

ARTICLE 13.
SUPPLEMENTAL REGULATIONS

The following regulations shall supplement the regulations set forth herein for each District and shall apply throughout the municipality unless otherwise specified in other sections of this Zoning Ordinance.

13.01 Yard and Lot Regulations

A. General:

Yards shall be provided in accordance with the provisions set forth within the various zoning districts of this ordinance, and shall be planted with trees, shrubs, grass seed, sod, or ground cover, excepting in cases where walks, access drives, off-street parking, patios and other types of surfaces are permitted by this ordinance. All yards shall be maintained by cutting grass, weeding, trimming shrubbery and keeping areas free of debris and rubbish.

B. On Corner Lots:

1. Front yards are required on all street frontages, and one yard other than the front yards shall be deemed to be a rear yard, and the other (or others) side yards.
2. No obstructions to vision exceeding thirty inches (30") in height above pavement level (measured as average centerline elevation) shall be erected or maintained within a seventy-five foot (75 ft.) clear sight triangle formed by the centerline of intersecting streets.

C. Front Yard Setbacks:

1. No proposed dwelling need have a set-back greater than the average of the two existing dwellings with the greatest setbacks located within two-hundred (200) feet on each side of the said proposed dwelling, on the same side of the street, within the same block, and the same zoning district. However, in no event shall the front yard be less than twenty (20) feet.
2. When a public street or private road upon which a lot abuts has a total right-of-way of less than fifty (50) feet, the front yard setback and/or the width of the side yard abutting the public street or private road shall be measured from a line parallel to and not less than twenty-five (25) feet from the centerline of said public street or private road.

D. Projections Into Required Yards:

1. Cornices, canopies, eaves, gutters, bay windows, balconies, fireplaces, chimneys or other architectural features may project into required front or rear yards a distance not exceeding thirty-six (36) inches, and into side yards a distance not exceeding eighteen (18) inches.
2. Covered carports, patios and porches to be attached to an existing building or to be part of a new building, whether enclosed or not, shall be considered as an integral part of the main building and shall not project into any required yard setback. Uncovered decks and patios may project five (5) feet into any side yard and ten (10) feet into any rear yard or front yard.
3. Uncovered stoops, landings, or stairs, and window wells and uncovered or unenclosed basement or cellar steps may project into required yard setbacks a distance not to exceed forty-two (42) inches.

E. Through Lots:

Where a lot extends through from street to street, the applicable front yard regulations shall apply on both street frontages. However, in the event of a complete system of through lots which are designed for reversed frontage, the front yard need only be along the more minor street of the subdivision.

F. Existing Small Lots:

A lot owned individually and separately and separated in ownership from any adjoining tracts of land on the effective date of this Ordinance and subsequent amendments which has a total lot area or lot width less than prescribed in this Ordinance, may be used for a permitted use provided such lot shall be developed in conformity with all applicable district regulations other than the minimum lot area, lot width and size yards and may be used for a conditional use or special exception provided the required zoning approvals are secured within one year from the effective date of this Ordinance. Existing small lots meeting the above stipulations shall comply with the following:

1. Side yards shall be a minimum of eight (8) feet.
2. Rear yard shall be a minimum of ten (10) feet.

G. Waiver of Yards:

No side yard or rear yard shall be required where such yard abuts an operating railroad right-of-way.

13.02 Performance Standards

No land or building in any zoning district shall be developed, used or occupied in any manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise, or vibration; smoke, dust, odor or other form of air pollution; heat, cold, dampness, electromagnetic or other substance, condition or element in such manner or in such amount as to adversely effect the reasonable use of the surrounding area or adjoining premises (referred to herein as "dangerous or objectionable elements"); provided that any use permitted or not expressly prohibited by this ordinance may be undertaken and maintained if it conforms to the regulations of this Section limiting dangerous and objectionable elements at the point of the determination of their existence.

A. Enforcement Provisions Applicable to Other Uses.

Even though compliance with performance standards procedure in obtaining a building permit is not required for some particular uses, initial and continued compliance with the performance standards themselves is required of every use, and provisions for enforcement of continued compliance with performance standards shall be invoked by the Township against any use if there are reasonable grounds to believe that performance standards are being violated by such use.

B. Performance Standard Regulations.

1. Fire and Explosion Hazards. All activities involving, and all storage of, flammable and explosive materials shall be provided at any point with adequate safety devices against the hazard of fire and explosion and adequate fire-fighting and fire suppression equipment and devices standard in the industry. Burning of waste materials in open fires shall be done with due consideration of safety. The relevant provisions of State and other local laws and regulations shall apply.
2. Vibration. No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at or beyond the lot line; nor shall any vibration produced exceed 0.002g peak at up to 50 cps frequency, measured at or beyond the lot line using either seismic or electronic vibration measuring equipment. Vibrations occurring at higher than 50 cps frequency or a periodic vibration shall not induce accelerations exceeding .001g. Single impulse aperiodic vibrations occurring at an average interval greater than 5 minutes shall not induce accelerations exceeding .01g.
3. Smoke. No emission shall be permitted at any point from any chimney or

otherwise, or visible gray smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc. and copyright 1954 (being a direct facsimile reduction of the standard Ringlemann Chart as issued by the United States Bureau of Mines), except that visible gray smoke of a shade equal to No. 2 on said chart may be emitted for 4 minutes in any 30 minutes.

These provisions applicable to visible gray smoke shall also apply to visible smoke of a different color but with an apparently equivalent opacity.

4. Odors. No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air emitted to four volumes of clean air. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system should fail. There is hereby established as a guide in determining such quantities of offensive odors Table III, "Odor Thresholds", in Chapter 5, "Air Pollution Abatement Manuals", copyright 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C. and said manual, and/or table as subsequently amended.
5. Fly Ash, Dust, Fumes, Vapors, Gases, Other Forms of Air Pollution. No emission shall be permitted which can cause any damage to health, to animals, vegetation, or other forms of property or which can cause any excessive soiling, at any point on the property of others, and in no event any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceeding 0.3 grains per cubic foot of the conveying gas. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500 degrees Fahrenheit and fifty percent (50%) excess air.
6. Electromagnetic Radiation. It shall be unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, for any other use directly or indirectly associated with these purposes which does not comply with the then current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation, except that for all governmental communications facilities, governmental agencies and government owned plants, the regulations of the Interdepartment Radio Advisory Committee shall take precedence over the regulations of the Federal Communications Commission, regarding such sources of electromagnetic radiation. Further, said operation in compliance with the Federal Communications Commission or the Interdepartment Radio

Advisory Committee regulations shall be unlawful if such radiation causes an abnormal degradation in performance of other electromagnetic radiators or electromagnetic receptors of quality and proper design because of proximity, primary field, blanketing, spurious re-radiation, harmonic content, modulation or energy conducted by power or telephone lines. The determination of "abnormal degradation in performance" and "of quality and proper design" shall be made in accordance with good engineering practices as defined in the latest principles and standards of the American Institute of Electrical Engineers, the Institute of Radio Engineers, and the Electronic Industries Association. In case of any conflict between the latest standards and principles of the above groups, the following precedence in the interpretation of the standards and principles apply: (1) American Institute of Electrical Engineers, (2) Institute of Radio Engineers, and (3) Electronic Industries Association.

