements (NCRP) and the International Radiation Protection Association (IPRA). In addition to the cited standards, all towers and support structures shall be fitted with anti-climbing devices.

§ 182-1229. Vehicle fueling facility

- A.** Vehicle fueling facility, provided that the following conditions have been met:
- B.** The vehicle fueling facility is accessory to a principal use on the tract on which it is located and/or is operated by the owner of a principal use on the tract on which it is located.
- C.** Underground fuel storage tanks shall meet applicable state fire codes and regulations.
- D.** Exterior lighting shall be shielded so that it is deflected downward and away from adjacent properties and passing motorists and shall comply with Township design standards for new subdivision or land development.

Article XIII Development Standards

§ 182-1301. Accessory structures not otherwise regulated

Accessory structures not otherwise regulated may be located, erected or maintained in such a manner that they do not encroach upon any required setbacks of the district in which they are located, provided such accessory structures may not be located, erected or maintained in front of the primary or principal structure on the lot. Regulations concerning utility and governmental uses in certain districts.

The following shall apply in the case of any electric substation, telephone central office or similar governmental or public utility use permitted in a residential, office or commercial district:

- A. The use shall be a use appropriate or necessary in a residential, office or commercial district and shall not include, in a residential district, an office open to the general public or, in a residential or office district, the storage of materials, rotating equipment, trucking or repair facilities, housing of work crews, a storage garage or any structure involving major traffic movements.
- B. The portion of any such use not located within a building shall be enclosed or adequately screened in such a manner as to not detract from the character of the district.
- C. An electric substation or similar use shall be surrounded by an anchor-type fence or masonry wall and by evergreen shrubbery or tree planting not less than the height of the fence or wall, with sufficient density to screen out the fence or wall and the substation.
- D. No advertising shall be affixed to any structure.
- E. No use shall be noxious, offensive or hazardous, and each such use shall comply with the performance standards contained in § 182-1501.

§ 182-1302. Development standards for certain districts; uses by special exception in residential districts.

- A. Applicability. The following special and supplemental regulations shall be observed in :
 - (1) O-1 Office and O-2 Office- Residential
 - (2) C-1, C-2, C-3, C-4 and C-5 Commercial
 - (3) O-L Office-Laboratory; and
 - (4) INS Institutional Districts
 - (5) In the case of a use subject to special exception in R-1, R-2, R-3, R-4, R-5 and R-6 Residential Districts:
- B. Off-street parking design standards.
 - (1) Parking spaces shall be clearly delineated by painted lines or markers.
 - (2) Stalls shall be provided with bumper guards or wheel stops when necessary for safety or protection to adjacent structures or landscaped areas.
 - (3) Surface drainage shall be connected to the existing or proposed drainage system.
 - (4) All vehicular entrances and exits to parking areas shall be clearly designated for all conditions.
 - (5) If spaces are used during evening hours, appropriate lighting shall be provided.
- C. Screening.

- (1) A planted visual barrier or buffer planting strip shall be provided and maintained by the owner or lessee of a property as follows:
 - (a) Between office, commercial, office-laboratory and institutional districts and a contiguous residential, townhouse or apartment district, except where natural or physical man-made barriers exist. Where the contiguous residential, townhouse, or apartment land is owned by the same owner as the adjacent office, commercial, office-laboratory, or industrial land, and is not being developed for residential purposes, the required buffer may be relocated to the boundary between the residential, townhouse, or apartment land owned by the developer and any adjacent residential, townhouse, or apartment land not owned by the developer.
 - (b) Between a use permitted by special exception in a residential district and a lot used for residence purposes, except where natural or physical manmade barriers exist or in any case where the Zoning Hearing Board shall determine as a special exception that such screening is not necessary or practicable.
 - (c) In all O-1, O-2, C-1, C-5, OL, INS and LIN Districts, there shall be a front yard landscape strip, planted and landscaped subject to the approval of the Shade Tree Commission. No plantings shall be permitted which shall, at maturity, obstruct or obscure the visibility of a motorist at any intersection or driveway located on or near the property being landscaped.
 - (d) Between a light industrial district and a continuous residential or institutional district, except where natural or physical man-made barriers exist.
- (2) All visual barriers or buffer planting strips shall be in accordance with the following minimum widths:
 - (a) In all office and commercial districts: 10 feet.
 - (b) In office-laboratory districts: 20 feet.
 - (c) In institutional districts: 30 feet.
 - (d) In residential districts: 20 feet.
 - (e) In light industrial districts: 20 feet.
- (3) Any existing business or use affected by these regulations at the time of passage of this chapter shall not be required to comply with the above screening requirements, except in case of the enlargement or major alteration of such business or use. Similarly, for any district boundary change after the passage of this chapter initiated by a residential developer abutting an office, commercial, office-laboratory or institutional district property for which these regulations apply, these screening requirements shall not be imposed.
- (4) Side and rear yards may be used in calculating the area required for the buffer strip.
- (5) In all C-2, C-3 and C-4 Districts, property owners shall plant trees at curbside, placed at the discretion of the Shade Tree Commission.

D. Storage.

- (1) Except as otherwise permitted in this chapter, no permanent storage or display for sale of merchandise, articles or equipment shall be permitted outside a building.
- (2) Except as otherwise permitted in this chapter, any article or material stored or displayed for sale temporarily outside an enclosed building as an incidental part of a permitted main use shall be so screened by opaque ornamental fencing, walls or evergreen planting that it cannot be seen from adjoining public streets or adjacent lots when viewed by a person standing at

ground level. All organic rubbish or storage shall be contained in airtight verminproof containers, which shall also be screened from public view.

E. Landscaping.

- (1) Any part or portion of a lot or tract which is not used for buildings or other structures, loading or parking spaces and aisles or sidewalks and designated storage areas shall be landscaped with trees, shrubs and grass in accordance with an overall landscaping plan which is subject to approval by the Shade Tree Commission and Planning Commission and shall be in keeping with the natural surroundings. A replacement program for nonsurviving plants shall be included. Landscaped areas shall be kept well-groomed.
- (2) Any single parking area with 50 or more spaces shall utilize at least 5% of its area in landscaping, which shall be in addition to the open area requirements of the district.
- (3) A unified landscaping plan shall be provided for all development in a C-5 District, subject to the approval of the Shade Tree Commission. Such plan shall include appropriate landscaping around individual stores and buildings, as well as landscaping of required buffer and parking areas.

F. Shopping cart storage. In commercial districts, any establishment which furnishes carts or mobile baskets as an adjunct to shopping shall provide definite locations within the required parking space area for storage of carts. Each designated storage area shall be clearly marked for storage of shopping carts.

G. Lighting. All parking areas, driveways and loading areas shall be provided with a lighting system so as to adequately meet the needs of the area. All lighting shall be completely shielded from traffic on any public right-of-way and from any residential district.

H. Interior circulation, access and traffic control. Standards for interior circulation, access and traffic control shall be in accordance with the provisions of the Township subdivision and land development regulations, Chapter 162 of this Code.

I. Building design.

- (1) Buildings shall be designed to take advantage of the natural terrain and shall not be physically located so as to unnecessarily concentrate activity in one portion of a lot. At least one entranceway shall be maintained at ground level. All pedestrian entrances shall be paved with an all-weather surface. A curbing shall be provided to separate parking areas, streets and driveways.
- (2) In any case where there is more than one building on a lot, the distance at the closest point between any two buildings or groups of buildings shall be at least as great as the average height of the two adjoining buildings and not less than 20 feet, except as otherwise specifically provided in the requirements of a district.
- (3) In a light industrial district, no exhausts or ventilators shall be located on a building wall which faces an adjoining residential district.

§ 182-1303. Drive-in Restaurants

The following regulations shall apply to drive-ins associated with restaurants:

- A.** Points of vehicular ingress and egress shall be limited to streets having business-zoned frontage only.
- B.** Driveways at the property line shall be not less than 24 nor more than 30 feet in width.

- C.** No portion of a driveway shall be less than 10 feet from the property line, 30 feet from the right-of-way or an intersecting street nor within 65 feet of a portion of another driveway serving the same parcel.
- D.** Landscaping and buffering shall be as required by § 182-1302.
- E.** Consumption of food, refreshments or beverage outside the restaurant building or the personal vehicle of the customer but on the subject parcel of land shall be prohibited, except at a permanent outdoor table, and located entirely on the property occupied by the drive-in restaurant.
- F.** Buildings shall be designed to be consistent and compatible with the surrounding area to take advantage of natural features.
- G.** Outdoor trash receptacles shall be provided in such a location as to be accessible to customers and shall be emptied whenever filled, but in no case less than once each day that the restaurant is open for business. Trash receptacles for drive-in restaurants shall be designed so that they are accessible to a motorist without his leaving his vehicle.

§ 182-1304. Fences, walls and retaining walls.

- A.** Application and issuance of permit. Applications for a fence, wall or retaining wall shall be completed on the form provided by the Township of Haverford and include a diagram of the area to be fenced or enclosed. No fence, wall or retaining wall may be erected until such work is approved by the Zoning Officer, a permit issued and the required fees paid to the Township of Haverford. At the discretion of the Zoning Officer, a survey by a licensed professional land surveyor may be required and form part of the application.
- B.** Unlawful erection and maintenance of fences, walls or retaining walls. Fences, walls or retaining walls may not extend into the street right-of-way nor split any division or boundary lines. It shall be unlawful to erect or maintain a fence, wall or retaining wall in the front yard of any lot, tract or parcel of land in the Township of Haverford, unless provided for in this chapter.
- C.** Location and height of fences, walls and retaining walls.
 - (1) Fences, walls, and retaining walls may be erected in the area immediately to the rear of the building line. Retaining walls may be located within a required front yard, provided they do not exceed 30 inches in height, and provided further that such retaining wall shall be constructed of masonry, stone or cement. Unless provided for elsewhere in this chapter, walls other than a retaining wall less than 30 inches in height shall be prohibited within a front yard.
 - (2) No fence or wall, except a wall constructed as a part of an approved building or a retaining wall, shall exceed a height of six feet.
 - (3) Solid fences are permitted to be placed along the rear yard property lines on all properties, and along the side yard property lines of a property with a minimum width as measured at the building line of 50 feet. For properties whose width is less than 50 feet at the building line, fences placed along the side property lines may not exceed six feet in height; provided, however, that the portion of the fence between five feet in height and six feet in height shall be at least 50% open.
 - (4) Corner lots are permitted to be fenced along the secondary front yard, as determined by the Zoning Officer. However, no solid fence shall be permitted to be erected along a secondary front yard within five feet from the street right-of-way or a public sidewalk, whichever is greater, where the end of the proposed fence is located less than 20 feet from an existing driveway, intersecting street or alley.

- (5) Fence height. Fence height shall be measured vertically from the surface of the ground at the proposed location of the fence to the highest point of the fence, excluding posts. Wall height shall be measured vertically between the top of the wall and the lower of the finished ground level on either side of the wall.

D. Miscellaneous regulations. The following additional provisions will be observed in the construction of any fence, wall or retaining wall:

- (1) Temporary fences; exceptions. Nothing in this section shall be deemed to interfere with the erection of temporary fences around construction work, erected or maintained pursuant to the Building Code³¹ and other ordinances of the Township of Haverford. All temporary fences must be removed immediately after the completion of the project.
- (2) Fire hazard. The Zoning Officer shall not grant a permit for the erection of any fence or wall which constitutes a fire hazard, either of itself or in connection with the existing structures in the vicinity, nor which will interfere with access by the Fire Department to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians.
- (3) All fences erected in the Township of Haverford shall have the finished side facing the adjacent property owners and/or the street right-of-way.
- (4) No fence or wall at any time shall interfere with the sight distance of motor vehicle traffic entering or leaving from adjoining streets and driveways.
- (5) No barbed wire, metal spike or other dangerous fence shall be hereafter erected or maintained.
- (6) No unfinished masonry units may be used in the construction of any wall facing an adjacent property and/or street right-of-way.

§ 182-1305. Impervious Surfaces (Reserved)

§ 182-1306. Landscape and Buffer Standards (Reserved)

§ 182-1307. Landscaping and Yard Requirements, Supplemental

A. Applicability. The following regulations shall be observed in:

- (1) R-7 Townhouse
- (2) R-8 Garden Apartment
- (3) R-9 Medium- and High-Rise Apartment Districts
- (4) Triplex or quadruplex developments in R-6 Residential Districts
- (5) Townhouse structures or developments in the R-7

B. No part of any front yard is to be used for off-street parking or for a garage or storage of any kind.

C. There shall be a buffer planting strip along each district boundary line within the district, which shall be not less than 25 feet in depth measured from the district boundary line. The required buffer area may be included in any front, rear or side yard area required under the provisions of the district. Where the district abuts a commercial or office district or a district other than a single-family residential district, the required buffer strip may be reduced to not less than five feet as to the side or sides of the townhouse or apartment district immediately adjacent thereto. All trees which are planted shall have an initial height of not less than five feet, and all shrubs shall have a height of not less than two feet.

- D. Any part or portion of the site of a proposed development which is not used by buildings or structures or by parking and other paved areas shall be landscaped with trees and shrubs in accordance with an overall landscaping plan which is subject to approval by the Shade Tree Commission and Planning Commission.

§ 182-1308. Lighting Standards (Reserved)

§ 182-1309. Portable storage units.

Portable storage units (PSUs) as permitted in certain districts shall be subject to the following regulations:

- A. Permit requirement. A permit shall be required before placing a PSU on a property within Haverford Township. The permit application, provided by the Township Code Enforcement Office, shall be completed and filed together with a plan showing the placement of the PSU, the permit fee as fixed by resolution of the Board of Commissioners and as may be amended from time to time and any additional information requested by the Director of Code Enforcement to determine compliance with this chapter.
- B. An insurance certificate providing liability insurance in the amount of \$100,000 provided by the company supplying the PSU must accompany the application.
- C. Duration.
 - (1) Permits will be granted for a maximum of 30 days except as provided in § 182-1309.C(5) herein for construction-related use.
 - (2) At the expiration of the thirty-day period, applicants may seek to extend their permits for an additional 15 days by seeking an extension for cause from the Code Enforcement Officer.
 - (3) Extension of a permit will require payment of an additional fee for each additional permit term as provided by resolution of the Board of Commissioners and as may be amended from time to time.
 - (4) In the event that a residence does not have a paved off-street surface sufficient for placement of a PSU, the Code Enforcement Officer, for good cause shown, may permit the installation of a PSU on another location on the property. If no suitable location exists on site, the Code Enforcement Officer may permit the installation of a PSU on an adjacent street with the approval of the Director of Public Works. In the event the PSU is located on an adjacent street, then the PSU shall be subject to the further regulations of § 157-22 of these General Laws.
 - (5) The Code Enforcement Officer may grant a permit for the placement of a PSU for a period not exceeding six months where the Township has approved a building permit for the renovation or reconstruction of a residence. When a certificate of occupancy has been issued before the said six months PSU permit period has elapsed, the PSU permit shall be terminated and the PSU removed from the site or adjacent street.
 - (6) For good cause shown and demonstrated, the Township Board of Commissioners may extend the permit for a period greater than six months.
- D. Contents.
 - (1) The use of the PSU cannot be for the storage of any commercial or business-related items.
 - (2) The use of the PSU must be for temporary relocation of items from or for the premises indicated on the permit only.
 - (3) No items from any location(s) other than the premises indicated on the permit (the premises on which the PSU is located) can be stored in the PSU.