7. Radioactive Radiation. No activities shall be permitted which emit dangerous radioactivity at any point beyond the property line. The handling of radioactive materials, the discharge of such of such materials into air and water, and the disposal of radioactive wastes, shall be in conformance with the regulations of the Atomic Energy Commission as set forth in Title 10, Chapter One, Part 20 - Standards for Protection Against Radiation, as amended; and all applicable regulations of the Commonwealth of Pennsylvania.
8. Heat. For the purpose of This Ordinance, heat is defined as thermal energy of a radioactive, conductive, or convective nature. Heat emitted at any or all points shall not at any time cause a temperature increase on any adjacent property in excess of 10 degrees F., as measured on the nearest property line; whether such change be in the air or in the ground, in a natural stream or lake, or in any structure on such adjacent property.
9. Light Glare.

Direct Light Glare. Direct light glare is defined for the purpose of this ordinance as illumination beyond property lines caused by direct or specularly reflected rays from incandescent, fluorescent, or arc lighting, or from such high temperature process as welding or petroleum or metallurgical refining. No such direct glare shall be permitted with the exception that parking areas and walkways may be illuminated by luminaries so hooded or shielded that the maximum angle of the cone of direct illumination shall be 60 degrees drawn perpendicular to the ground, with the exception that such angle may be increased to 90 degrees if the luminary is less than 4 feet above the ground. Such luminaries shall be placed not more than 16 feet above ground level and the maximum illumination at ground level shall not be in excess of three foot-candles.

Indirect Light Glare. Indirect light glare is defined for the purpose of this ordinance as illumination beyond property lines caused by diffuse reflection from a surface such as a wall or roof of a structure. Indirect glare shall not exceed that value which is produced by an illumination of the reflecting surface not to exceed:

.3 foot-candles (maximum)

.1 foot-candles (average)

Deliberately induced sky-reflected glare, as by casting a beam upward for advertising purposes, is specifically prohibited.

10. Liquid or Solid Wastes. No discharge shall be permitted at any point into any sewage disposal system, or watercourse, or lake, or into the ground, except in accordance with standards approved by the Pa. Department of Environmental Protection or other regulating department or agency, of any materials of such nature or temperature as can contaminate any water supply or otherwise cause the emission of dangerous or offensive elements. There shall be no accumulation of solid wastes conducive to the breeding of rodents or insects.

13.03 Prohibited Uses In All Districts

- A. No use may be permitted which is noxious, offensive or objectionable by reason of the emission of smoke, dust, gas, odor or other form of air pollution, or by reason of the deposit, discharge or dispersal of liquid or solid wastes in any form in a manner or amount as to cause permanent damage to the soil and stream, or to adversely affect the surrounding area, or by reason of the creation of noise, vibration, electromagnetic or other disturbance, or by reason of illumination by artificial light or light reflection beyond the limits of the lot on or from which such light or light reflection emanates, or which involves any dangerous fire, explosive, radioactive or other hazard, or which causes injury, annoyance or disturbance to any of the surrounding properties or to their owners and occupants, any other process or use which is unwholesome and noisy and may be dangerous or prejudicial to health, safety or general welfare.

13.04 Uses Not Provided For - Similarity Review

In any district established by this ordinance, when a specific use is not expressly permitted or listed as a conditional use, it shall be deemed to be prohibited. Upon the receipt of a written request, the Zoning Officer shall make a determination of similarity or compatibility of the use in question to permitted or conditional uses in the particular zoning district within thirty (30) days. No zoning permit shall be issued by the Zoning Officer for any unspecified use until this determination has been made. Appeals of the Zoning Officer's determination in such matters shall be taken to the Zoning Hearing Board.

13.05 Accessory Building Regulations

- A. An accessory building not attached to the principal structure may be located in any required side or rear yard up to the setback limits for the zoning district in which it is located, provided:
 - 1. Such building shall not be more than twenty (20) feet in height.
 - 2. All such buildings in the aggregate shall not occupy more than thirty percent (30%) of the area of the rear or side yard where they are located.
- B. When an accessory structure is attached to the principal building, it shall comply in all respects with the requirements of this ordinance applicable to the principal building.
- C. No accessory building shall project nearer to the street on which the principal building fronts than the minimum building set-back distance for the principal building.

13.06 Essential Services

Essential Service buildings and structures shall be permitted in any zoning district without regard to the use and area regulations; provided, however, that buildings erected for these utilities shall be subject to the following regulations:

- A. Front, side and rear yards shall be provided in accordance with the regulations of the district in which the building is located.
- B. Height of building shall be as required by the district regulations.
- C. Unhoused equipment shall be enclosed with a chain link fence six (6) feet or more in height.
- D. All essential service buildings, facilities and/or storage areas shall be screened where adjacent to any residential use. Screening shall consist of a double row staggered planting of coniferous trees which are at least 6 feet high, or a fence made of solid material at least 6 feet high, landscaped with trees and shrubs. Other types of screening may be accepted by the Board of Supervisors after review for effectiveness.
- E. All adjoining property owners shall be notified of the proposed development by the utility through individual notice mailed to them at least thirty (30) days prior to commencement of construction activity.

13.07 Height Regulations

- A. Where a lot has frontage on two or more streets or other public right-of-way, the height limitation shall apply only as measured from the curb level along the street or way with a higher elevation above sea level.
- B. Chimneys, flues, towers, spires, cupola domes, pole masts, antennas, barns, and silos shall be exempt from height limitations of this Ordinance provided their location is not in the required yard.

13.08 Private Outdoor Swimming Pools

- A. A building permit shall be required for the installation or construction of a private outdoor swimming pool on the same lot as the principal residence subject to the following conditions:
 - 1. Such pool may be erected in the required rear yard, but not in the required side yard or front yard.
 - 2. The water edge of such pool shall not be located nearer than twenty (20) feet to any lot line for an in-ground pool or nearer than fifteen (15) feet for an above-ground pool.
 - 3. Any such pool with a surface area of one hundred fifty (150) square feet or more or a depth in excess of two (2) feet shall be completely surrounded by a fence or wall that is not less than four (4) feet in height. All gates or doors opening through said fence shall be erected, maintained and provided with a self-closing, self-locking gate to prevent unauthorized use of the pool and to prevent accidents. However, if said top of pool is located more than three and one-half (3 ½) feet above the ground level, then a fence is not required, provided that all points of access to said pool are adequately protected.
 - 4. Portable wading pools less than the area and depth requirements of item 3 above shall be exempt.

13.09 Temporary Uses

Upon application to the Township, a temporary use may be granted for the following subject to terms and conditions established by the Board of Supervisors in keeping with the spirit, intent, and objectives of this Ordinance:

- A. Temporary amusement parks and carnivals.
- B. Temporary housing and shelter caused by damage to source of principal occupancy.

13.10 Real Estate Sales Office

A real estate sales office shall be permitted as an accessory use to any residential development in excess of fifteen lots or dwelling units subject to the applicable signage and off-street parking requirements provided herein.

13.11 Fences and Walls (Residential Applications)

- A. Fences and walls (including retaining walls) may be erected, altered, and maintained within the yards provided that any such fence or wall shall not exceed four (4) feet in height in the front yard; six (6) feet in height in the side or rear yards; and eight (8) feet in height within the buildable area of the lot.
- B. No wall, fence, sign or other structure shall be erected or altered and no hedge, trees, shrubs or other growth shall be maintained or permitted which may cause danger to traffic or a street or public road by obscuring the view.
- C. No fence, wall or other structure shall be erected or maintained within the right-of-way of any street, drainage or sewer right-of-way, or any other public easement.
- D. A fence may be erected higher than six (6) feet, but shall not exceed eight (8) feet in the following instances:
 - 1. A fence up to eight (8) feet in height is permitted to enclose a swimming pool, provided such fence and pool are located within the rear yard and a minimum of ten (10) feet from any property line.
 - 2. A fence up to eight (8) feet in height is permitted to enclose a patio, provided such fence and patio are located within the rear yard and a minimum of ten (10) feet from any property line.
- E. Tennis Court Enclosure. A fence may be erected for the purpose of enclosing a tennis court, providing that such fence shall not exceed ten (10) feet in height and not extend closer than fifteen (15) feet from the front property line. Such fence may be erected along the property line in the side and rear yards.

13.12 Buffer Yards and Screening

Where buffer yards and screening are required by the terms of this ordinance, they shall be provided in accordance with the following standards.

- A. Screening requirements shall be applicable under the following circumstances:

1. Where a proposed commercial, industrial, or institutional use abuts an existing residential use or a residential district;
2. Where any proposed multi-family residential use abuts an existing single-family detached, single-family semi-detached, or two family detached dwelling;
3. Where screening is required by this ordinance, or where it is required by the Township or by the Zoning Hearing Board.

B. Buffer Yard.

The entire perimeter of the tract undergoing development shall be provided with a minimum twenty (20) foot wide planting strip or buffer yard, which will act as an effective screen separating uses. Such buffer yard shall be forty (40) feet wide if adjacent to a residential use or district. The required yard space for the district in which the use is located may be considered as all or part of the buffer yard. Where uses are separated by a public street, the required buffer yard may be reduced to a minimum of twenty-five (25) feet if adjacent to a residential use or district, along the portion of the tract boundary containing the public street.

C. Screening.

1. Vegetative screening shall include a variety of deciduous and evergreen species which are indigenous to the area, that will provide a year round visual buffer. The screening shall include no less than fifty (50) percent evergreens.
2. Vegetative screening shall incorporate earthen mounds or berms, wherever possible, to improve sound as well as visual buffering.
3. Plant materials used in the screen planting shall be at least six (6) feet in height when planted and be of a species which will produce a complete visual screen of at least eight (8) feet in height at maturity.
4. No plantings shall be placed with their centers closer than five (5) feet from the property line.
5. All existing trees within the required buffer yard above three (3) inches in caliper and/or eight (8) feet in height shall be preserved wherever possible.
6. Screening shall be designed so as to not obstruct the clear sight triangle at road intersections.

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7. Screening design, including the type of plant materials used, spacing of plant materials, and the use and location of earthen berms, shall be subject to review and approval by the Board of Supervisors upon the recommendation of the Planning Commission.
8. Vegetative screens shall be perpetually maintained during the period the principal use causing the need for screening is in operation. Any plant material which does not survive shall be replaced within six (6) months.

13.13 Accessory Solar Energy Systems (ASES)

The Pennsylvania Municipalities Planning Code Act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property and to promote the conservation of energy through access to and use of renewable energy resources.

A. Regulations Applicable to All Accessory Solar Energy Systems:

1. ASES shall be permitted as a use by right in all zoning districts.
2. Exemptions
 - a. ASES with an aggregate collection and/or focusing area of (10) square feet or less are exempt from this ordinance.
 - b. ASES constructed prior to February 26, 2013 shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing ASES whether or not existing prior to February 26, 2013, that materially alters the ASES shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.
3. The layout, design, installation, and ongoing maintenance of ASES shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PA Uniform Construction Code as enforced by Southampton Township, and with all other applicable fire and life safety requirements. The manufacturer specifications for the system shall be submitted as part of the application.

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Upon completion of installation, the ASES shall be maintained in good working order in accordance with standards of the Southampton Township codes under which the ASES was constructed. Failure of the property owner to maintain the ASES in good working order is grounds for appropriate enforcement actions by Southampton Township in accordance with applicable ordinances.

4. ASES installers must certify they are listed as a certified installer on the PA Department of Environmental Protection's (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:
 - a. Is certified by the North American Board of Certified Energy Practitioners (NABCEP).
 - b. Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer's training program and successfully installed a minimum of three PV systems.
 - c. For residential applications, a registered home improvement contractor with the Attorney General's office.
5. All on-site utility, transmission lines, and plumbing shall be placed underground to the extent feasible.
6. The owner of an ASES shall provide Southampton Township with written confirmation that the public utility company to which the ASES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. Off-grid systems shall be exempt from this requirement.
7. The display of advertising is prohibited except for reasonable identification of the manufacturer of the system.
8. Glare
 - a. All ASES shall be placed such that concentrated solar radiation or glare does not project onto nearby properties or roadways.
 - b. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

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9. Solar Easements

- a. Where a subdivision or land development involves the use of solar energy systems, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.
- b. Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:
 - i. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;
 - ii. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;
 - iii. Enumerate terms and conditions, if any, under which the easement may be revised or terminated;
 - iv. Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.
- c. If required, an ASES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).

10. Prior to the issuance of a Land Use Permit, applicants must acknowledge in writing that the issuing of said permit for a solar energy system shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself : (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.

11. Decommissioning

- a. Each ASES and all solar related equipment shall be removed within twelve (12) months of the date when the use has been discontinued or abandoned by the system owner and/or operator, or upon termination of the useful life of the ASES.

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- b. The ASES shall be presumed to be discontinued or abandoned if no electricity is generated by such solar collector for a period of twelve (12) continuous months.
- c. The ASES owner shall, at the request of Southampton Township, provide information concerning the amount of energy generated by the ASES in the last 12 months.