- (4) Hazardous materials, including flammable and biohazard substances, shall not be stored in the containers.

E. Location.

- (1) PSUs are prohibited from being placed in the following environmentally sensitive areas:
 - (a) An identified floodplain as defined in Article X of this chapter.
 - (b) A steep slope or very steep slope area as defined in § 154A-5 of these General Laws.
- (2) No PSU shall be placed on a side yard of a corner property which fronts on a street.
- (3) All PSUs must be placed on paved off-street surfaces except as provided in § 182-1309.C(4) herein.
- (4) PSUs shall not be located in any required open space, landscaped area, on any sidewalk or trail, or in any location that blocks or interferes with any vehicular and/or pedestrian circulation, and shall be located in accordance with all applicable building and fire code regulations for the purpose of ensuring safe ingress and egress to dwellings, access to utility shutoff valves, and for fire protection. Such containers shall also be subject to the sight distance provisions of § 182-1314 of this chapter.

F. Number, size and condition.

- (1) Only one PSU may be placed on any residential property at one time.
- (2) No PSU shall exceed a maximum size of eight feet by 16 feet and shall not exceed eight feet in height.
- (3) All portable storage containers shall be in a condition free from rust, peeling paint and other forms of deterioration. It shall be the responsibility of the permit holder to maintain the storage unit rodent, vermin and insect free.

G. Advertising. The PSU must not contain any excessive advertising beyond the name and phone number of the company which placed the container on the property.

§ 182-1310. Regulations concerning accessory buildings and accessory structures

The following supplemental and general regulations shall be observed in all residential districts and in R-7 Townhouse, R-8 Garden Apartment and R-9 Medium- and High-Rise Apartment Districts where applicable:

- (1) No accessory building other than a private garage shall exceed one story or 12 feet in height as measured from the floor/slab to the top of the ridge. Private garages may not exceed one story or 15 feet in height as measured from the floor/slab to the highest point of the roof for flat roofs, to the deck of mansard roofs, and the following height limitations for gable, hip or gambrel roofs:
 - (a) A garage with a total width of 18 feet or less shall not exceed 15 feet in height as measured from the floor/slab to the top of the ridge.
 - (b) A garage with a width exceeding 18 feet will be permitted to increase the height of the garage up to 18 feet as measured from the floor/slab to the top of the ridge, provided that the garage shall not exceed one story.
 - (c) Garages in excess of 18 feet in height shall be permitted only when authorized as a special exception by the Zoning Hearing Board in the case of:

- [1] A building accessory to a permitted church, school or other nonresidential building, subject to the height limitation specified above and further provided that the lot area, building and impervious surface regulations of the underlying district have been met.
- [2] A residential private garage in excess of 18 feet in height that provides a minimum separation of 20 feet further back from the street line than the rearmost portion of the principal building and is further subject to the following:
 - [a] The Zoning Hearing Board shall find that the proposed building will not provide habitable space.
 - [b] That the proposed height is in keeping with the character of the surrounding neighborhood.
 - [c] That there are no sanitary sewer drain lines or water supply lines to service a second story.
- (2) Garages and other accessory buildings.
 - (a) No private garage or other accessory building may be erected or placed within a front yard, and no such building may be erected in a side or rear yard unless it is entirely separated from the principle building, located at least 10 feet farther back from the front street line than the rearmost portion of the main building, 10 feet from all other buildings and at least five feet from the side and rear property lines of said lot. Notwithstanding the provisions of this subsection, no accessory building may be located in any yard which abuts a street, and nothing in this subsection shall be construed to prohibit the erection of a common or joint garage which is not an integral part of a main building on adjacent lots.
 - (b) A garage door is not to exceed seven feet six inches in height and 16 feet in width.
 - (c) Private garages larger than 25 feet by 25 feet shall not be permitted, and in no event shall exceed 50% of the area of a principal building on the same lot.
- (3) Decks and patios.
 - (a) Decks. Unless otherwise specified in this chapter, decks may be located, erected or maintained in such a manner that they do not encroach upon any required setbacks of the district in which they are located. Decks on semidetached dwellings may extend from the lot line along the common party wall to within 12 feet of the lot line on the opposite side of the property.
 - (b) Patios. Unless otherwise specified in this chapter, patios shall be located, erected or maintained a minimum of five feet from any rear or side yard property line as measured from the edges of any permanent surface.
- (4) Other accessory structures.

§ 182-1311. Satellite antennas or dishes.

- A. Administrative standards.** Whenever, in the course of administration and enforcement of this section, it is necessary or desirable to make any administrative decision, then, unless other standards are provided in this section, the decision shall be made so that the result will not be contrary to the spirit and purpose of this section or injurious to the surrounding neighborhood.
- B. General regulations.**
 - (1) **Permits.**

- (a) Prior to the installation of any satellite television receive-only antenna, a permit application shall be made with the Haverford Township Department of Codes Enforcement.
- (b) For ground-mounted satellite television receive-only antennas, all applications must be accompanied by specific mounting designs. For roof-mounted satellite television receive-only antennas, all applications must be accompanied by specific mounting and stress analysis documentation.
- (2) **Types of use and setbacks.**
 - (a) The satellite television receive-only antenna is to be subject to all height and setback requirements contained herein.
 - (b) Roof-mounted satellite television receive-only antennas shall not exceed the maximum allowable building height for the districts in which they are located.
- (3) **Location.**
 - (a) The receiving antennas are to be permitted in the side and rear yards and on roofs. However, if a usable signal can be received by a location in said side or rear yard, then roof placement is prohibited.
 - (b) In the event that a usable signal cannot be obtained by locating the receiving antenna in the rear or side yard of the property, such receiving antenna may be placed on the roof of the dwelling structure.
- (4) **Size.**
 - (a) The size limitations on the satellite television receive-only antenna are to be controlled by the following criteria:
 - [1] If ground-mounted, the height limits of the accessory structure will limit the maximum diameter of the satellite television receive-only antenna.
 - [2] If roof-mounted, the maximum building height for the district will limit the maximum diameter of the satellite television receive-only antenna.
 - (b) Every satellite television receive-only antenna must be adequately grounded for protection against a direct strike of lightning.
- (5) **Screening.**
 - (a) Screening shall be required whenever possible, yet shall not be of a nature so as to obstruct the receiving line of the antenna.
 - (b) Except in a commercial, industrial or multifamily residential zone, receiving antennas shall be located and designed so as to reduce visual impact from surrounding properties at street level and from public streets.
- (6) Number of satellite television receive-only antennas per lot. There shall be a maximum allowable limit of one satellite television receive-only antenna per lot, with the use limited to that lot on which it is located.

C. Specific district standards

- (1) Office District O-1:
The only satellite-related accessory use permitted is the installation and/or construction of satellite dishes, earth station satellites, and television satellites, provided they are located no less than 10 feet from any adjoining property line.

- (2) Commercial District C-5:
The installation and/or construction of satellite dishes, earth station satellites, and television satellites is permitted as an accessory use, provided that such facilities are screened from the view of adjacent properties and public rights-of-way.

§ 182-1312. Service and Trash Standards (Reserved)

§ 182-1313. Solar energy equipment.

Solar energy equipment shall be subject to and comply with the following:

- A. Solar energy equipment shall be located on the same lot as the principal use.
- B. There shall be no sale of power from solar energy off-site consumptive purposes, except for energy purchased by a public utility in accordance with law or other government regulations.
- C. Solar energy equipment shall meet and be installed in accordance with all applicable requirements of the Pennsylvania Uniform Construction Code.
- D. Solar energy equipment may be ground mounted or roof mounted.
- E. Ground-mounted solar energy equipment shall be subject to the requirements of an accessory structure in the district in which it is located, and mechanical equipment associated with the ground-mounted solar energy shall be completely screened from adjoining properties.
- F. Solar panels shall not be placed in a manner that creates a nuisance to a neighboring property or roadway.
- G. Roof-mounted solar energy equipment shall not extend more than eight feet above the roof of a principal structure with a flat or mansard roof or three feet above the roof of a principal structure with a gable, hip or gambrel roof. Such equipment shall not extend more than six feet above the surface of a flat or mansard roof of an accessory structure, and up to a maximum height of 18 feet above grade. Such equipment shall not overhang any portion of the roof. Roof-mounted solar energy equipment mounted on an accessory structure with a gable, hip or gambrel roof shall not be permitted to exceed the maximum height of an accessory structure.
- H. No solar energy equipment that is affixed to the front roof or facade of a structure shall be visible from the street except for the solar panels and associated covered conduits.

§ 182-1314. Swimming Pools

- (1) All swimming pools associated with residential uses shall comply with the following:
- (a) All swimming pools used for bathing or swimming purposes in which water may collect in excess of a depth of two feet shall be completely enclosed by a fence. Swimming pools shall be located no less than 10 feet from any property line as measured from the waterline.
 - (b) The type, quality and method of construction of any required fence shall be approved by the Zoning Officer with the intent that it shall act as a safeguard and protection to children. Such fence shall be at least four feet in height, but not in excess of six feet, and nonremovable. Fences four feet high may be solid. Fences above four feet shall be 50% open for that portion above four feet, not to exceed six feet. Fences shall have self-locking gates and shall be such as to prevent unauthorized children and stray animals from entering the pool area, provided that existing, nonconforming fences may be approved by the Township Zoning Officer.

- (c) No swimming pool shall be constructed in the Township except in accordance with a permit therefore previously secured from the Zoning Officer of the Township, upon written application accompanied by a plan showing the size, shape and location of the swimming pool and its enclosure and such other information as may be necessary for the Zoning Officer to determine whether the pool complies with the requirements of this chapter.

§ 182-1315. Tennis or Paddle Courts

- A. Every tennis or paddle tennis court area shall be completely enclosed by a metal chain link or mesh fence at least nine feet in height but not in excess of 12 feet in height. Appropriate fences for any other type of recreational use may be required at the discretion of the Zoning Officer. The type, quality and method of construction of any required fence shall be approved by the Zoning Officer with the intent that said fence shall act as a protection to adjacent properties against interference from stray balls. The height limitations as contained in Chapter 58, Building Construction, shall be waived for fences required under this section.

§ 182-1316. Visibility at intersections.

On a corner lot or at any point of entry on a public road, nothing shall be erected, placed, planted or allowed to grow in such a manner as to obscure the vision above the height of two and one-half (2 1/2) feet and below 10 feet within the permitted building setback or an area bounded by the street lines of such corner lots and a line joining points on these street lines 75 feet from their intersection along the lot lines, whichever is less. The required heights shall be measured from the center-line grade of the intersecting streets or driveways.

Article XIV Building Design Standards

§ 182-1401. Rooftop projections

- A. The height limitations of the following structures shall be limited to no more than 15 feet above the roofline: church spires, domes, radio and television towers, chimneys, smokestacks, flagpoles, aerials, elevators, tanks and other projections neither intended nor used for human occupancy.

§ 182-1402. Building projections into required yards

No main building and no part of a building shall be erected within or shall project into a front, side or rear yard, or beyond the building line except for: cornices; projecting eaves; gutters or chimneys projecting not more than 18 inches; steps; or awnings.

§ 182-1403. Residential Building Design Standards

A. **Special building design and development regulations for certain districts developments.**

- (1) Applicability. The following regulations shall be observed in
 - (a) Triplex or quadruplex developments in R-6 Residential Districts
 - (b) R-7 Townhouse
 - (c) R-8 Garden Apartment
 - (d) R-9 Medium- and High-Rise Apartment Districts
 - (e) Townhouse structures or developments in the R-7
- (2) The proposed development shall be designed as or as a part of a unified single architectural and land development scheme and shall provide, in conjunction with an apartment, townhouse or quadruplex development, for appropriate common open spaces, parking, maintenance and other facilities and services. Satisfactory written arrangements acceptable to the Township shall be made for the perpetual preservation and maintenance of all common open space or other common elements to be set aside and reserved for private use. These arrangements may include retention and management by private ownership, a condominium arrangement or conveyance to a legally constituted homeowners' association.
- (3) The distance at the closest point between any two buildings, parts of buildings or groups of buildings shall be at least 20 feet, in the case of townhouses and, in the case of apartment buildings, at least as great as the height of the taller of the two adjoining buildings and not less than 35 feet.
- (4) In order to encourage an attractive building arrangement, variations in the setback or alignment of buildings erected on the same frontage or attached to other buildings shall be deemed desirable, parallel arrangements of buildings should be avoided and desirable variations in such things as the facade, width, color, exterior materials, construction and rooflines of apartment buildings, townhouses and quadruplexes shall be deemed desirable.
- (5) No two apartment buildings shall be attached in a straight unbroken row, but shall be designed with visible offsets or setbacks not less than six feet in depth or with variations in building alignment and orientation. The facades of not more than every two townhouse units shall be offset by not less than 16 inches. Whenever three or more buildings containing four quadruplex units are constructed, they should not be constructed in a straight unbroken row but should rather be designed with visible offsets or setbacks.

- (6) In the case of permitted apartment development, architectural consideration shall be given to a design that avoids rectangular buildings, for example, to a circular or Y-shaped scheme. This type of design provides for the location of an elevator system at the core of a complex in a medium- or high-rise structure.
- (7) There shall be no outside storage of any kind, including but not limited to trash and garbage.
- (8) Outdoor lighting facilities shall be arranged to protect adjoining residences or streets from direct glare or hazardous interference.
- (9) All trash shall be collected by private trash collection under such terms and conditions as the Township shall prescribe.
- (10) A basement shall contain no habitable rooms, except for the living quarters of a custodian or similar person.
- (11) In the development of a site, whenever and wherever possible, trees that will not interfere with the logical development of the site shall be saved and protected, and measures shall be taken to avoid the burial of large trees, stumps and other wooden debris. Also, all recommendations of the Township Engineer regarding the removal of rock and other debris shall be complied with, and any fill which is required shall be clean fill and free from all foreign matter, especially wood, metal and trash.
- (12) In addition to all applicable Township ordinances and regulations, any and all state requirements, laws and regulations also shall be complied with, all signs shall comply with the provisions of Article XVI.
- (13) The Township Board of Commissioners, upon recommendation from the Township Planning Commission, may require compliance of design with such standards as are herein encouraged.
- (14) Townhouses developed as a cooperative or a condominium and all apartment developments exceeding 10 units in size shall contain areas containing active recreation facilities, such as tot lots, swimming pools, tennis courts, golf courses or playing fields, equal to 20 square feet for each unit, provided that in no case will the developer be required to utilize more than 50% of the area not covered by buildings and paving for such purposes.