12. Permit Requirements

- a. Land Use Permit applications shall document compliance with this Section and shall be accompanied by drawings showing the location of the system on the building or property, including property lines. Permits must be kept on the premises where the ASES is constructed.
 - b. The Land Use Permit shall be revoked if the ASES, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the ASES not to be in conformity with this Ordinance.
 - c. The ASES must be properly maintained and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of a violation of any of the foregoing provisions, the Zoning Officer shall give written notice specifying the violation to the owner and directing the owner of the ASES to conform or to remove the ASES.
- B. Regulations Applicable to Roof Mounted and Wall Mounted Accessory Solar Energy Systems:**
- 1. A roof mounted or wall mounted ASES may be located on a principal or accessory building.
 - 2. The total height of a building with an ASES shall not exceed by more than four (4) feet above the maximum building height specified for principal or accessory buildings within the applicable zoning district.
 - 3. Wall mounted ASES shall comply with the setbacks for principal and accessory structures in the underlying zoning districts.
 - 4. Solar panels shall not extend beyond any portion of the roof edge.
 - 5. For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code and adopted building code of Southampton Township that the roof or wall is capable of holding the load imposed on the structure.

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- C. Regulations Applicable to Ground Mounted Accessory Solar Energy Systems:
1. Setbacks
 - a. The minimum yard setbacks from side and rear property lines shall be equivalent to the principal structure setback in the zoning district.
 - b. Ground mounted ASES are prohibited in front yards, between the principal building and the public street.
 2. Height

Ground mounted ASES shall not exceed twenty (20) feet in height above the ground elevation surrounding the systems.
 3. Coverage
 - a. The surface area of the arrays of a ground mounted ASES, regardless of the mounted angle of any solar panels, and the area beneath the ground mounted ASES shall be included in the lot coverage calculation for the lot on which the system is located.
 - b. The total surface area of the arrays of ground mounted ASES on the property shall not exceed more than twenty (20) percent of the lot area.
 - c. The applicant may be required to submit a Stormwater Management Plan that demonstrates compliance with the municipal stormwater management regulations.
 4. Screening
 - a. Ground mounted ASES shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of plant materials which provide a visual screen consisting of at least 75% evergreen species. In lieu of a planting screen, a decorative fence meeting requirements of the zoning ordinance may be used.
 5. Appropriate safety/warning signage concerning voltage shall be placed at ground mounted electrical devices, equipment, and structures. All electrical control devices associated with the ASES shall be locked to prevent unauthorized access or entry.
 6. Ground-mounted ASES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.

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SECTION 13.14 - PRINCIPAL SOLAR ENERGY SYSTEMS (PSES)

The Pennsylvania Municipalities Planning Code Act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property and to promote the conservation of energy through access to and use of renewable energy resources.

A. Regulations Applicable to All Principal Solar Energy Systems:

1. PSES shall be permitted by conditional use in the Agricultural, Commercial, and Commercial/Manufacturing Zoning Districts.
2. Exemptions
 - a. PSES constructed prior to February 26, 2013 shall not be required to meet the terms and conditions of this Ordinance. Any physical modification to an existing PSES, whether or not existing prior to February 26, 2013 that materially alters the PSES shall require approval under this Ordinance. Routine maintenance or like-kind replacements do not require a permit.
3. The layout, design and installation and ongoing maintenance of PSES shall conform to applicable industry standards, such as those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), the American Society for Testing and Materials (ASTM),), Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Laboratory (ETL), Florida Solar Energy Center (FSEC) or other similar certifying organizations, and shall comply with the PA Uniform Construction Code as enforced by Southampton Township, and with all other applicable fire and life safety requirements. The manufacturer specifications for the system shall be submitted as part of the application.
4. PSES installers must demonstrate they are listed as a certified installer on the PA Department of Environmental Protection's (DEP) approved solar installer list or that they meet the criteria to be a DEP approved installer by meeting or exceeding one of the following requirements:
 - a. Is certified by the North American Board of Certified Energy Practitioners (NABCEP).

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- b. Has completed an Interstate Renewable Energy Council (IREC) Institute for Sustainable Power Quality (ISPQ) accredited PV training program or a PV manufacturer's training program and successfully installed a minimum of three PV systems.
5. All on-site transmission and plumbing lines shall be placed underground to the extent feasible.
6. The owner of a PSES shall provide Southampton Township with written confirmation that the public utility company to which the PSES will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection.
7. No portion of the PSES shall contain or be used to display advertising. The manufacturer's name and equipment information or indication of ownership shall be allowed on any equipment of the PSES provided they comply with the prevailing sign regulations.
8. Glare
 - a. All PSES shall be placed such that concentrated solar radiation or glare does not project onto nearby properties or roadways.
 - b. The applicant has the burden of proving that any glare produced does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.
9. The PSES owner and/or operator shall maintain a phone number and identify a person responsible for the public to contact with inquiries and complaints throughout the life of the project and provide this number and name to Southampton Township. The PSES owner and/or operator shall make reasonable efforts to respond to the public's inquiries and complaints.
10. Decommissioning
 - a. The PSES owner is required to notify Southampton Township immediately upon cessation or abandonment of the operation. The PSES shall be presumed to be discontinued or abandoned if no electricity is generated by such system for a period of twelve (12) continuous months.

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- b. Upon one, or more, of the conditions in paragraph 10.a above occurring, the PSES owner shall then have twelve (12) months in which to dismantle and remove the PSES including all solar related equipment or appurtenances related thereto, including but not limited to buildings, cabling, electrical components, roads, foundations and other associated facilities from the property. If the owner fails to dismantle and/or remove the PSES within the established timeframes, the municipality may complete the decommissioning at the owners expense.
 - c. At the time of issuance of the permit for the construction of the PSES, the owner shall provide financial security in the form and amount acceptable to Southampton Township to secure the expense of dismantling and removing said PSES and restoration of the land to its original condition, including forestry plantings of the same type/variety and density as the original condition.
11. Prior to the issuance of a zoning permit, PSES applicants must acknowledge in writing that the issuing of said permit shall not and does not create in the property owner, its, his, her or their successors and assigns in title or, create in the property itself : (a) the right to remain free of shadows and/or obstructions to solar energy caused by development of adjoining or other property or the growth of any trees or vegetation on such property; or (b) the right to prohibit the development on or growth of any trees or vegetation on such property.
12. Solar Easements
- a. Where a subdivision or land development proposes a PSES, solar easements may be provided. Said easements shall be in writing, and shall be subject to the same conveyance and instrument recording requirements as other easements.
 - b. Any such easements shall be appurtenant; shall run with the land benefited and burdened; and shall be defined and limited by conditions stated in the instrument of conveyance. Instruments creating solar easement shall include but not be limited to:
 - i. A description of the dimensions of the easement including vertical and horizontal angles measured in the degrees or the hours of the day, on specified dates, during which direct sunlight to a specified surface or structural design feature may not be obstructed;
 - ii. Restrictions on the placement of vegetation, structures, and other objects which may impair or obstruct the passage of sunlight through the easement;

- iii. Enumerate terms and conditions, if any, under which the easement may be revised or terminated;

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- iv. Explain the compensation for the owner of the real property subject to the solar easement for maintaining the easement and for the owner of the real property benefiting from the solar easement in the event of interference with the easement.
- c. If necessary, a PSES owner and/or operator must obtain any solar easements necessary to guarantee unobstructed solar access by separate civil agreement(s) with adjacent property owner(s).

13. Permit Requirements

- a. PSES shall comply with the Southampton Township Subdivision and Land Development Ordinance. The installation of PSES shall be in compliance with all applicable permit requirements, codes, and regulations.
- b. The PSES owner and/or operator shall repair, maintain and replace the PSES and related solar equipment during the term of the permit in a manner consistent with industry standards as needed to keep the PSES in good repair and operating condition.

B. Regulations Applicable to Ground Mounted Principal Solar Energy Systems:

1. Minimum lot size

The PSES shall meet the lot size requirements of the underlying zoning district.

2. Setbacks

PSES shall comply with the setbacks of the underlying zoning districts for principal structures.

3. Height

Ground mounted PSES shall not exceed twenty (20) feet in height.

4. Impervious Coverage

- a. The surface area of the arrays of a ground mounted PSES, regardless of the mounted angle of any solar panels, and the area beneath the ground mounted PSES shall be included in the lot coverage calculation for the lot on which the system is located.

- b. The applicant shall submit a Stormwater Management Plan that demonstrates compliance with the municipal stormwater management regulations.

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- c. PSES owners are encouraged to use low maintenance and low growing vegetative surfaces under the system as a best management practice for storm water management.
5. Ground mounted PSES shall be screened from adjoining residential uses or zones according to the standards found in Article 13.12 of this ordinance.
 6. Ground-mounted PSES shall not be placed within any legal easement or right-of-way location, or be placed within any storm water conveyance system or in any other manner that would alter or impede storm water runoff from collecting in a constructed storm water conveyance system.
 7. Security
 - a. All ground-mounted PSES shall be completely enclosed by a minimum eight (8) foot high fence with a locking gate.
 - b. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers, substations, and on the fence surrounding the PSES informing individuals of potential voltage hazards.
 8. The ground mounted PSES shall not be artificially lighted except to the extent required for safety or applicable federal, state, or local authority.
 9. If a ground mounted PSES is removed, any earth disturbance resulting from the removal must be graded and reseeded.

C. Regulations Applicable to Roof and Wall Mounted Principal Solar Energy Systems:

1. For roof and wall mounted systems, the applicant shall provide evidence that the plans comply with the Uniform Construction Code and adopted building code of Southampton Township that the roof or wall is capable of holding the load imposed on the structure.
2. PSES mounted on the roof or wall of any building shall be subject to the maximum height regulations of the underlying zoning district.

13.15 Off-Street Parking

- A. General Provisions.

Off-street parking facilities shall be provided to lessen congestion in the streets. The parking required herein shall be available to patrons throughout the hours of operation of the particular business or use for which such parking facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking space located off the public right of way.

1. Permanent uncovered parking spaces shall be deemed to be part of the impervious coverage of the lot on which it is located, whether or not such spaces are paved.
2. Any new building or use or any existing building or use which is to be converted, enlarged or added to for any reason shall be provided with not less than the minimum parking spaces as set forth in this article.
3. No parking space to be provided under the terms of this article shall be located within the right-of-way of any street, roadway or public alley or closer to the property line than the prescribed landscape setback lines as established in this zoning ordinance, if any, except where a variance may be granted by the Zoning Hearing Board for the encroachment of vehicular parking in a designated landscape setback.
4. Cumulative parking space requirements for mixed-use occupancies may be reduced where it can be demonstrated that the peak requirement of the several occupancies occur at different times, such as mid-day for office uses and evening for residential uses. Variances in the total number of spaces required by the addition of all uses as specified in this article may be considered if supported by a parking demand study prepared by a qualified parking consultant. Based on the recommendations of such study, the Planning Commission may recommend and the Board of Supervisors may approve appropriate reductions in total requirements.

B. Design Standards.

1. The minimum size of a parking space for any use shall be ten (10) feet wide by eighteen (18) feet long, except for handicapped spaces. Notwithstanding the above, all parking spaces shall be ample in size for vehicles for which use is intended.

2. Parking lot layouts shall be no less than those listed in the following table:

Angle of Parking (Degrees)	Depth* From Curb (Feet)	Aisle Width		Module Width (Feet)
		One-way	Two-way	
90°	18'	24'	24'	60'
60°	18'	18'	20'	54' or 56'
45°	16'	16'	20'	48' or 52'

* Measured perpendicular to curb or edge of parking lot.

3. No part of the public right of way of any street or road shall be used in computing the required area for parking. However, parallel parking may be permitted along the curb or edge of an access drive or private road, providing the spaces are not less than eight feet (8'0") by twenty-two feet (22'0") in addition to the required width for the circulation of vehicles.
4. Parking lanes shall not be longer than 300 feet without providing a circulatory road. Parking areas which provide required spaces shall not be more than 600 feet from the use requiring the parking.
5. Entrance/exit drives for parking areas shall be a minimum of eighteen (18) feet for one-way travel, and twenty-four (24) feet for two-way travel. Drives shall be uniform in width, smooth flowing and provide for ninety degree intersections.
6. No parking area for multi-residential use, commercial, industrial, public, or semipublic use, shall be permitted which would allow or encourage the backing of vehicles directly into a street. Points of ingress and egress between a street and off-street parking and service areas shall be designed, located, and controlled so that vehicles can be moved from such parking and service areas to the street only by way of such designated points of ingress and egress.
7. All dead-end parking lots shall be designed to provide sufficient back-up area for the end spaces.

8. For all uses other than dwellings, if under 10,000 square feet gross leasable area, continuous parking may be permitted abutting the front and/or sides of the building, excluding the area in front of any entrance and/or exit where a minimum of twenty feet in width shall be kept open and parking prohibited. To the extent possible, this area shall have physical controls such as curbing or landscaping.
9. Single commercial usage shops and stores or multi-tenant "strip commercial" facilities over 10,000 square feet gross leasable area may permit abutting parking on the sides only, excluding fire exits or entrances where a minimum of twenty feet in width shall be kept open and parking prohibited.
11. Parking abutting buildings of a shopping mall shall be prohibited.
12. All paved areas abutting buildings where parking is prohibited shall be posted as Fire Lane - Parking Prohibited.