B. Three-family (Triplex) or single-family quadruplex dwellings in the R-6

- (1) Applicability. Any building containing single-family triplex and quadruplex dwellings or a grouping of such buildings on a lot.
- (2) Land ownership. Individual structures may be leased or sold as rental, cooperative or condominium units, but all open space shall be held in common ownership available to all residents and subject to the regulations in § 182-1403.A(2)
- (3) Each triplex and quadruplex unit shall be not less than 20 feet in width.
- (4) Each triplex and quadruplex unit shall have a minimum of 1,000 square feet of habitable floor area, exclusive of stairs and corridors.

C. Residential Development in the R-7

- (1) Applicability. Any townhouse structure or development in the R-7.
- (2) Building size and arrangement.
 - (a) The number of attached units per townhouse structure or in a series shall not exceed eight.
 - (b) Each townhouse dwelling unit shall be not less than 18 feet in width.

- (3) Habitable floor area. Exclusive of stairs and corridors, there shall be a minimum of 800 square feet of habitable floor area per dwelling unit.
- (4) Open space. At least 25% of the gross site area shall be in common open space.
- (5) Exits. Each housekeeping unit must have at least one exit on the street floor.

D. Residential Development in the R-8

- (1) Applicability. For any apartment building or group of buildings on a lot in the R-8.
- (2) Building frontage, size and arrangement.
 - (a) The greatest dimension in frontage, length or depth of a building shall not exceed 100 feet, and not more than three such buildings may be attached to each other.
 - (b) Buildings so attached shall be at an angle of 90°, unless otherwise specifically authorized in conjunction with approval of the plan for development.
- (3) Habitable floor area. Exclusive of stairs and corridors, there shall be a minimum of 600 square feet of habitable floor area per dwelling unit.
- (4) Open space. At least 25% of the gross site area shall be in common open space.
- (5) Exits. In addition to the front entrance or exit, each apartment building must have one additional exit on the street floor for each 10 or less regular occupants or tenants of the building.

E. Residential Development R-9

- (1) Applicability. For any apartment building or group of buildings on a lot in the R-9:
- (2) Habitable floor area. Exclusive of stairs and corridors, there shall be a minimum of 600 square feet of habitable floor area per dwelling unit.
- (3) Open space. At least 25% of the gross site area shall be in common open space.

§ 182-1404. Commercial Building Design Standards (Reserved)

§ 182-1405. Mixed Use Building Design Standards (Reserved)

§ 182-1406. Industrial Design Standards

- A.** Off-street loading regulations in the LIN district
 - (1) Wherever possible, off-street loading facilities shall not be located on exterior walls facing a residential district. Where no alternative is feasible, off-street loading facilities may be located on a wall facing a residential district, provided that the buffer requirements as stated in § 182-1302.C are provided initially in sufficient density to screen said loading activities from view. Said screening shall be in place prior to the granting of a certificate of occ.

Article XV Performance Standards

§ 182-1501. Performance standards for certain districts.

The following regulations shall be observed in O-1 Office and O-2 Office-Residential; C-1, C-2, C-3, C-4 and C-5 Commercial; OL Office-Laboratory; INS Institutional; and LIN Light Industrial Districts:

- A.** Fire and explosive hazards and radioactivity. All activities and all storage of flammable and explosive material at any point shall be provided with adequate safety devices against the hazards of fire and explosion and adequate fire-fighting and fire-suppression equipment and devices as detailed and specified by the Department of Labor and Industry and the laws of the Commonwealth of Pennsylvania. There shall be no activities which emit radioactivity at any point.
- B.** Electrical disturbances. There shall be no electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of the disturbance.
- C.** Smoke, ash, dust, fumes, vapor, gases and other forms of air pollution.
 - (1) There shall be no emission at any point from any chimney or otherwise which can cause any damage to health, to animals or vegetation or to other forms of property or which will cause any excessive soiling at any point.
 - (2) There shall be no emission at any point from any chimney or otherwise for longer than five minutes in any hour of visible gray or visible smoke of any color with a shade darker than No. 3 of the Standard Ringelmann Chart as issued by the United States Bureau of Mines.
- D.** Liquid and solid wastes. There shall be no discharge at any point into any private or public sewerage system or stream or into the ground of any materials in such a way or of such a nature or temperature as can contaminate or otherwise cause the emission of hazardous materials, except in accordance with the standards of the Pennsylvania Department of Environmental Resources and the Board of Township Commissioners.
- E.** Noise and vibration. There shall be no vibration or noise level at the property line greater than the average noise level occurring on adjacent streets.
- F.** Glare. No direct or sky-reflected glare, whether from floodlights or from any high-temperature process, shall be visible from adjoining public streets or adjacent lots when viewed by a person standing at ground level.
- G.** Odor. There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive on adjoining streets or adjacent lots.
- H.** Operation. All operations involving processing or the production of any materials or goods shall be conducted entirely within an enclosed building.

Article XVI Signs

§ 182-1601. Legislative findings; purpose; applicability

A. Legislative findings

- (1) The vast majority of Haverford Township's land mass is devoted to residential development and community uses, with only 3% of its land area devoted to commercial usage.
- (2) Having reviewed the record of extended hearings in two separate zoning hearing matters, at which numerous lay and expert witnesses including planners, engineers, police officers and other consultants testified concerning the public safety, driver and pedestrian distraction, public nuisances and the intrusive impacts of off-site advertising signs (generally known as 'billboards') on residences, churches and schools; having received guidance from the Haverford Township Planning Commission and numerous other professionals including lawyers, engineers and planners and having reviewed various articles and studies relating to, among other things, the deleterious impact of off-site advertising signs (billboards) on property values and public safety, the Board of Haverford Township finds that off-site advertising must be regulated, and, in some forms prohibited to protect the public, health safety and welfare;
 - (a) The Board is aware that several engineers, offered as witnesses at the above-captioned zoning hearings, testified that billboards (off-site advertising signs) along West Chester Pike and Lancaster Pike in Haverford Township must measure at least 672 square feet in size and must be mounted at least 50 feet in the air to be safe to the public;
 - (b) The Board of Commissioners is aware that Pennsylvania's Outdoor Advertising Control Act of 1971 defines an "outdoor advertising device" to include "any outdoor sign, display, light, figure, painting, drawing, message, plaque, poster, billboard or other thing which is designed, intended or used to advertise or inform;"
 - (c) The Board of Commissioners is aware that the United States Supreme Court has stated that "if the City has a sufficient basis for believing that billboards are traffic hazards and are unattractive, then obviously the most direct and perhaps the only effective approach to solving the problems they create is to prohibit them" (Metromedia Inc. v. City of San Diego, 453 U.S. 490 [1981]); and, that Pennsylvania courts have repeatedly observed that the land use of billboard advertising may be prohibited provided that a municipality evidences that the prohibition is substantially related to the public health, safety or welfare (Twp. of Exeter v. ZHB of Exeter, 962 A.2d 653, 663 [Pa. 2009]; Baker v. Upper Southampton Twp. ZHB, 830 A.2d 600, 606 [Pa. Cmwlth. 2003]);
 - (d) The Board of Commissioners is aware that the Pennsylvania Constitution of Article 1, Section 27, provides that "The people have a right to clean air, pure water, and to the preservation of the nature, scenic, historic and esthetic values of the environment;" (Pa. Const. Art. I, Section 27.);
 - (e) The Board of Commissioners is further aware that Article I, Section 27, of the Pennsylvania Constitution establishes a public trust doctrine with respect to natural resources and designates the Commonwealth as the trustee and the people as the beneficiaries of this public trust. (Robinson Township v. Commonwealth, 83 A.2d 901 [Pa. 2013]). In accordance with Article I, Section 27, of the Pennsylvania Constitution, the Board of Commissioners finds that Haverford Township has a constitutional duty to prevent and remedy the degradation, diminution or depletion of the Township's natural resources and thus the Board of Commissioners must act affirmatively to conserve, protect

and maintain the constitutionally protected public environment and quality of life of the Township's residents.

- (3) Purpose
- (4) It is the intent of this article to regulate all signs within the Township to ensure that they are appropriate for their respective principal uses and in keeping with the appearance of the affected property and surrounding environment and to protect public health, safety, and general welfare. In addition, the intent of this section is to:
 - (a) Encourage good design in the context of the overall image and visual environment of the Township.
 - (b) Enhance the appearance of the business community, taking into account the nature of the use, and thus stimulate as well as protect the economic vitality of the Township.
 - (c) Provide for signage which is adequate but not excessive and which displays a message through use of pictures, symbols and logos for rapid comprehension by the public.
 - (d) Prohibit the erection of signs in such numbers, sizes, designs and locations as may create a safety hazard to pedestrians and motorists.
 - (e) Avoid excessive visual competition for large or multiple signs, so that permitted signs provide adequate identification and direction while minimizing clutter, unsightliness and confusion.
 - (f) Allow for the coordination of signs to reflect the character of the architecture, landscape and visual themes which the Township is supporting.
 - (g) Promote signs which are designed utilizing clear, crisp lettering and bold, uncomplicated symbols which will identify a business or activity efficiently and also enhance the area where the signs are located as well as the general appearance of the street or town.
 - (h) Prevent sign overload and excessively large signs which create a visually chaotic and competitive situation within the business community.
- (5) Applicability
 - (a) Any sign hereafter erected in Haverford Township which is exposed to public view shall conform to the provisions of this section and any other ordinance or regulation of Haverford Township or the state or federal government relating to the erection, alternation or maintenance of signs. In the event of conflicting regulations, the most restrictive regulation shall prevail.

B. General regulations

The following regulations shall be observed in all districts:

- (1) No sign, other than exempted signs, shall be erected without first obtaining a sign permit from the Zoning Officer.
 - (a) Permit applications for all signs shall be accompanied by a plan, drawn to scale, showing the sign, size and location to the sign with respect to the building.¹⁸
- (2) All signs shall be kept in a proper state of repair.
 - (a) If, in the opinion of the Zoning Officer, a sign has become dilapidated, the Zoning Officer shall notify the owner or the lessee of the property, or whosoever caused the sign to be erected or who through sale or lease has assumed responsibility for the sign in dilapidated condition, and shall advise the owner or lessee, by written notice, to correct the condition within 30 days or to

appeal the decision of the Zoning Officer to the Zoning Hearing Board within the same time period.

- (b) If, after 30 days, the condition has not been corrected and the notice has not been appealed, the Zoning Officer shall cause the dilapidated sign to be removed at the expense of the owner or lessee.
 - (c) If the Zoning Officer determines that the condition of the sign poses an imminent danger to the public safety, they may order the sign removed immediately, by notification to the owner via certified mail. The owner or lessee shall have a right of appeal after the fact to the Zoning Hearing Board.
- (3) No sign shall be erected within or over a public right-of-way other than an official sign or an off-site advertising sign affixed to a transit shelter along the designated route of a public transit agency that is authorized by the authority having control of the public right-of-way.
 - (4) No sign shall be erected that is of such character, form or shape as to confuse or dangerously distract the attention of the operator of a motor vehicle on a public street.
 - (5) No freestanding sign shall be erected at the intersection of any street improved for vehicular traffic within the triangular area formed by the right-of-way lines and a line connecting them at points 25 feet from their intersection unless said sign, when authorized by this chapter, is less than two feet or more than eight feet above curb grade and provided further that no part of its means of support has a single or combined horizontal cross section exceeding eight inches.
 - (6) (Reserved)¹⁹
 - (7) No projecting signs, roof signs, vehicle signs, animated signs other than time and temperature signs or signs that emit smoke, vapor or noise shall be permitted.
 - (8) Signs should be designed in such a way as to be consistent with the architecture and landscaping of a building. No letter, symbol, graphic or background material shall be permitted to obstruct a major architectural feature, such as a column.
 - (9) Signs are intended for purposes of identification and information and not for advertising of a product or service. Letters of appropriate size should be placed on simple backgrounds or directly upon the face of the building. The Zoning Officer or the Planning Commission, where applicable, may disallow any sign which it finds to contain lettering or messages which are excessive, unattractive or which violate the spirit, theme or character of signs identifying uses in the same structure or cluster of structures.
 - (10) No sign shall be painted, pasted or placed on any tree, telegraph, electric light or public utility pole or upon a natural feature.
 - (11) All signs shall be of durable, all-weather material capable of withstanding a wind speed of 100 miles per hour. Freestanding signs shall be supported by posts or pylons of concrete, steel, treated wood or similar materials. No additional bracing or guide wire is permitted. Nonrusting hardware shall be used with all signs.
 - (12) Regulations governing freestanding signs
 - (a) Freestanding signs, when permitted by this chapter, shall not exceed one such sign per street frontage per tract or parcel, regardless of the number of establishments occupying said tract or parcel.
 - (b) Each freestanding sign shall be erected in such a way that the edge of a sign closest to each street shall be 10 feet to the rear of the right-of-way line.

- (c) No freestanding sign shall be erected, the bottom of which is less than four feet from the finished grade.
- (d) No establishment shall be permitted to utilize a freestanding sign unless it has a front yard of not less than 50 feet in width and also provides off-street parking spaces equal to at least 75% of the number of such off-street spaces required by Ordinance 1960, as amended.²⁰
- (e) No top of a freestanding sign shall exceed a height of 16 feet.
- (13) Window signs, unless further restricted by district regulations, shall not exceed 15% of the glass area of the window in which placed.
- (14) Wall signs shall not project vertically within 12 inches of a roof or parapet line nor within six inches of any cornice, trim, molding, external column, window, door or other architectural element.
- (15) Time and temperature signs shall be permitted in any district in which commercial or industrial uses are permitted, provided that they do not encompass more than 20% of the allowable sign area. Time and temperature shall not be counted as items of information.
- (16) All signs referring to uses located in the same building or group of architecturally related buildings shall be of similar design and shall use similar styles of lettering.
- (17) Regulations governing temporary signs and special promotional devices.
 - (a) Permissible types and sizes shall be as follows:
 - [1] The sign area of freestanding or sandwich signs shall not exceed 12 square feet in area.
 - [2] All portable signs with removable letters shall not exceed 32 square feet.
 - [3] Banners shall not exceed 20 square feet.
 - [4] Wall or window signs are permitted.
 - [5] Temporary projecting signs are permitted only upon marquees especially designed to receive such temporary signs, as in the case of a theater.
 - (b) All temporary signs shall require a permit valid for no more than 30 days. Temporary sign permits may be obtained not more than one time during a calendar year for any single property, regardless of the number of streets a property fronts upon.
 - (c) Special promotional devices must be authorized by the Board of Commissioners as a conditional use, and are subject to the following:
 - [1] No special promotional device may be used which would create glare, confuse or distract the attention of motor vehicle operators or, by its size or composition, cause a public nuisance.
 - [2] Such devices shall be permitted for periods up to but not exceeding 10 days.
 - [3] No such device shall be placed within 10 feet from the edge of a public right-of-way.
- (18) The following signs are exempt from the district requirements, from the need to secure permits and from the allowable sign area and item of information requirements:
 - (a) Decorations for a recognized officially designated holiday, provided they do not create traffic or fire hazards.
 - (b) Official signs.
 - (c) Directional signs not exceeding two square feet.