C. Landscaping and Screening.

1. Perimeter. All parking areas, regardless of size, shall conform to applicable perimeter setback and landscape requirements pertaining to the particular zone in which the parking area is located.
2. Interior. Parking areas greater than twelve spaces shall provide a minimum of five percent (5%) of the paved lot area for interior landscaping. The perimeter landscaped areas shall not be counted as part of the paved lot area, nor shall these areas be counted as part of the interior landscaped area. Each separate landscaped area should contain a minimum of forty square feet and should have a minimum dimension of three and one-half feet. Parking areas should contain more than one such landscaped area, and these areas shall be located in such manner as to divide and break up the expanse of paving.
3. All off-street parking areas which provide more than eight (8) parking spaces shall be screened from any abutting property zoned residential or used for residential purposes.

Screening may be accomplished by the placement of adequate buildings, earthen berms, a solid fence high enough to provide screening, and/or the provision, and maintenance, of solid planting in the form of contiguous evergreen shrubs. Evergreen trees or shrubs shall be at least four feet (4'0") in height at the time of planting and set back at least five feet (5 ft.) from any property line.

D. Parking Requirements for Dwelling Units.

For all residential uses there shall be provided the following minimum on-lot parking spaces for new or additional dwelling units:

	<u>Type Dwelling Unit</u>	<u>Spaces Per Dwelling Unit</u>
1.	Single family detached Lot area greater than 60,000 sq.ft.	3.0
2.	Single family detached Lot area of 60,000 sq.ft. or less	2.0
3.	Single family - Semi-detached and Attached Units	2.0
4.	Multi-family - studio/efficiency	1.25 plus 1 guest space per 5 units
5.	Multi-family - 1 bedroom	1.5 plus 1 guest space per 5 units
6.	Multi-family - 2 bedrooms	2.0 plus 1 guest space per 5 units
7.	Multi-family - 3(+) bedrooms	2.25 plus 1 guest space per 5 units
8.	Parking spaces shall be at a reasonable distance and not to exceed 300 feet from the dwelling unit and be provided with reasonable pedestrian and vehicle access. Required spaces may be located up to fifty feet into an adjacent zoning district. Parking spaces required for each dwelling shall be in the same ownership as the dwelling, except in condominiums. All spaces shall have direct, unobstructed access. Special parking requirements for mobile home parks are contained in the Southampton Township Subdivision and Land Development Ordinance.	

E. Parking Requirements for Uses Other Than Dwelling Units.

<u>Type of Use</u>	<u>Required Parking Spaces</u>
1. Hotels, Motels	One (1) per each unit plus one (1) per each employee on maximum shift, and additional spaces as required to meet 30% of the rated capacity of other uses (restaurant, etc.)
2. Tourist homes, Boarding and Lodging homes, Rooming Houses	One (1) per each unit or room plus one (1) for the owner or manager and one (1) per each employee, and additional spaces as required to meet 30% of the rated capacity of other uses, as may be applicable
3. Religious Institutions, Churches, Temples, Chapels, etc.	One (1) per each 3.5 seats, based on the total capacity, plus one (1) for each classroom (See Social Halls for requirements for church social halls)
4. Banks	One (1) per 350 sq.ft. of net leasable area, plus one (1) per employee on maximum shift, plus one reserve spaces for drive-in banks as determined by the Zoning Officer
5. Professional and General Offices	One (1) per each 300 sq.ft. of net leasable area, with a minimum of five (5) spaces
6. Retail Shops and Stores	One (1) per each 300 sq.ft. of net leasable area with a minimum of five (5) spaces, plus one (1) per employee on maximum shift
7. Shopping Malls	4.5 spaces per 1000 square feet of gross floor area
8. Furniture and Appliance Stores	One (1) per each 400 sq.ft. of net leasable area, plus one (1) per employee on maximum shift, with a minimum of five (5) spaces
9. Grocery Stores, Supermarkets	One (1) per each 350 sq.ft. of gross floor area
10. Carry-out Food Establishments, (with or without drive-thru)	Minimum of ten (10) spaces plus one (1) space for each 2.5 seats
11. * Eating Places, Restaurants (no sit-down bar area)	One (1) per each 2.5 seats

<u>Type of Use</u>	<u>Required Parking Spaces</u>
12. * Drinking Places, Bars, Night Clubs	Spaces equal to 30% of total permitted occupancy
13. ** Bowling Alleys, Billiard and Pool Establishments	For bowling alleys - five (5) per alley For billiard and pool establishments - one (1) per each 300 sq.ft. of net leasable area, with a minimum of five (5) spaces
14. Warehousing and Storage	Provide automobile parking to accommodate the total number of employees expected on the two busiest consecutive shifts on an average workday.
15. Wholesale Establishments	One (1) per each 400 sq.ft. of net leasable area
16. Community Buildings and Social Halls	Spaces equal to 30% of total design occupancy rating
17. Automotive Repair and Service Shops, Tire Sales Stores	Four (4) spaces plus two (2) for each service bay, plus one (1) per each 300 sq.ft. of showroom area
18. Gasoline Service Stations	Four (4) spaces plus two (2) for each service bay
19. Convenience Store, Mini-Market	Five (5) spaces plus one (1) per each 250 sq.ft. of gross floor area
20. Personal Services (includes establishments primarily providing services that generally involve the care of the person or his apparel, such as laundries, dry cleaning, photo studios, beauty and barber shops, etc.)	One (1) per each 350 sq.ft. of new leasable area, with a minimum of five (5) spaces, plus one (1) per each employee If use is classified as a home occupation, see separate regulations in Section 13.05
21. Home Occupations	As determined by the Zoning Officer, based on the type of occupation and anticipated need
22. Open Area Commercial Uses (such as mobile home sales, recreational vehicle sales, monument sales, nursery stock and related uses as determined by the Planning Commission	One (1) per each 2500 sq.ft. of gross lot area occupied by the use

<u>Type of Use</u>	<u>Required Parking Spaces</u>
23. Auditoriums, Assembly Halls	One (1) per each four (4) seats
24. Clinics, Medical Office Buildings	One (1) per each 175 sq.ft. of gross floor area
25. Medical Offices, Dental Offices, etc. (operated from a dwelling)	One (1) per each 175 sq.ft. of gross floor area, with a minimum of eight (8) spaces
26. Day Care Centers, Nursery Schools, or Babysitting Services (not operated from a dwelling)	One (1) space per employee on maximum shift, plus spaces equal to 20% of maximum permitted occupancy
27. Nursing Homes, Convalescent Homes, etc.	One (1) per each 2.5 beds, plus one (1) for each employee on maximum shift

* If an establishment contains both a dining area and a bar area, the requirements for eating places and drinking places shall be applied to each area separately.

** If the establishment contains both bowling and billiard facilities, the requirements of each shall be applied separately.

F. Uses Not Specifically Listed.

Parking for any use not specifically listed shall be determined by the Planning Agency.