- (d) Memorial or historic markers, when approved by the Planning Commission and when not more than six square feet in area.
 - (e) Nameplate signs not exceeding 108 square inches in size, provided that only one such nameplate shall be exempted per parcel of land.
 - (f) Real estate rental or sale signs not exceeding four square feet, advertising the sale, rental, or lease of the premises or part of the premises on which the sign is displayed.
 - (g) Temporary signs advertising political parties or candidates for election, provided that they do not exceed six square feet. Election/political signs may not be erected within any right-of-way and may not be erected or placed upon property owned by Haverford Township except on Election Day within 50 feet of the Township property used as a polling place.
- (19) No real estate or other sign shall be erected containing information which states or implies that a property may be sold or used for any purpose not permitted under the provisions of this chapter. Any such misrepresentation shall be considered as a violation of this chapter, and any such sign shall be subject to immediate removal from the property.

§ 182-1602. Signs in Residential, Institutional, Recreational and Open Space Districts.

- A.** In an R-1, R-1A, R-2, R-3, R-4, R-5, R-6, R-7, R-8, R-9, INS or ROS Zoning District, signs are permitted for the following purposes under the conditions imposed by this chapter:
- (1) Permanent signs identifying a professional, home occupation or accessory use to a dwelling:
 - (a) The maximum size per street frontage shall not exceed 108 square inches.
 - (b) Types of permitted signs shall be as follows:
 - [1] Wall signs.
 - [2] Freestanding signs, the bottom of which is less than four feet in height from grade.
 - [3] Projecting signs.
 - (c) Not more than one such sign shall be erected on or adjacent to each street frontage of the property to which it relates.
 - (2) Permanent signs identifying a recreational or institutional use, a grouping of 10 or more dwelling units, a Assisted Living Residence, a permitted use other than a dwelling or a use accessory to a dwelling.
 - (a) The maximum size of the total of all permitted signs per street frontage shall not exceed one square foot for each five linear feet of building frontage or 15 square feet, whichever is less.
 - (b) Types of permissible signs shall be as follows:
 - [1] Wall signs which do not exceed 20% of the signable area or 10% of the first floor facade, whichever is less.
 - [2] Freestanding signs, the bottom of which is less than four feet in height from the finished grade.
 - (c) There shall be not more than one such sign per street frontage of any property to which it relates.
 - (3) Temporary signs giving notice of the sale or rental of real estate or of work being performed on site by contractors, mechanics, painters, paperhangers or artisans.

- (a) The maximum size of the sign shall not exceed an area of six square feet and the bottom of which shall be less than four feet in height from the finished grade.
- (b) Type of permissible signs shall be as follows:
 - [1] Freestanding signs.
- (c) Only one such sign may be placed along or adjacent to any one street.
- (d) Such signs must be removed upon issuance of the certificate of use and occupancy.
- B.** Not more than a total of five items of information shall be permitted on permanent signs identifying or relating to a single use along any one street frontage.
- C.** Illumination of signs.
 - (1) The following types of identification signs may be illuminated by a direct or indirect white light without time restriction:
 - (a) Physician, dentist or similar health practitioner.
 - (b) Hospital, nursing home or clinic.
 - (c) Magistrate.
 - (d) Similar person or establishment, when services are considered to be essential to public health, safety or welfare.
 - (2) The following types of identification signs may be illuminated by direct or indirect white light only between the hours of dusk and 12:00 midnight prevailing time:
 - (a) School.
 - (b) Church.
 - (c) Club.
 - (d) Other permitted use.
 - (3) Other permitted signs may not be illuminated.

§ 182-1603. Signs in Office, Office-Laboratory, Light Industrial and Limited Commercial Districts.

- A.** In an O-1, O-2, OL, LIN or C-1 Zoning District, signs are permitted for the following purposes under conditions imposed by this chapter:
 - (1) Any sign permitted in a Residential, Institutional or Recreation and Open Space District which relates to a use permitted in these districts, as modified below.
 - (2) Permanent signs identifying multiple uses existing within a single building or a single office or laboratory within a building with a floor area of less than 2,500 square feet.
 - (a) The maximum size shall be 15 square feet.
 - (b) Types of signs shall be:
 - [1] Wall signs.
 - (c) Not more than one such sign shall be permitted on or adjacent to each street frontage of the parcel to which the use is related.
 - (3) Permanent signs identifying an apartment development containing 10 or more units and an office building or laboratory with a floor area in excess of 2,500 square feet.

- (a) Types of permissible signs shall be as follows:
 - [1] Wall signs not exceeding 30% of the signable area or 10% of the first-floor facade area, whichever is less.
 - [2] Freestanding signs, the bottom of which is not less than four feet in height from finished grade.
 - [3] Window signs.
- (b) The maximum size of the total of all permanent signs per street frontage shall not exceed one square foot for every five linear feet of associated building frontage or 15 square feet, whichever is less.
- (c) Not more than one such sign shall be permitted on or adjacent to each street frontage of the parcel to which the sign relates.
- (4) Permanent signs identifying a grouping of buildings under single ownership or management, such as an office park, campus or similar aggregate labeling of multiple structures.
 - (a) Types of permissible signs shall be as follows:
 - [1] Freestanding signs.
 - (b) The maximum size shall be 24 square feet in area.
 - (c) This type of sign may not be used in conjunction with other freestanding signs identifying individual uses.
 - (d) Only one such sign is permitted per street frontage.
 - (e) The maximum height from the top of the sign shall be 10 feet from the finished grade.
- B.** Not more than a total of five items of information shall be permitted on permanent signs identifying or relating to a single use along any one street frontage.
- C.** Illumination of signs.
 - (1) Signs permitted in these districts may be illuminated by white direct or indirect light only.
 - (2) Signs may be illuminated only between the hours of dusk and 12:00 midnight prevailing time, except that those signs identifying uses enumerated in § 182-1603.C(1) may be illuminated without time restriction
- D.** In the Office Districts, no signs, product or goods shall be publicly displayed on the exterior of the premises or from windows in the building or placed so they can be seen from the outside through windows of the building, except for signs as permitted in the sign regulations.

§ 182-1604. Signs in Neighborhood Commercial and General Commercial Districts.

- A.** In a C-2 or C-3 Zoning District, signs are permitted for the following purposes and the conditions imposed by this chapter:
 - (1) Any sign permitted in a residential, institutional or recreation and open space district.
 - (2) Permanent signs identifying a permitted use.
 - (a) The maximum size of the total of all permanent signs per street frontage shall not exceed 35 square feet.
 - (b) Types of permissible signs shall be as follows:

- [1] Wall signs not exceeding 40% of the signable area or 10% of the first floor area, whichever is less.
 - [2] Window signs.
 - [3] Freestanding signs, the bottom of which is not less than four feet in height from the finished grade, nor exceeding an area equal to twenty-five hundredths (0.25) square feet for every linear foot of street frontage or 25 square feet, whichever is less.
- (3) Temporary signs subject to the regulations of § 182-1601.C(17).
- B. Not more than a total of seven items of information shall be permitted on permanent signs identifying or relating to a single use along any one street frontage.
 - C. Signs permitted in these districts may be illuminated by direct or indirect white light, which may be shown through colored luminescent paneling.

§ 182-1605. Signs in Highway Commercial or Shopping Center Districts.

- A. In a C-4 or C-5 Zoning District, signs are permitted for the following purposes under the conditions imposed by this chapter:
 - (1) Any sign permitted in a Residential, Institutional or Recreation and Open Space District.
 - (2) Permanent sign identifying individual permitted uses.
 - (a) The maximum size of the total of all permanent signs per street frontage shall not exceed 50 square feet in area.
 - (b) Types of permissible signs shall be as follows:
 - [1] Wall signs not exceeding 40% of the signable area or 10% of the first-floor facade area.
 - [2] Window signs.
 - [3] Freestanding signs not exceeding an area equal to twenty-five hundredths (0.25) square feet for every linear foot of street frontage or 35 square feet, whichever is less.
 - (3) Permanent signs identifying a shopping center under single ownership or management.
 - (a) The maximum size of such sign shall be 50 square feet.
 - (b) Such sign shall be a freestanding sign.
 - (c) This type of sign is not permissible in conjunction with freestanding signs relating to individual uses.
 - (4) Temporary signs subject to the regulations of § 182-1601.C(17).
- B. Not more than a total of seven items of information may be displayed on permanent signs relating to individual uses along any on-street frontage.
- C. Illumination. Illumination by direct or indirect white light is permitted although it may be shown through colored luminescent paneling.

§ 182-1606. Off-site advertising signs.

- A. Off-site advertising signs shall be permitted in all zoning districts within a public right-of-way along the transit route of a public transportation entity only when incorporated into or on a bench or shelter located at a designated stop intended for commuters using the said public transportation.

- (1) Such off-site advertising signs shall not be internally illuminated.
- (2) No off-site advertising sign may contain words such as "stop," "look," "one-way," "danger," "yield" or any similar words, phrases, symbols, lights or characters in such a manner as to interfere with, mislead or confuse traffic.
- (3) No off-site advertising sign shall be posted within 300 feet of an historic resource as identified in the Historic Resources Survey of Haverford Township, prepared by the Delaware County Planning Department, of 1994, as adopted by Haverford Township and as may be amended from time to time.
- (4) The owner of an off-site advertising sign shall indemnify the Township of Haverford against any loss or injury sustained as a result of the operation or failure to properly maintain the off-site advertising sign.
- (5) Sign illumination. An off-site advertising sign may be illuminated from 6:00 a.m. until 11:00 p.m. in accordance with the following:
 - (a) Light sources to illuminate signs shall neither be visible from any street right-of-way, nor cause glare hazardous or distracting to pedestrians, vehicle drivers, or adjacent properties.
 - (b) No more than 0.2 footcandle of light shall be detectable at the boundary of any abutting property.
 - (c) Signs shall provide an automatic timer to comply with the intent of this section.
 - (d) During daylight hours between sunrise and sunset, luminance shall be no greater than 5,000 nits.
 - (e) At all other times, luminance shall be no greater than 250 nits.
 - (f) An off-site advertising sign must have a light-sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change to comply with the limits set here within.
 - (g) The illumination of an off-site advertising sign must remain static in color and intensity of illumination.

§ 182-1607. Nonconforming or abandoned signs.

- A.** All signs erected prior to the enactment of this chapter or subsequent amendments which are not in conformity with the provisions thereof shall be deemed nonconforming uses.
- B.** Amortization of nonconforming signs. Nonconforming signs shall be removed, replaced, repaired or otherwise brought into conformity with the provisions of this chapter in accordance with the following schedule:
 - (1) Temporary sidewalk, sandwich or A-frame signs, movable freestanding signs, banners, streamers, pennants and similar signs shall be abated or removed within 30 days of notification by the Zoning Officer.
 - (2) Signs painted on buildings, walls, fences or benches shall be abated or removed within 60 days of notification by the Zoning Officer.
 - (3) Upon change of occupancy and/or ownership, any nonconforming sign would be removed before the issuance of the certificate of occupancy.
- C.** No nonconforming sign may be altered or replaced unless the altered or new sign is in conformity with this chapter.

- D.** No person shall maintain or permit to be maintained on any premises owned or controlled by a sign which has been abandoned. Any such abandoned sign shall be promptly abated by the owner or person controlling the property. An abandoned sign, for the purpose of this chapter, is:
- (1) A sign, other than a real estate sale or rental sign, located on a property which becomes vacant and unoccupied for a period of two months or more.
 - (2) Any sign which was erected for an occupant or business unrelated to the present occupant in business.
 - (3) Any sign which relates to a time, event or purpose which is past

Article XVII Parking and Loading

§ 182-1701. Off-street parking regulations.

A. Standards.

- (1) Every parking space, outdoors or in a garage, shall consist of not less than 162 square feet of usable area for each motor vehicle. Parking spaces shall be a minimum of nine feet wide and 18 feet long. The required parking area shall be measured exclusive of interior driveways or maneuvering areas. Outdoor parking or service areas for uses open to the public and the approaches thereto shall be paved according to Township specifications and shall be graded, properly drained and maintained in a good condition. In computing the number of parking spaces required in Subsection B of this section, if the computation shall result in a fraction, a space shall be required for each such fractional amount.
- (2) An off-street parking facility existing at the effective date of this chapter shall not subsequently be reduced to an amount less than required under this chapter for a similar new building or new use. An off-street parking facility provided to comply with the provisions of this chapter shall not subsequently be reduced below the requirements of this chapter.
- (3) Every parking lot shall be subject to the following buffer requirements:
 - (a) In the case of a parking lot which is accessory to a permitted use and which has facilities for three or more automobiles, any boundary or property line which abuts a residential district or a lot used for residential purposes shall be screened from the adjacent property by a buffer planting strip not less than five feet in width, except where the Zoning Hearing Board shall determine as a special exception that such screening is not necessary or practicable. Any buffer requirement of this subsection shall be subject to any more stringent requirement of the district in which such lot is located.
 - (b) In the case of a parking lot which is a main use, such lot shall be enclosed, except for entrances or exits, by an ornamental fence or wall or by a compact evergreen hedge not less than three feet in height, except where the boundary of such parking lot is an adjoining building, in which case vines shall be planted to grow on the building wall, subject to permission by the owner of the building, in order to prevent graffiti.
- (4) Every property located in a residential district or a lot used for residential purposes shall provide off-street parking in accordance with this section. However, no paved surface used as off-street parking or drive access may be so constructed as to exceed 25 feet or 50% of the lot width of the property, whichever is less, at any point within the required front yard.