G. Lighting.

The main entrances, exits and parking areas of all parking lots of fifteen (15) spaces or more shall be lighted. Light standards shall be protected from vehicular traffic by curbing or landscaping. Lighting shall be shielded so as not to produce objectionable glare or impede vision of adjacent residential uses or passing motorists.

H. Signs.

Entrances and exits shall be clearly marked and preferred exit routing shall be parked where applicable. One-way roads shall be marked on the road surface and by signs. All parking lots with over 100 spaces shall have the individual parking aisles identified.

I. Marking.

Parking spaces in paved lots shall be defined by yellow and/or white lines, painted or so marked with road surface tape, with a minimum width of four inches. Lines shall be remarked as necessary to insure their visibility.

13.16 Signs

- A. Signs Permitted In All Districts. Signs listed in this section are permitted in all zoning districts as defined in this ordinance.
1. Name and Address of Resident. Name and address of resident, but not to include any commercial advertising, of not more than four (4) square feet in sign area.
 2. No Trespassing Signs. No trespassing signs or other such signs regulating the use of a property, such as "No Hunting," "No Fishing," etc., of not more than eight (8) square feet in sign area.
 3. Real Estate Marketing Signs. Real estate marketing signs are signs which advertise the sale, rental or lease of the land upon which they are located. Such signs shall not exceed eight (8) square feet in area.
 4. Bulletin Boards for Public, Charitable or Religious Institutions. Bulletin boards for public, charitable or religious institutions, when located on the premises thereof and with a sign area of not more than twenty-five (25) square feet if single-faced, nor more than fifty (50) square feet if double-faced, and used exclusively for non-commercial announcements.
 5. Signs Regulating On-Premises Traffic, Parking or Other Functional Subdivision. Signs regulating on-premises traffic (Examples: "In-Out", "Enter-Exit"), parking or other functional subdivision, such as lavatory facilities, telephone, signs denoting other sections of a premises such as "Lubrication", "Office", etc., when less than five (5) square feet in area and bearing no commercial advertising.
 6. Signs Erected by a Governmental Body. Signs erected by a governmental body or under the direction of such a body and bearing no commercial advertising, such as traffic signs, railroad crossing signs, safety signs, signs identifying public schools and playgrounds, etc.
 7. Memorial Signs or Tablets. Memorial signs or tablets and signs denoting the date of erection of buildings.
 8. Flags, Pennants or Insignia of any Government, Religious or Fraternal Organization, Charitable Organizations. The flag, pennant or insignia of any governmental, or of a religious, charitable or fraternal organization shall be limited to a maximum area of thirty-two (32) square feet and to a height not to exceed the maximum building height as allowed by this ordinance.

9. Special Events of Charitable or Public Service Groups. Such signs must be removed within forty-eight (48) hours after the event or activity thereby has occurred and shall not be permitted to exist more than thirty (30) days prior to such event or activity.
 10. Permanent Residential Development Signs. Permanent residential development signs at major entrances designed to identify a residential subdivision and containing no commercial advertising shall have a maximum area of twenty-five (25) square feet.
 11. Signs Identifying Places of Worship. Signs identifying places of worship, when located on the premises thereof, shall have a maximum area of twenty-five (25) square feet.
 12. On-Premises Signs for Home Occupation. Signs identifying home occupations shall not be larger than six (6) square feet in area, bearing the name and occupation (words only) of the practitioner. No more than one (1) such sign shall be permitted for each occupation.
 13. Yard Sale Signs. Temporary yard sale or garage sale signs may be erected, provided they pose no safety hazard for vehicular traffic. Such signs may be erected no sooner than seven (7) days before the event, and must be removed no later than two (2) days after the event.
- B. Signs and Other Devices Prohibited in All Zoning Districts.** The following signs and other devices shall not be permitted, erected or maintained in any zoning district, notwithstanding anything else to the contrary contained in this part or elsewhere:
1. Signs which incorporate in any manner any flashing or moving illumination or with illumination which varies in intensity or which varies in color, and signs which have any visible moving part, visible revolving parts, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical pulsations or by action of normal wind currents. Clocks, hanging signs which move with air currents, time and temperature signs and barber poles are excepted, provided they otherwise comply with all other provisions of this part.
 2. Light sources which cast light on signs unless shielded by opaque material so that lamps are not visible from off the property on which the signs are located.
 3. Any sign or sign structure which constitutes a hazard to public safety or health.

4. Signs which by reason of size, location, content, coloring or manner of illumination, obstruct the vision of drivers, either when leaving a roadway or driveway or obstruct or detract from the visibility or effectiveness of any traffic sign or control device or public streets and roads.
 5. Any sign which obstructs free ingress to or egress from a fire escape, door, window or other required building exit.
 6. Signs which make use of the 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.
 7. Any obsolete sign which no longer advertises a bona fide business conducted or product sold.
 8. Signs on public property or public rights-of-way, unless erected by a governmental body, or unless required to be so located by order of a governmental body.
 9. Signs painted on, attached to, or supported by a tree, stone, cliff, or other natural object, except signs permitted under (A.) above.
- C. Limit on Number of Signs Per Premises. Notwithstanding anything else to the contrary in this part or elsewhere, no more than three (3) signs identifying a business, office, or industry may be erected or maintained on any premises at any one time, except when a building is located on a corner lot and has public entrances on two (2) or more public ways, or where a building has both a front and rear public entrance, one (1) additional sign may be erected. A double-faced sign shall count as a single sign. Temporary or portable signs shall be counted as business identification signs.
- D. Limit on Height of Signs. No sign or any part thereof (including braces, supports or lights) shall exceed a height of ten feet (10') if erected at the right-of-way line of any street, road or highway adjoining the premises on which the sign is located, plus one foot (1') additional height for each three (3) lineal feet that said sign is located from such street, road or highway as measured on a perpendicular line from such right-of-way line to the nearest part of the sign, provided, however, that no sign shall exceed twenty-five feet (25') in height regardless of its distance from the right-of-way line. Height shall be measured from the actual grade of the premises directly below the face of the sign (exclusive of any mounds or other additions to the grade level) to the highest part of the sign. No part of any sign shall extend into the right-of-way of any street, road or highway other than those authorized by a governmental body.
- E. Limit of Sign Area. Notwithstanding anything else to the contrary in this part, the

total sign area per premises shall not exceed three (3) square feet per lineal front foot of that portion of the building occupied by the occupant of said premises, except that no premises shall be limited to less than thirty-two (32) square feet of total sign area.

In no case shall the total sign area of all signs on one premises exceed two hundred fifty (250) square feet.