B. Requirements.

- (1) Subject to the general requirements for off-street parking, off-street parking space, with proper access from a street, alley or driveway, shall be provided in all districts in the amounts indicated below. Such parking space shall be provided on any lot on which a dwelling is hereafter erected or converted or, in the case of any other use, on or near the lot on which any main building is hereafter erected or converted. Nothing in this subsection shall be construed to prevent the collective provision of off-street parking facilities for two or more buildings or uses, provided that the total of such off-street parking facilities provided collectively shall be not less than the sum of other requirements for the various individual uses computed separately. In no case shall the number of parking spaces provided or the area devoted to parking be less than the minimum requirements of this subsection

§ 182-1702. Parking Requirements

Use	Parking Requirement
A. Residential	
(1) Apartment buildings, townhouses, and multiple family dwellings	2 spaces / DU
(2) Single-family & two-family dwellings	2 spaces / DU
B. Senior Living & Care	
(1) Continuing-care facility	1 space / DU
	+ 1 space / 2 emp on largest shift
(2) Personal care assisted living residences	1 space / 3 living units
	+ 1 space / emp on largest shift
(3) Hospitals, sanatoriums, or nursing homes	<i>Greater of:</i>
	• 1 space / 600 SF (excl. basement / student quarters)
	• 1 space / 2 patient beds
B. Office & Medical	
(1) Offices, office buildings, or banks	1 space / 200 SF (excl. of non-office basement)
(2) Medical, dental office, and clinics	1 space / 2 emp
	+ 4 spaces / doctor
C. Retail & Commercial	
(1) Car wash	§ 182-1702.I
(2) Gas stations or public garages	2 spaces / 200 SF of repair OR 2 spaces / 200 SF of repair, sales or service facilities
	+ space for vehicles purchasing gas or storage
	Conformance with § 182-1702.J
(3) Hotels/motels / inns	1 space / rental room or suite
	+ restaurant parking if restaurant open to public
(4) Personal service establishments	1 space / 100 SF customer area
	+ 1 space / employee
(5) Restaurants	1 space / 100 SF patron area

Use	Parking Requirement
(6) Retail stores	1 space / 200 SF (excluding non-sales basement)
(7) Shopping centers	4 spaces / 1,000 SF GLA (see also 0)
(8) Tourist, rooming or boardinghouses	1 space / rental room
	+ 1 space for resident family
(9) Wholesale	1 space / 1,000 SF (excluding non-sales basement)
C. Industrial	
(1) Industrial	1 space / 1,000 SF (excluding non-sales basement)
D. Recreation & Entertainment	
(1) Bowling alleys	3 spaces / lane
(2) Golf courses	0.2 spaces / member
(3) Playing fields & courts	1 space / 3 players
	+ 1 space / 5 spectator seats
(4) Skating rinks	1 space / 100 SF skating area
(5) Swimming pools (commercial / public)	2 spaces / 100 SF pool area
E. Assembly & Institutional	
(1) Theaters, churches, lodges, and meeting places	1 space / 3 fixed seats OR 1 space / 60 SF patron area (if no fixed seats)
(2) Funeral homes	1 space / 100 SF assembly area
F. Education & Childcare	
(1) Private kindergartens / child nurseries	1 space / 600 SF
G. Other	
(1) Employee parking (O-L & LIN Districts)	1 space / 2 emp on largest shift (in addition to above)
(2) All other uses not specified	§ 182-1702.H

DU = Dwelling Unit | SF = Square Feet | GFA = Gross Floor Area | GLA = Gross Leasable Area | emp = employee(s)

H. All Other Uses

- (1) For any building or open area used for a purpose not covered above, at least 1 space for each 1,000 square feet of gross floor area or lot area, whichever is the larger, except when otherwise authorized by the Zoning Hearing Board as a special exception consistent with the principles set forth herein for comparable buildings

I. Car Wash

- (1) A waiting or stacking area on the lot for incoming automobiles, accessible to the entrance end of the washing equipment, to accommodate a number of vehicles equal to the maximum hourly processing capability of the aforesaid car wash establishment shall be provided.
- (2) An area beyond the exit end of the washing equipment sufficiently large to accommodate 1/4 of the maximum hourly processing capability of the aforesaid car wash establishment shall be provided.

J. Gasoline service stations or public garages

- (1) In no case shall the spaces for permitted motor vehicle storage in conjunction with a service station be less than 5

K. Shopping Centers

- (1) Four (4) parking spaces for each 1,000 square feet of gross leasable area or fraction thereof.
- (2) Gross leasable area shall be deemed to be 7.5% less than the total floor area of the shopping center.
- (3) Required parking for all permitted uses within the shopping center shall be calculated by applying the use specific requirements above with the exception of any automobile sales and service agency which shall instead be governed by § 182-1204. (5).

§ 182-1703. Additional Parking Requirement in Certain Districts and Development Types

A. INS district

- (1) Off street parking regulations shall be as required in this chapter, except that no parking shall be allowed within 50 feet of an R-1, R-2 or R-3 Residential District or within 25 feet of an R-4-or-higher-density residential district.

B. Office districts

- (1) In the O-1, no part of any front yard is to be used for garage, storage or off-street parking purposes.
- (2) In the O-2. All off-street parking shall be restricted to the rear of structures.

C. Certain residential districts and developments

- (1) Applicability. The following regulations shall be observed in
 - (a) R-7 Townhouse
 - (b) R-8 Garden Apartment
 - (c) R-9 Medium- and High-Rise Apartment Districts
 - (d) Triplex or quadruplex developments in R-6 Residential Districts
 - (e) Townhouse structures or developments in the R-7
- (2) All driveways and off-street parking facilities shall be hard-surfaced.
- (3) At least one access point and not more than two, separated into two one-way lanes of not more than 25 feet in aggregate width, shall be provided on any one street in order to promote traffic safety.
- (4) The design of any parking facility shall incorporate an internal traffic pattern that eliminates hazardous parking and movement.

- (5) All streets, curbs and other utility installations shall be improved in accordance with the requirements and specifications of the Township, and all materials, workmanship and construction of such improvements shall be in accordance with the specifications of the State Department of Transportation where applicable.
- (6) Each proposed use also shall comply with the provisions of § 182-1302.B, § 182-1302.E(2) and § 182-1302.H.

D. Three-family (Triplex) or single-family quadruplex dwellings in the R-6

- (1) Off-street parking, as required, shall be provided in common parking lots conveniently located to all units.

§ 182-1704. Off-street loading and unloading regulations.

A. Standards.

- (1) Off-street loading and unloading space(s) with proper and safe access from a street or alley shall be provided on each lot used for commercial or other purposes where it is deemed that such facilities are necessary to adequately serve any such use within the district. All such loading and unloading spaces shall be located at the rear of the building.
 - (a) Loading shall be provided on the same lot and within 50 feet of the use being served.
 - (b) Each loading and unloading space shall be at least 12 feet wide by 60 feet long, shall have at least 15 feet vertical clearance, except that smaller spaces may be permitted provided that they are adequate for the size of the particular delivery vehicles.
 - (c) All loading spaces be designed to provide adequate maneuvering area to enter and exit the loading space.
 - (d) No loading space shall overlap, occupy, or otherwise interfere with required driveways and parking spaces.
 - (e) No loading space shall be permitted within the required front yard setback from any street.
 - (f) Have an all-weather surface to provide safe and convenient access during all seasons.
 - (g) Not be constructed in a front yard or between a street right-of-way line and a building line.
- (2) Required off-street parking space, including aisles, shall not be used for loading and unloading purposes, except where night loading or other satisfactory arrangements are made for hours when business operations are suspended.
- (3) Loading and unloading facilities shall be designed so that trucks need not back in or out on or park in any public right-of-way.
- (4) No truck shall be allowed to stand in a right-of-way or automobile parking area, including aisles, during any time in which any such area is used for parking or in any way block the flow of persons or vehicles.

B. Requirements.

- (1) The number of loading and unloading spaces shall in all cases be adequate for a proposed use, and each such space shall comply with the standards in Subsection A of this section. In any case where a commercial or other use is subject to review or approval by the Zoning Hearing Board or the Planning Commission, the number of spaces provided shall be approved by the Board or Commission.

Article XVIII Steep and very steep slopes.

§ 182-1801. Specific intent

It is the intent of this section to conserve and protect slopes from harmful disturbances, pursuant to the objectives identified in § 154A-3 of the General Laws of the Township of Haverford.

§ 182-1802. Applicability.

It shall be unlawful for any person to grade, fill, pave or disturb the vegetative ground cover of any steep or very steep slope or to cause any grading, paving or disturbance of vegetative ground cover of steep or very steep slope lands, as defined by § 154A-5 of the General Laws of the Township of Haverford, without first obtaining a permit from the Township Engineer. Further, no steep or very steep slopes may be used or occupied without first obtaining a certificate of compliance from the Director of Codes Enforcement.

§ 182-1803. Use limitations.

A. Use limitations shall be as follows:

- (1) Areas greater than twenty-five-percent slope (very steep slope), uses permitted by right:
 - (a) Agricultural uses not requiring cultivation, construction or the use of structures.
 - (b) Conservation and recreational uses not requiring construction or the use of structures, i.e., parks, hiking and bridle paths, woodlands, nature sanctuaries, refuge and conservation areas and other such noncommercial conservation and passive recreational activities.
 - (c) Utility easements and rights-of-way, except telecommunications facilities.
 - (d) Front, rear and side yard setbacks required by the underlying zoning district on any lot or tract.
- (2) Areas greater than twenty-five-percent slope (very steep slope), uses by special exception when authorized by the Zoning Hearing Board:
 - (a) Conservation and recreational uses, including those requiring construction or use of structures.
 - (b) Cultivation and agricultural uses, including those requiring construction or use of structures.
 - (c) Sealed water supply wells.
 - (d) Access drives.
- (3) Areas greater than twenty-five-percent slope (very steep slope), prohibited uses:
 - (a) Cut and fill other than that associated with the actions described above.
 - (b) Soil, rock or mineral extraction.
 - (c) Removal of topsoil.
 - (d) Dumps, junkyards or other outdoor storage of refuse materials and discarded or abandoned vehicles.
 - (e) Swimming pools.
 - (f) Roads or access drives.
 - (g) All other activities not hereinabove provided.

- (4) Areas fifteen-percent to twenty-five-percent-slope (steep slope), uses permitted by right: All uses provided in § 182-1803.A(1) above.
- (5) Areas fifteen-percent to twenty-five-percent-slope (steep slope), uses permitted when authorized by the Zoning Hearing Board as a special exception:
 - (a) Stormwater management facilities.
 - (b) Sanitary sewer and sewage pump stations.
 - (c) Road or access driveways for a single-family detached dwelling, provided that the driveway grade is less than 10% and further provided that no other routing which avoids slopes between 15% and 25% is feasible.
 - (d) All uses provided in § 182-1803.A(2) above.
- (6) Areas fifteen-percent to twenty-five-percent-slope (steep slope), prohibited uses: Any use not hereinabove provided for.

§ 182-1804. Appeals.

Any person affected by any notice which has been issued in connection with the enforcement of any provisions of this section or of any regulation adopted pursuant thereto may request and shall be granted a hearing on the matter before the Zoning Hearing Board of Haverford Township. Application and hearing procedures shall be in accordance with those provisions more fully described in Article XXII of this chapter.

Article XIX Historic Preservation

§ 182-1901. Purposes.

It is the purpose of the article:

- A. To protect those historic resources within Haverford Township that have a distinctive character recalling the architectural, residential, commercial, aesthetic and historical heritage of the Township, of Delaware County and of the Commonwealth of Pennsylvania. The preservation and protection of historic resources are public necessities and promote the health, safety and welfare of the citizens of the Township of Haverford.
- B. To promote the general welfare by protecting the integrity of the historic resources of Haverford Township.
- C. To establish a clear process by which proposed changes affecting historic resources are reviewed by the Haverford Township Historical Commission (the Historical Commission), the Haverford Township Board of Commissioners (the Board of Commissioners) and the Haverford Township Zoning Officer (the Zoning Officer).
- D. To mitigate the impact of development or change on historic resources.
- E. To encourage the continued use of historic resources and facilitate their appropriate reuse.
- F. To discourage the unnecessary demolition of historical resources.
- G. To encourage the preservation of historic settings, landscapes and other similar features.
- H. To tailor protective measures to preserve historic resources of the Township of Haverford.
- I. To implement the goals of the Pennsylvania Constitution at Article I, Section 27, which establishes the commonwealth's policy of encouraging the protection of historic and aesthetic resources.

§ 182-1902. Definitions.

As used in this article, the following terms shall have the meanings indicated:

ADDITION — An extension or increase in the footprint, floor area, or height or other dimension of a historic resource on a lot.

CONSTRUCTION — The erection or installation of a new building, structure, or object, modification or improvement.

DEMOLITION BY NEGLECT — The absence of routine maintenance and repair that can lead to a historic resource's structural weakness, decay, and deterioration resulting in its demolition.

DEMOLITION or DEMOLISH — The removal or destruction of all or significant part of a historic resource, such that the historic or structural integrity of the historic resource is threatened, reduced or lost. Demolition includes, but is not limited to, removal or relocation of the historic resource from its current location, destruction of a facade or exterior wall surface, removal or replacement or alteration of a significant element of the historic resource or its setting, or loss of historic material due to fire, flood, or other disaster. Examples of demolition include, but are not limited to:

- A. Moving the historic resource to another location.
- B. Removal of any portion of any structural element such as a roof or exterior wall or of any significant building elements such as cornices, doors, windows, doorways, porches, or chimneys.
- C. Covering of any portion of any roof or exterior wall or of any significant exterior building elements.

- D.** Removing all or part of a historic resource that has been damaged by a fire.
- E.** Modifying or otherwise altering the character or appearance of a historical setting or landscape.

HISTORICAL COMMISSION – The Haverford Township Historical Commission established under § 182-1905.

HISTORIC RESOURCE – Any buildings, sites, structures, fixtures, monuments, landscapes or objects qualifying as a historic resource under § 182-1904.

HISTORIC RESOURCE IMPACT STUDY – A study prepared by a qualified professional in historic preservation, historical architecture or related disciplines, providing the following information:

- F.** General site description with topography, watercourses, landscaping and vegetation, and all improvements;
- G.** Description of historic resources located on the subject property and on all tracts within 100 feet of the subject property;
- H.** Photographic depiction of each historic resource sufficient for the Historical Commission;
- I.** Description of the historical development and a statement of the historic significance of the historic resource; and
- J.** Description of the proposed project, including phased sequence, and the impact of such project on the identified historic resource(s), including vibration, noise, light, dust and related impacts.

HISTORIC RESOURCE MAP – The official map, maintained by the Historical Commission, which identifies the location of historic resources within Haverford Township.

HISTORIC RESOURCE SURVEY – The official Township listing, maintained by the Historical Commission, in which historic resources are identified by location and description. The historic resources Survey shall include the 1994 Township Survey, the historic resources Map, and with all amendments, additions, deletions and updates made from time to time by the Board of Commissioners upon recommendation by the Historical Commission.

1994 TOWNSHIP SURVEY – The Delaware County historic resources Survey for Haverford Township as prepared by the Delaware County Planning Department in 1994 and incorporated in the Comprehensive Plan of Haverford Township, Delaware County, Pennsylvania.

PROPERTY MAINTENANCE CODE – "International Property Maintenance Code."

§ 182-1903. General provisions.

- A.** Compliance. Any change to a historic resources shall occur only in full compliance with the terms of this article and other applicable regulations.
- B.** Historic Resources Overlay. The historic resource Survey shall be deemed an overlay on any zoning districts now or hereafter enacted to regulate the use of land in Haverford Township. The Township Engineer shall revise the Official Zoning Map to indicate the properties shown on the historic resource Survey that are included within the overlay district following adoption of this amendment.
 - (1) For any property shown on the historic resource Survey, the requirements and opportunities contained in this article shall supersede requirements of the underlying zoning districts that may be in conflict with this article.
 - (2) Should the historic resources Overlay be determined not to be applicable as a result of legislative or administrative action or judicial decision, the zoning requirements and other

regulatory measures applicable to the property in question shall be those of the underlying zoning district without consideration of this article.

- C.** Preservation of other restrictions. It is not intended by this article to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article imposes greater restrictions, the provisions of this article shall prevail.

§ 182-1904. Historic resource survey.

- A.** Qualifications. The historic resource Survey shall include:
- (1) Those historic resources identified in the 1994 Township Survey;
 - (2) Historic resources individually listed on the National Register of Historic Places;
 - (3) Contributing historic resources in a National Register district i.e., buildings, sites, structures, fixtures, monuments, and objects filed as such with the National Register of Historic Places;
 - (4) Buildings, sites, structures, fixtures, monuments, objects and districts which have received a determination of eligibility (DOE) for the National Register of Historic Places from the Pennsylvania Historical and Museum Commission; and
 - (5) Historic resources determined by the Board of Commissioners, upon recommendation and documentation of the Historical Commission, to be of historical, cultural, aesthetic or architectural significance to Haverford Township and included on the historic resource Survey.
- B.** Nominations for revisions to historic resource Survey. A potential historic resource may be nominated for inclusion in the historic resource Survey, and revisions to the historic resource Survey may be proposed to the Historical Commission for review, in either case, by any person or entity that has a legal or equitable interest in the property, any resident of the Township, any governmental body or commission or any community or civic association.
- C.** Criteria for evaluating nominations.
- (1) In determining its recommendation to the Board of Commissioners in respect of nominations to the historic resource Survey, the Historical Commission shall consider one or more of the following published sources of criteria:
 - (a) The "National Register Criteria for Evaluation" adopted from time to time by the National Register for Historical Places;
 - (b) The "National Historic Landmarks Criteria for Evaluation" adopted from time to time by the National Register for Historical Places; and
 - (c) The "Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings" adopted from time to time by the Secretary of the Interior.
 - (2) The Historical Commission shall provide a written recommendation to the Board of Commissioners, which shall include the source(s) and criteria specified in Subsection C(1)(a), (b) and/or (c) (whichever are applicable) the Historical Commission found to exist in respect to the nominated historic resource.
- D.** Revisions. The historic resource Survey may be revised from time to time by a duly approved ordinance of the Board of Commissioners in order to effect additions, modifications, deletions or historic resources, or the creation of or changes to classification(s) of historic resources.
- (1) In considering any such revision to the historic resource Survey, the Board of Commissioners shall receive a written recommendation from the Historical Commission.

- (2) The owner of any property subject to a proposed revision of the historic resource Survey, the owners of all tracts within 100 feet of the subject historic resource, and any other resident of the Township, governmental entity and community or civic organization who has requested such notice shall be given written notice at least 10 days prior to both:
 - (a) The time and place at which the Historical Commission will consider such proposed revision to the historic resource Survey; and
 - (b) The time and place of the public hearing at which the Board of Commissioners will consider the approval of such proposed revision and the amendment of the historic resource Survey.

§ 182-1905. Haverford Township Historical Commission.

- A.** Establishment and membership. There shall be an Historical Commission which shall consist of nine members who shall be appointed by the Board of Commissioners. The membership of the Historical Commission shall include individuals who are residents of the Township and have documented knowledge and/or expertise in history, archeology, architecture, or historic preservation. Whenever practicable, the Board of Commissioners shall seek to have at least one licensed architect on the Historical Commission. At least one member shall be a member of the Planning Commission. Each Historical Commission member shall serve for a term of four years which shall be so fixed that no more than three terms shall expire each year. Initially, two members shall be appointed for four years, two members shall be appointed for three years, two members shall be appointed for two years and one member shall be appointed to a one-year term. The terms of the two members added as a result of this ordinance⁴¹ shall run concurrent with single member term expiration such that on December 31, 2014, three terms will expire. The Historical Commission shall notify the Board of Commissioners of any vacancies in the Historical Commission, and the Board of Commissioners shall act within 90 days to fill those vacancies. Appointments to fill vacancies for unexpired terms shall be only for the unexpired portion of the term. Members shall serve without pay but shall be reimbursed for any personal expenditure in the conduct of Historical Commission business when authorized by the Board of Commissioners.
- B.** Organization. The Historical Commission shall annually elect from its own membership a Chairperson who will direct the activities of the Historical Commission and such other officers as may be required for the conduct of its business. A quorum shall be not less than a majority of the current membership. The Historical Commission may make, alter, and rescind rules and forms for its procedures consistent with the ordinances of the Township and laws and regulations of the commonwealth. The Historical Commission shall conduct business at regular public meetings. The Historical Commission shall keep full public records of its business and shall submit a report of its activities to the Board of Commissioners upon request.
- C.** Expenditures for services. Within the limits of funds appropriated by the Board of Commissioners, the Historical Commission may employ staff or contract for clerical, consulting, or other technical services, including those provided by a registered architect, licensed realtor, or building inspector as may be required to perform its duties.
- D.** Functions and duties. In accordance with the purposes of this article, the Historical Commission shall have the following functions and duties:
 - (1) Maintain and update the historic resource Survey and inventory of historic resources, in accordance with the Pennsylvania Historical and Museum Commission's "Cultural Resource Management in Pennsylvania: Guidelines for historic resource Surveys";

- (2) Conduct research on and nominate potential historic resources for inclusion in the historic resource Survey and, as appropriate, the National Register of Historic Places and any other relevant lists or programs, as appropriate;
- (3) Advise the Township Zoning Officer and Board of Commissioners on the issuance of demolition permits for historic resources, as set forth in § 182-1906.
- (4) Review and comment on subdivision or land development applications which affect historic resources, in accordance with the requirements and procedures of the Haverford Township Subdivision and Land Development Ordinance;⁴²
- (5) Make recommendations to the Board of Commissioners concerning revisions, updates, or corrections to the historic resource Survey;
- (6) Advise the Zoning Hearing Board, Board of Commissioners, and Planning Commission on all applications for subdivisions, land development, zoning and other approvals affecting historic resources;
- (7) Review and advise the Township Zoning Officer and Board of Commissioners on permit applications for alterations to, additions to or construction adjacent to historic resources and subdivision and land development applications for properties whose boundaries are within 100 feet of an historic resource, which recommendations may be guided by the "Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings" and guidance provided by the Pennsylvania Historical and Museum Commission; and
- (8) Perform any other lawful activities which shall be deemed necessary to further the purposes of this article.

§ 182-1906. Demolition of historic resources.

- A.** Demolition by neglect. No historic resources shall be demolished by neglect. Demolition by neglect includes leaving a historic resource open or vulnerable to vandalism or decay by the elements. Unoccupied structures should be tightly sealed and fenced off in as attractive a manner as practicable, and the utilities should be turned off for safety.
- B.** Permit for demolition. No historic resources shall be demolished, in whole or in part, including the indiscriminate removal or stripping of any significant architectural features, unless a permit is obtained from the Board of Commissioners in accordance with the procedures and requirements of this § 182-1906 and other applicable standards and procedures of the Township Building and Fire Codes.
- C.** Proposed demolition of historic resources. All applications for demolition will be reviewed by the Township Zoning Officer who will determine if the application concerns a historic resource. If the application concerns a historic resource, the applicant will be advised that he or she must comply with the following procedures and requirements, as applicable.
- D.** Application requirements for historic resources. In addition to applicable requirements under the Township Building and Fire Codes, any applicant seeking a permit to demolish a historic resource shall provide the following with regard to that historic resource:
 - (1) The owner of record and address of the property;
 - (2) A brief history of the historic resource;
 - (3) A site plan showing all buildings and structures on the property;

- (4) Recent exterior four-inch-by-six-inch color photographs of the historic resource proposed for demolition, removal, or relocation;
- (5) The reason for the demolition;
- (6) The method of demolition;
- (7) A report from a registered professional structural engineer describing the structural condition of the historic resource proposed to be demolished, removed, or relocated;
- (8) A report from a code enforcement officer indicating the historic resource's compliance with the Property Maintenance Code;
- (9) Documentation of all efforts to sell the historic resource in the preceding three years;
- (10) The proposed disposition of materials;
- (11) The timeline for implementation of proposed use for the historic resource;
- (12) The date of purchase, purchase price and ownership history of the historic resource;
- (13) The assessed value of the land and improvements thereon;
- (14) A certified appraisal from a licensed appraiser;
- (15) For depreciable properties, a pro forma financial statement prepared by a certified public accountant or broker of record;
- (16) The form of ownership or operation of the historic resource, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture, or other;
- (17) Future uses of the site and of the materials from the demolished historic resource; and
- (18) A historic resource impact study of the historic resource proposed for demolition.

E. Information required to be submitted. The applicant shall provide credible evidence that:

- (1) The demolition, removal, or relocation of the historic resource in question will not adversely affect the significance or structural or aesthetic integrity of a historic resource.
- (2) There is no feasibility to continue the current use of the historic resource.
- (3) Other uses permitted within the underlying zoning district, either as permitted uses, special exception uses, or conditional uses, have been denied or are not feasible due to constraints on the historic resource proposed to be demolished, removed, or relocated.
- (4) Adaptive reuse opportunities do not exist due to constraints related to the historic resource proposed to be demolished, removed, or relocated.
- (5) Permitted uses and adaptive reuse potential of the historic resource proposed to be demolished, removed, or relocated does not provide a reasonable rate of return based on a reasonable initial investment.
- (6) The applicant has not contributed to the existing conditions, either through neglect or prior renovation, conversion, alteration or similar physical action.

F. Application review procedure.

- (1) Upon receipt by the Township of three copies of a completed application to demolish a historic resource, the Township Manager or Zoning Officer shall, within three working days of receipt of the completed application, forward copies thereof, together with all required supporting documentation submitted by the applicant, to the Board of Commissioners and to the Historical Commission for their review and comments.

- (2) The Township Manager or Zoning Officer shall not issue a permit for demolition of all or part of any historic resource shown in the Haverford historic resource Map until the Board of Commissioners has rendered a written decision or made its decision by resolution.
 - (3) The Township Manager shall maintain in his or her office a record of all such applications and final dispositions of the same.
- G.** Historical Commission review of applications. Within 30 days of the Township's determination that the demolition permit application is complete, the Historical Commission, or a subcommittee thereof, shall consider the application at a regular or special meeting. The applicant shall be advised as to the time and place of the meeting at which his or her application shall be considered by the Historical Commission, or a subcommittee thereof. The applicant shall have the right to attend this meeting and be heard as to the reasons for filing the application.
- H.** Criteria for deliberation. In determining recommendations to be presented to the Board of Commissioners concerning the issuance of a permit to demolish all or part of any historic resource, the Historical Commission shall consider the contents of the demolition application and supportive documentation submitted in connection therewith, as well as the sources of guidance identified in § 182-1904.C.
- I.** Initial recommendation of the Historical Commission.
- (1) The Historical Commission may recommend immediate approval of the permit and may so advise the Board of Commissioners.
 - (2) Alternatively, the Historical Commission may elect to extend the period of review by an additional 90 days to provide itself with an adequate opportunity to review the application for demolition and to receive and review oral arguments and presentations offered by the applicant.
 - (3) At the end of the ninety-day period stipulated in Subsection I(2) above, or sooner, the Historical Commission shall recommend to the Board of Commissioners the approval or denial of the permit to demolish and the grounds for such recommendation in a written report.
- J.** Recommendation by the Historical Commission. Upon or prior to the expiration of the time period imposed for the review of demolition permits for historic resources, the Historical Commission shall recommend issuance or denial of the demolition permit.
- K.** Contents of written report.
- (1) The Historical Commission shall prepare a written report setting forth the reasons for its recommendations on the issuance or denial of a permit for demolition, including a report on the evidence considered and its findings of fact. Factual findings shall include but need not be limited to the following matters:
 - (a) The exact location of the historic resource in which the proposed demolition is to occur;
 - (b) A list of any other historic resources within 300 feet of the historic resource for which the demolition permit was filed;
 - (c) The effect of the proposed demolition upon the general historic, archaeological, cultural, and architectural character of the Township, based on factual information;
 - (d) Recommendations by the Historical Commission as to the issuance or denial of the permit for demolition; and
 - (2) If the Historical Commission recommends denial of the demolition permit, the Historical Commission shall also indicate an alternative(s) to the proposed demolition which would protect:

- (a) The distinctive historical character of the historic resource;
 - (b) The architectural or archaeological integrity of the historic resource; and/or
 - (c) The cultural significance of the historic resource.
- L.** Notification of applicant. The applicant shall be notified in writing by the Board of Commissioners of their upcoming deliberation upon receipt of the written report from the Historical Commission. The Board of Commissioners shall consider, at a regularly scheduled public meeting within 30 days of the issuance of the Historical Commission's written report, the question of the issuance of a permit for demolition. The applicant shall be advised as to the time and place of the meeting at which his or her application shall be considered and shall be provided a copy of the Historical Commission's written report. The applicant shall have the right to attend this meeting and be heard as to the reasons for filing the application.
- M.** Approval by the Board of Commissioners.
- (1) If the Board of Commissioners approves the permit for demolition application, it shall authorize the Zoning Officer or other authorized Township person to issue a permit for the proposed demolition and shall require the applicant to document and record, at the applicant's expense, the historic resource, including, without limitation, the documentation and recordation of the following:
 - (a) A detailed description of the historic resource and its context, including topography, vegetation, landscaping, driveways, structures and features;
 - (b) A detailed site plan of the historic resource;
 - (c) Measured floor plans, if applicable, and exterior elevations;
 - (d) Measured drawings of individual elements of the historic resource;
 - (e) Comprehensive photographic records of the historic resource;
 - (f) Chain of title or other information related to the history of the historic resource; and
 - (g) A statement of the significance of the historic resource and its context to the Township and environs.
 - (2) Two copies of such documentation, all of which shall be of quality and scale of drawing as shall be acceptable to the Historical Commission, shall be delivered to the Historical Commission for review and approval. Upon approval by the Historical Commission, one copy shall be forwarded to the Township Zoning Officer with evidence of such approval to be added to the property information of file. The second copy shall be retained in the records of the Historical Commission. All approved demolition permits must be conspicuously posted within public view at the site of the demolition throughout the demolition. The Board of Commissioners may require, as a condition for the issuance of the demolition permit that the applicant fabricate and erect, at the applicant's expense, a historical marker designed by the Pennsylvania Historical and Museum Commission.
- N.** Disapproval by the Board of Commissioners. If the Board of Commissioners' disapproves the issuance of a permit for demolition, a written decision shall be given to the applicant, and the Township Zoning Officer within 45 days of the Board of Commissioner's hearing. The decision shall indicate what changes to the plans and specifications for demolition of the historic resource would meet the conditions for protecting the architectural integrity of the historic resource, including any potential or actual archaeological resources affected by the demolition. Upon receipt of the written disapproval decision from the Board of Commissioners, the Township Zoning Officer shall disapprove the application for a permit for demolition and so advise the applicant. The

applicant may appeal the decision to disapprove the demolition of the historic resource to the Delaware County Court of Common Pleas within the time specified by law.

- O.** Reimbursement of costs. Any costs incurred by the Historical Commission, as agreed to in advance and in writing by the applicant, for the Historical Commission's designated consultant to review the demolition application and any plans or studies submitted therewith to the Historical Commission, shall be fully reimbursed by the applicant.
- P.** Violations. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this article shall, upon being-found liable therefore in a civil enforcement proceeding commenced by the municipality, pay a judgment of not more than \$500 plus all court costs, including reasonable attorney fees incurred by the municipality as a result thereof. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the article to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the municipality whose ordinance has been violated.

Article XX Nonconforming Uses, Buildings and Lots

§ 182-2001. Statement of intent.

The zoning districts established by this chapter are designed to guide future use of land in the Township by encouraging the development of desirable residential, commercial and industrial areas, with appropriate groupings of compatible and related uses, to the end of promoting and protecting the public health, safety, comfort, prosperity and other aspects of the general welfare.

- A. To achieve this end, lawful existing uses which would be prohibited or restricted under the terms of this chapter or future amendments and which do not conform to the character and regulations of the zoning district in which they are located shall be subject to certain limitations. The regulations set forth are intended to provide a gradual remedy for the undesirable conditions resulting from indiscriminate mixing of uses and to afford a means whereby nonconforming uses can be gradually eliminated and reestablished in more suitable locations within the Township.
- B. Similarly, buildings or other structures which do not comply with one or more of the applicable district requirements as to lot width, minimum lot area and yard spaces, lot coverages or building height are deemed to be nonconforming.
- C. Nonconforming uses and structures will be generally permitted to remain. The purpose of regulating them is to restrict further investment in uses or structures which are inappropriate to their locations.
- D. To avoid undue hardship, nothing in this chapter shall be deemed to require a change in plans, construction or the intended use of any building on which actual construction was lawfully begun prior to the effective date or amendment of this chapter and on which actual building construction has been diligently carried on.

§ 182-2002. Regulations concerning nonconforming use, building or structure.

- A. Continuation. The lawful use of a building, structure, lot or land existing at the effective date of this chapter or subsequent amendment thereto, may be continued so long as they remain otherwise lawful, including subsequent sales of the property.
- B. Enlargement of a nonconforming use, building or structure.
 - (1) Nonconforming uses. A nonconforming use of a building or structure shall not be extended, enlarged or added to in any manner unless said use is made to conform to all the regulations of the district in which the nonconforming use is located. However, a nonconforming use of a lot or land may be extended or enlarged when authorized as a special exception by the Zoning Hearing Board and, and provided that:
 - (a) Any such extension or enlargement shall be on the lot occupied by such use at the effective date of this chapter or of any amendment by which such use first becomes nonconforming.
 - (b) No such extension of a nonconforming use shall exceed 50% of the area of the lot or land devoted to such use at the effective date of this chapter or of any amendment by which such use first becomes nonconforming.
 - (c) Any nonconforming use extended shall comply with the provisions of this chapter applicable and related to that use, such as landscaping buffering, off-street parking, etc. but not including area and bulk regulations relating to buildings and structures.

- (2) Nonconforming buildings. If a building is conforming as to use but nonconforming as to area and bulk regulations or off-street parking requirements, said building may be enlarged, altered, or added to, provided that:
 - (a) The enlargement or alteration complies with the area and bulk regulations of the district in which it is located, and
 - (b) The existing building and any addition comply with the off-street parking regulations for the use of the building.
- (3) Nonconforming structures. If a structure is conforming as to use but nonconforming as to area and bulk regulations, said structure may be enlarged, altered, or added to, provided that:
 - (a) The enlargement or alteration complies with the area and bulk regulations of the district in which it is located.
 - (b) The existing structures and any addition comply with the off-street parking regulations for the use of the building.
- (4) Nonconforming lots. A building may be constructed on any lot which was lawful when created and which, prior to the effective date of this chapter, was in separate ownership duly recorded by plan or deed, provided that the area and bulk requirements of this chapter are observed.

C. Discontinuance.

- (1) If a nonconforming use of land or building ceases operations for a continuous period of more than six months, then this shall be deemed to be an intent to abandon such use, and any subsequent use of land or building shall conform to the regulations of this chapter.
- (2) The voluntary demolition, razing, or removal of a nonconforming building or structure, including removal to the foundation of the building, shall be considered an abandonment of the nonconforming building or structure, or the nonconforming portion of such building or structure. In such an instance, a nonconforming structure or building shall not be permitted to be replaced, reconstructed, or rebuilt with another nonconforming building or part thereof in order to otherwise maintain any preexisting nonconformity.

D. Change in use.

- (1) A nonconforming use shall not be changed to any other use, other than a conforming use. If a nonconforming use is discontinued or changed to a conforming use, any future use of such building, structure, lot or portion thereof shall conform with the regulations of this chapter.
- (2) Whenever a zoning district shall be hereinafter changed or amended, any existing nonconforming use in such changed district may be continued.

E. Damage or destruction.

- (1) In the event that a building housing a nonconforming use located in any district is destroyed or partially destroyed by fire, explosion or other cause or otherwise damaged to the extent of 50% or more of the bulk of said building, such nonconforming use shall terminate, and the lot shall thereafter be used or only for a conforming use.
- (2) In any case, whether conforming or nonconforming, the remains of any building so destroyed must be removed from the premises within six calendar months so that the same shall not remain.

§ 182-2003. Regulations for nonconforming lots of record.

The use of any nonconforming lots of record shall be controlled by the terms of the Zoning Hearing Board, provided that the yard dimensions and other requirements of any lot not involving area or width, or both, shall conform to the regulations for the district in which such lot is located unless otherwise specifically authorized as a special exception by the Zoning Hearing Board and that in any case a building shall comply with the yard and other requirements of the district to the maximum extent practicable.

Article XXI Administrative Regulations

§ 182-2101. Administration and enforcement.

A. Administration.

- (1) The duty of administering and enforcing the provisions of this chapter is hereby conferred upon the Zoning Officer. The Zoning Officer shall administer the Zoning Ordinance in accordance with its literal terms and shall not have the power to permit any construction or use or change of use which does not conform to this chapter.
- (2) It is the purpose of this Article to prescribe the procedures by which the administration of this chapter shall take place. Nothing contained within this Article shall be interpreted as limiting the adoption of administrative regulations which do not supersede required stated procedures.

B. Duties. The duties of the Zoning Officer shall be:

- (1) To examine all applications for permits.
- (2) To issue permits only for construction and uses which are in accordance with the regulations of this chapter and other applicable ordinances.
- (3) To record and file all applications for permits with the accompanying plans and documents.
- (4) To issue permits for uses and construction by special exception and variance only after such uses and buildings are approved by the Zoning Hearing Board in accordance with the regulations of this chapter.
- (5) To receive all required fees and issue all necessary stop orders.
- (6) To inspect nonconforming uses, buildings and signs and to keep a filed record of such nonconforming uses and buildings as a public record and to examine them periodically.
- (7) Upon the request of the Planning Commission or of the Zoning Hearing Board, to present to such body facts, records and any similar information on specific requests to assist the Commission or Board in reaching its final decision.
- (8) To be responsible for keeping up-to-date a master copy of this zoning chapter and accompanying Zoning Map reflecting all subsequent changes and amendments.

C. Appeal. Any appeal from a decision or action of the Zoning Officer shall be made directly to the Zoning Hearing Board, and such appeal shall be made within 30 days after notice of the decision is issued or, if no decision is made, 30 days after the date when a decision is deemed to have been made in accordance with the Pennsylvania Municipalities Planning Code, as amended.³⁵

D. Complaints regarding violations. Whenever a violation of this chapter occurs or is alleged to have occurred, any person may file a written and signed complaint. Such complaint stating fully the causes and basis thereof, shall be filed with the Zoning Officer. They shall record promptly such complaint, immediately investigate and take action thereon as provided by this chapter.

E. Notification of violation. If the Zoning Officer shall find that any of the provisions of this chapter are being violated, he shall notify, in writing, the person responsible for such violation, indicating the nature of the violation and order the action necessary to correct it.

F. Enforcement. No permit of any kind as provided for in this chapter shall be granted by the Zoning Officer for any purpose except in compliance with the provisions of this chapter or a decision of the Zoning Hearing Board or the courts.

- G.** Enforcement remedies. In case any building, structure or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this chapter, the Board of Commissioners or, with the approval of the Board of Commissioners, the Zoning Officer, in addition to other remedies, may institute in the name of the Township any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure or land or to prevent in or about such premises any act, conduct, business or use constituting a violation.
- H.** Violations and penalties. Any person, firm or corporation violating any provision of this chapter shall, upon conviction before any District Justice of the Peace, pay a judgment (fine) not exceeding \$600 and costs of prosecution, including attorney's fees. Each and every day in which any person, firm or corporation shall be in violation of this chapter shall constitute a separate offense.

§ 182-2102. Permits.

- A.** Requirements for zoning permits. A zoning permit shall be required prior to the erection, construction, structural alteration or enlargement of any building, structure or any portion thereof, including any sign; prior to the use or change in use or occupancy of a building or land; prior to the moving of a building into the Township or from one place in the Township to another; and prior to the change or extension of a nonconforming use. Such permit shall be issued simultaneously with the required building permit.
- B.** Application for permits. Application for permits shall be made in writing to the Zoning Officer on such forms as may be furnished by the Township. Such application shall include building and plot plans of a satisfactory nature, in duplicate, and shall contain all information necessary for such official to ascertain whether the proposed erection, alteration, use or change in use complies with the provisions of this chapter. No zoning permit shall be considered complete or permanently effective until the Zoning Officer has certified that the work meets all the requirements of this chapter and any other applicable code or ordinance.
- C.** Issuance of permits.

 - (1) No zoning permit shall be issued except in conformity with the regulations of this chapter or except after written order from the Zoning Hearing Board or a court.
 - (2) Permits shall be granted or refused within 30 days after the date of application. In case of refusal, the applicant shall be informed of their right to appeal to the Zoning Hearing Board.
- D.** Expiration of permits. No permit for the erection, razing, change, alteration or removal of buildings shall be valid or effective after six months from the date of issuance thereof and shall thereafter be void, unless the work authorized by such permit shall have been substantially commenced within six months from the date of issuance and proceeded with, with due diligence. If, however, the applicant has been delayed in proceeding with the work for which the permit was granted by reason of any reasonable cause not due to his own negligence, the permit may be renewed without additional cost to the applicant.
- E.** Certificate of occupancy.

 - (1) Upon completion of the erection or alteration of any building or portion thereof authorized by any permit obtained in compliance with this chapter and prior to occupancy or use, the holder of such permit shall notify the Zoning Officer of such completion. No permit shall be considered complete or permanently effective nor shall any building be occupied or lot used until said official has issued a certificate of occupancy certifying that the work has been inspected and approved as being in conformity with the permit and the provisions of this chapter and other applicable ordinances.

- (2) In office, commercial, office-laboratory, light industrial and institutional districts in which performance standards are imposed, subject to § 182-1501 of this chapter, no certificate of occupancy shall become permanent until 30 days after the facility is fully operating when, upon a reinspection by the Zoning Officer, it is determined that the facility is in compliance with all performance standards.
- (3) A certificate of occupancy shall be granted or denied within 30 days from the date of application.
- F. Temporary permits. A temporary permit may be authorized by the Zoning Hearing Board as a special exception for a nonconforming structure or use which it deems beneficial to the public health or general welfare or which it deems necessary to promote the proper development of the community, provided that such nonconforming structure or use shall be completely removed upon expiration of the permit without cost to the Township. Such a permit shall be issued for a specified period of time not exceeding six calendar months and may be renewed for an aggregate period of not more than two years.³⁶

§ 182-2103. Fees.

- A. Fees required in the administration of this chapter shall be paid in accordance with the provisions of a fee schedule adopted by resolution of the Board of Township Commissioners and shall be paid into the Township treasury. Each applicant for a permit, appeal, special exception, variance or amendment shall, at the time of making application, pay a fee for the cost of administration, advertising, mailing notices and/or transcribing testimony.
- B. The Board of Commissioners shall be empowered to reevaluate any fees included in a fee schedule and make necessary alterations to it. Such alterations shall not be considered an amendment to this chapter and may be adopted at any public meeting of the Board by resolution. A schedule of fees shall be posted in the office of the Zoning Officer.
- C. The required fees for zoning amendments may vary according to advertising costs and thus shall be kept up-to-date by the Board of Commissioners and the Zoning Officer. All such fees shall be paid into the Township Treasury.
- D. Special exceptions and variances shall be issued only after fees have been paid in full, and the Zoning Hearing Board shall take no action on appeals until preliminary charges have been paid in full.

Article XXII Zoning Hearing Board

§ 182-2201. Establishment; membership; organization; compensation.

- A.** Creation of Board. A Zoning Hearing Board is hereby established by the Board of Township Commissioners in accordance with the provisions of Article IX of the Pennsylvania Municipalities Planning Code, as amended. Hereinafter, as used in this Article, the term "Board" shall refer to the Zoning Hearing Board, and the term "Planning Code" shall refer to the Pennsylvania Municipalities Planning Code.³⁷
- B.** Membership of the Board. The membership of the Zoning Hearing Board shall be appointed by the Board of Commissioners consistent with the provisions of § 4-607 et seq. of the Township Administrative Code.
- C.** Removal of members. Any Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Township Commissioners, taken after the member has received 15 days' advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.
- D.** Organization of Board.

 - (1) The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board, but where two members are disqualified to act in a particular matter, the remaining member may act for the Board. As provided for by the Planning Code, the Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Board as provided in § 182-2203.A.
 - (2) The Zoning Hearing Board shall adopt rules and forms for its procedure in accordance with the provisions of this chapter. Meetings of the Zoning Hearing Board shall be held at the call of the Chairperson and at such other times as the Zoning Hearing Board may determine. Such Chairperspm or, in their absence, the acting Chairperson may administer oaths and compel the attendance of witnesses. All meetings of the Zoning Hearing Board shall be open to the public.
 - (3) The Zoning Hearing Board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicate such fact and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Township Manager and shall be a public record.
 - (4) The Zoning Hearing Board shall submit a report of its activities to the Board of Township Commissioners once a year.
- E.** Expenditures for services. Within the limits of funds appropriated by the Board of Township Commissioners, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Board may receive compensation for the performance of their duties as may be fixed by the Board of Township Commissioners, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Township Commissioners.

§ 182-2202. Functions; powers.

- A.** Appeals from the Zoning Officer. The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of this chapter or of the Zoning Map or any valid rule or regulation governing the action of the Zoning Officer.
- B.** Variances. The Board shall hear requests for variances where it is alleged that the provisions of this chapter inflict unnecessary hardship upon the applicant, subject to the standards prescribed by law and contained in § 182-2204.A.
- C.** Special exception. The Board shall hear and decide requests for special exceptions where this chapter states that a special exception may be granted or denied by the Board in accordance with express standards and criteria contained in this chapter.
- D.** Challenge to validity of chapter or map. The Board shall hear challenges to the validity of this chapter or to the Zoning Map which properly come before the Board in accordance with the Planning Code and shall take evidence, decide contested questions, make findings on all relevant issues of fact and make a record thereof as prescribed by said code and by this chapter.
- E.** Unified appeals. The Board shall hear unified appeals relating to any Township ordinance which are brought before the Board in conjunction with a zoning matter over which the Board has jurisdiction in accordance with the requirements of Section 913.1 of the Planning Code.³⁸

§ 182-2203. Hearings.

- A.** Requirements and procedures. The Board shall conduct hearings and make decisions in accordance with the requirements of the Planning Code and any pertinent provisions of this chapter or the rules of the Board.
 - (1) Upon the filing with the Board of an appeal, an application for a special exception or variance from the terms of this chapter or a challenge, the Board shall fix a time and place for a public hearing thereon, subject to the provisions of the Planning Code, and shall give notice thereof in accordance with the provisions of Subsection B hereof.
 - (2) The Board may establish reasonable fees, based on cost, to be paid by the applicant and by persons requiring any notice not required by this chapter.
 - (3) The hearings shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision or, where no decision is called for, the findings shall be made by the Board, but the parties may waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.
 - (4) The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board and any other person, including civic or community organizations, permitted to appear by the Board.
 - (5) The Chairperson or Acting Chairperson of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
 - (6) The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and cross-examine adverse witnesses on all relevant issues. At the hearing, any party may appear in person or by agent or by attorney.
 - (7) Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

- (8) The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings, and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party requesting such at cost.
- (9) The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate; shall not take notice of any communication, reports, staff memoranda or other materials unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings with any party or his representative unless all parties are given an opportunity to be present.
- (10) Any variance or special exception granted by the Board shall expire and become null and void six months after the date of its issuance unless the recipient has taken action to implement the development authorized by said variance or special exception. Such action shall be defined as application to the Planning Commission for subdivision and/or land development approval or, in cases for which no such approval is required, application to the Zoning Officer for a building permit. The Board may grant one six-month extension upon demonstration of good cause by the recipient.
- (11) All applicants for a variance or a special exception shall be required to submit a plan, drawn to scale, showing the improvement for which relief is requested in its relationship to the balance of the property and to adjacent properties. Said plan shall be submitted at least 10 days prior to the date of the scheduled hearing before the Zoning Hearing Board, and said plan shall be made available for inspection by any member of the general public. Failure to submit said plan at least 10 days prior to the date of the hearing shall result in the continuance of the hearing to a later date, as may be determined by the administrative officer, and payment of such additional costs as may be determined by the Board of Commissioners.

B. Notice requirements.

- (1) In any case where the Zoning Hearing Board shall hold a public hearing, the Board shall, at the minimum, give notice of such hearing as follows, which notice shall state the time and the place of the hearing and the particular nature of the matter to be considered at the hearing:
 - (a) By publishing a notice thereof once each week for two successive weeks in a newspaper of general circulation in the Township, provided that the first publication shall be not more than 30 or less than 14 days from the date of the hearing.
 - (b) By mailing or delivering due notice thereof to the applicant and other parties in interest, who shall be at least those persons whose properties adjoin the property in question.
 - (c) By mailing or delivering notice thereof to the Township Commissioner representing the election district in which the lot or building is located, the Township Manager, the Zoning Officer and the Township Planning Commission.
 - (d) By mailing a notice thereof to every resident or association of residents of the Township who shall have registered their names and addresses for this purpose with the Zoning Hearing Board.
- (2) Notice of decision.
 - (a) The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within 45 days after the last hearing before the Board or hearing officer, subject to the additional requirements of the Planning Code. Where the Board has power to render a decision and the Board or the hearing officer, as the case may be, fails to render the same within the

period required by the Planning Code, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed, in writing, to an extension of time.

- (b) A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to them not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide, by mail or otherwise, a brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

§ 182-2204. Standards for determinations on variances and special exceptions.

- A. In any instance where the Zoning Hearing Board is required to consider a special exception or variance in the Zoning Ordinance or Zoning Map in accordance with the provisions of this chapter, the Board shall, among other things, consider the following standards:

- (1) Variances.

- (a) That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or district in which the property is located.
- (b) That because of such physical circumstances or conditions there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefor necessary to enable the reasonable use of the property.
- (c) That such unnecessary hardship has not been created by the appellant.
- (d) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare.
- (e) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

- (2) Special exceptions.

- (a) The suitability of the property for the use desired. The Board shall assure itself that the proposed request is consistent with the spirit, purpose and intent of the Zoning Ordinance.
- (b) That the proposed special exception will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood and that the use of property adjacent to the area included in the proposed change or plan is adequately safeguarded.
- (c) That the proposed special exception will serve the best interests of the Township, the convenience of the community and the public welfare.
- (d) The effect of the proposed special exception upon the logical efficient and economical extension of public services and facilities, such as public water, sewers, police and fire protection and public schools.

- (e) The imposition of such conditions, in addition to those required, as are necessary to assure that the intent of the Zoning Ordinance is complied with, which conditions may include but are not limited to harmonious design of buildings; planting and its maintenance as a sight or sound screen; the minimizing of noxious, offensive or hazardous elements; adequate standards of parking; and sanitation.
 - (f) That the unique circumstances for which the special exception is sought were neither created by the owner of the property nor were due to or the result of general conditions in the zoning district in which the property is located.
 - (g) The suitability of the proposed location of an industrial or commercial use with respect to probable effects upon highway traffic and that adequate access arrangements in order to protect major streets and highways from undue congestion and hazard are assured.
 - (h) The adequacy of sanitation and public safety provisions, where applicable, and require a certificate of adequacy of sewage and water facilities from the appropriate governmental agency in such case required herein or deemed advisable.
 - (i) That financial hardship shall not be construed as the basis for granting special exceptions.
- B.** In granting any variance or special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this chapter, as it may deem necessary to implement the purposes of the Planning Code and Zoning Ordinance, which conditions and safeguards may relate to but are not limited to the harmonious design of buildings, planting and its maintenance as a sight or sound screen, lighting, noise, safety and the minimizing of noxious, offensive or hazardous elements.
- C.** In the case of a request for a special exception or variance, it shall be the responsibility of the applicant to present such evidence as is necessary to demonstrate that the proposed use or modification complies with the pertinent criteria and standards set forth in this section.

§ 182-2205. Appeals.

Appeals before Zoning Board and court. All appeals, applications or challenges which properly come before the Board in accordance with the requirements of the Planning Code and all appeals to court shall be subject to the time limitations and requirements of this Article and any other applicable provision of said code. The proceedings set forth in this Article shall constitute the exclusive mode for securing review of any ordinance, decision, determination or order of the Board of Township Commissioners, its agencies or officers adopted or issued pursuant to the Planning Code. Appeals to court shall be taken to the Court of Common Pleas of Delaware County.

- A.** Parties appellant before Zoning Board. Appeals under § 182-2202.A and proceedings to challenge an ordinance under § 182-2202.D may be filed with the Board, in writing, by the landowner affected, any officer or agency of the Township or any person aggrieved. Request for a variance under § 182-2202.B and for special exception under § 182-2202.C may be filed with the Board by any landowner or any tenant with the permission of such landowner.
- B.** Time limitations. No person shall be allowed to file any proceeding with the Board later than 30 days after any application for development, preliminary or final, has been approved by the appropriate Township officer, agency or body if such proceeding is designed to secure reversal or to limit the approval in any manner, unless such person alleges and proves that he had no notice, knowledge or reason to believe that such approval had been given. If such person has succeeded to their interest after such approval, they shall be bound by the knowledge of their predecessor in interest.

- C.** Stay of proceedings. Upon filing of any proceeding referred to in Subsection A hereof and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. When an application for development, preliminary or final, has been duly approved and proceedings designed to reverse or limit the approval are filed with the Board by persons other than the applicant, the applicant may petition the court having jurisdiction of zoning appeals to order such persons to post bond as a condition to continuing the proceedings before the Board. The question of whether or not such petition should be granted and the amount of the bond shall be within the sound discretion of the court.

Article XXIII Amendments

§ 182-2301. Power to amend.

The regulations, restrictions, boundaries and requirements set forth in this chapter may, from time to time, be amended, supplemented, changed or repealed through amendment by the Board of Township Commissioners by amending the chapter in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code,³⁹ as amended, and this section.

§ 182-2302. Procedure.

The following requirements shall be observed in making any amendment to this chapter:

- A.** The Board of Township Commissioners may, upon its own initiative or upon the recommendation of the Planning Commission, prepare or have prepared an ordinance amending, supplementing or changing the district boundaries or the regulations herein established, or a request for amendment may be initiated:

 - (1) Upon a petition signed by the owners of 50% or more of the frontage of any area, which shall be not less than the area contained between two streets, wherein a change of zoning regulations is sought; or
 - (2) By a landowner duly signed and acknowledged requesting an amendment or repeal. In the case of a curative amendment, the special requirements of the State Planning Code⁴⁰ and this section shall apply.
- B.** The Board of Township Commissioners shall submit each proposed zoning amendment, other than one prepared by the Township Planning Commission, to the Planning Commission at least 30 days prior to any hearing which is to be held on the proposed amendment to provide the Commission with an opportunity to submit its recommendations prior to final action. The Planning Commission shall consider whether or not the proposed amendment would be, in the view of the Commission, consistent with and desirable in furtherance of the Township Plan for future land use, and in the case of any formally adopted Comprehensive Plan or any part thereof, the recommendations of the Commission shall include a specific statement as to whether or not the proposed action is in accordance with the intent of said formally adopted Comprehensive Plan. As required by the State Planning Code, a copy of any proposed zoning amendment also shall be submitted to the County Planning Commission at least 30 days prior to any hearing to be held on a proposed amendment in order to provide the Commission with an opportunity to submit its recommendations prior to final action.
- C.** Before voting on the enactment of an amendment, the Board of Township Commissioners shall hold a public hearing thereon pursuant to public notice. Notice of any such public hearing shall be given by publishing a notice thereof once each week for two successive weeks in a newspaper of general circulation in the Township and by mailing a notice thereof to the parties in interest and to every resident or association of residents of the Township who shall have registered their names and addresses for this purpose with the Township for the current year. The first publication of the notice shall be not more than 30 days or less than 14 days from the date of the hearing. The required public notice shall state the time and place of the hearing and the particular nature of the proposed amendment.
- D.** No action to amend or change this chapter shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard.
- E.** If, after any public hearing held upon an amendment, the proposed amendment is revised or further revised to include land previously not affected by it, the Board of Township Commissioners

shall hold another public hearing, as required by law pursuant to public notice, before proceeding to vote on the amendment.

Article XXIV Conditional Uses

§ 182-2401. Applicability.

The Board of Commissioners shall have the power to approve or disapprove conditional uses when this chapter specifically requires the obtaining of such approval in accordance with the procedures outlined in this article, and the Board shall give consideration to such conditional uses in accordance with the criteria set forth herein.

§ 182-2402. Application procedure.

Conditional use applications shall be governed by the following:

- A. The landowner shall make a written request to the Board of Commissioners of Haverford Township. The request shall contain a statement reasonably informing the Board of Commissioners of the matters that are at issue.
- B. The application shall be accompanied by site and building plans and other materials describing the use or development proposed. Such plans and other materials shall provide a sufficient basis for evaluating the applicant's request. All information required by this chapter shall accompany the application.
- C. Fees. The applicant for any hearing on a conditional use request before the Board of Commissioners shall at the time of making application pay to the Zoning Officer for the use of the Township a fee in accordance with a fee schedule adopted by resolution of the Board of Commissioners.

§ 182-2403. Public hearing required.

- A. The Board of Commissioners shall request an advisory opinion from the Township Planning Commission on any application for a conditional use; the Township Planning Commission is to submit a report to the Board of Commissioners of such advisory opinion prior to the date of the public hearing held by the Board of Commissioners on the application.
- B. The Board of Commissioners shall hold a hearing upon the request, commencing not later than 60 days after the request is filed, unless the applicant requests or consents, in writing, to an extension of time.

§ 182-2404. Method of determination.

- A. The Board of Commissioners shall render a written decision or, where no decision is called for, make written findings on the application within 45 days from the last hearing before the Board of Commissioners. The Board shall by official communication to the applicant either:
 - (1) Approve the application as presented only if it finds adequate evidence that any proposed development submitted will meet all of the following general requirements as well as any specific requirements and standards listed herein for the proposed use.
 - (2) Disapprove the application as presented.
 - (3) Approve the application subject to specified conditions.
- B. Failure to act within said period shall be deemed to be a grant of approval of the application.
- C. Where an applicant requires subdivision or land development approval in addition to conditional use approval, the applicant may file applications simultaneously for both the subdivision or land

development and the conditional use, in which event the Township shall review the applications simultaneously. Approval of both the subdivision or land development and the conditional use shall be required before the issuance of any zoning permits.

§ 182-2405. General standards.

In considering any conditional use permitted by this chapter, the Board shall, among other things:

- A.** Assure itself that the proposed use is consistent with the spirit, purpose and intent of this chapter and the Haverford Township Comprehensive Plan.
- B.** Determine that the proposed use will not substantially injure or detract from the use of the neighborhood property or from the character of the neighborhood and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
- C.** Determine that the proposed use will serve the best interests of the Township, the convenience of the community (where applicable) and the public welfare.
- D.** Consider the effect of the proposed use upon the logical, efficient and economical extension of public services and facilities such as public water, sewers, police and fire protection, and public schools, and assure adequate arrangements for sanitation in specific instances.
- E.** Be guided in its study, review and recommendation by sound standards of land development practice, where applicable.
- F.** Guide the development of state and county highway frontage insofar as possible so as to limit the total number of access points and encourage the frontage of building on parallel marginal roads or on roads perpendicular to the highway.
- G.** Impose such conditions, in addition to those required, as are necessary to assure that the general purpose and intent of this chapter is complied with, which conditions may include, but are not limited to, harmonious design of buildings, planting and its maintenance as a sight or sound screen, and the minimizing of noxious, offensive or hazardous elements.
- H.** Weigh each case on its own merits, separately, based upon pertinent information presented or known to the Board, and without regard to any previous case.