F. Safety and Maintenance. All signs and all parts thereof shall be kept in a good state of repair and maintenance.

G. Specific Sign Types and Uses. In addition to the general provisions of this part, the following regulations shall apply:

1. No wall sign shall extend above the top of the wall upon which it is placed.
2. No wall sign shall extend beyond the left and right extremities of the wall to which it is attached.
3. Every ground pole or freestanding sign and all parts, braces and supports thereof shall be located entirely within the property lines of the premises and shall not project over public rights-of-way or other adjoining lands without permission. Freestanding or ground pole signs may be permitted between the property line and the buildings setback lines, except where otherwise prohibited by this ordinance.
4. There shall be no more than one (1) ground pole or freestanding sign permitted per business premises. Any freestanding or ground pole sign shall have no more than two (2) faces or advertising sides.
5. No single face or advertising side of a freestanding or ground pole sign shall have an area which exceeds sixty-four (64) square feet.
6. In multiple owner/tenant occupancies, the various signs required for identification of different activities shall be coordinated with respect to placement on the building facade, legibility and illumination.

Wherever possible, freestanding or ground pole signs of multiple owner/tenant buildings shall be incorporated into one sign, or clustered on a common framework or standard.

7. One sign in addition to other allowable signs will be permitted to identify the price and type of fuel sold by a gasoline station; such sign shall not exceed 24 square feet in area.
8. Directional signs may be erected near roadways (but not within the right-of-

way) to direct vehicles or pedestrians to premises not located on such roadways, but the access to which is from such roadways.

9. Directional signs shall be limited to freestanding or ground pole signs with a maximum area of six (6) square feet on a single-faced or twelve (12) square feet on a double-faced sign.
10. The area of a directional sign located off-premises shall be charged against the total area of the owner's on-premises allowable maximum area as provided in Section E hereinabove.
11. The content of directional signs shall be limited to the name of the establishment and direction and distance information.
12. Where different uses are permitted side by side, signs permitted for one property or tenancy shall not adversely affect the identification and/or reasonable use of signs of the neighboring property or tenancy.

H. Abandoned Signs.

1. "Abandoned Sign" defined. An abandoned sign shall mean: a sign which pertains to a time, event or purpose which no longer applies or is located on a property which has been unoccupied or vacant for at least ninety (90) days. Safety notice and real estate sale, rent or lease signs are not included.
2. Removal of Abandoned Signs. Signs that are abandoned shall be removed by the persons responsible for the erection and/or maintenance thereof with thirty (30) days after notice of the abandonment to such persons by the Township. If such persons fail or refuse to remove such abandoned signs after the notice aforesaid, the Township may remove the signs at the expense of the persons responsible for the erection and/or maintenance thereof.

I. Nonconforming Signs. All signs which are in existence on the effective date of this ordinance, which do not meet the applicable provisions of this Section shall be considered nonconforming.

1. All nonconforming signs shall be permitted to remain as long as they are in use, are structurally sound, and have not been deemed abandoned under the terms of this Section, except for those that are in violation of 13.16 B. Any sign which is in violation of 13.16 B. shall be removed or brought into compliance with the provisions of this section within thirty (30) days after the effective date of this ordinance. It shall be unlawful to maintain a sign in violation of 13.16 B.
2. If a nonconforming sign is removed, any replacement sign shall conform

with the provisions of this Section.

3. Nonconforming signs may be altered by changing the face or copy of the sign, provided that the new face or copy is no larger in square footage, length or width than the sign it is replacing, and provided that the replacement sign is installed on the same support framework, standard or pole. Minor structural changes to the sign framework or support structure are permitted to insure the safety of the sign, however, major changes such as the replacement of the entire support structure shall require that the sign be placed in conformance with this Section. New embellishments to the structure or the sign framework are not permitted on nonconforming signs.
- J.** Billboards are permitted in the Commercial/Manufacturing Districts subject to the following criteria:
1. No billboard shall be located within one thousand (1000) feet of another billboard;
 2. All billboards shall be a minimum of fifty (50) feet from all side and rear property lines;
 3. All billboards shall be setback at least thirty-five (35) feet from any right-of-way lines;
 4. All billboards shall be setback at least one hundred (100) feet from any land within a Residential Zone.
 5. No billboard shall obstruct the view of motorists on adjoining roads, or the view of adjoining commercial or industrial uses, which depend upon visibility for identification; and,
 6. No display area of any billboard shall exceed twenty (20) square feet for each ten (10) feet of lot frontage nor an overall size of two hundred and fifty (250) square feet, nor exceed twenty-five (25) feet in height.

13.17 Home Occupations

- A.** Home Occupations where permitted in this Ordinance are subject to the following criteria:
1. It is carried on within the dwelling unit and/or within usual accessory structures by the residents of the home;

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2. There shall be no more than two (2) employees other than residents of the home.
3. It does not result in the production of any noise or vibration (except that produced by coming and going), light, odor, dust, smoke, or other air pollution in excess of the standards contained in Section 13.02 of this ordinance.
4. Off-street parking spaces, in sufficient number as determined by the Planning Agency, are made available on the same premises.
5. The conducting of a nursery school or day care center for not more than six children is a lawful home occupation.
6. The use shall be clearly incidental and secondary to the use of the dwelling as a residence, and the exterior appearance of the structure and premises shall be residential in character.

13.18 Accessory Apartment

- A. Defined as a secondary dwelling unit contained within a single-family detached dwelling or an accessory building thereto, an accessory apartment may be permitted subject to the following standards:
 1. Only one accessory apartment may be permitted. Such accessory apartment shall have an entrance which provides direct access.
 2. An accessory apartment may only be permitted and may only continue in use as long as the principal dwelling is occupied by the owner of said dwelling.
 3. The lot area for the principal dwelling shall meet the minimum lot area requirement for the applicable district where located.
 4. The exterior architectural character of the principal dwelling shall not be altered in a manner which departs from the primary feature of the building as a single-family detached dwelling unit.
 5. One additional off-street parking space shall be provided.
 6. The applicant shall submit a plan and supporting documentation to establish compliance with the standards herein.
 7. The applicant must show that the present and future sewerage needs of the

property are and will be met. The Township may require an inspection of existing system(s) or may require review by the appropriate public sewer authority.

SECTION 13.19 – ACCESSORY WIND ENERGY FACILITIES (AWEF)

The Pennsylvania Municipalities Planning Code Act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property and to promote the conservation of energy through access to and use of renewable energy resources.

A) Regulations Applicable to All Accessory Wind Energy Facilities:

1. AWEF shall be a permitted use in all Zoning Districts.
2. Exemptions
 - a) AWEF constructed prior to February 26, 2013 shall not be required to meet the requirements of this Ordinance.
 - b) Any physical modification to an existing AWEF whether or not existing prior to February 26, 2013 that materially alters the size, type and number of Wind Turbines or other equipment shall require approval under this Ordinance and meet the requirements of the Uniform Construction Code. Routine maintenance or like kind replacements do not require a permit.
3. The layout, design, installation and ongoing maintenance of AWEF should conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), Det Norske Veritas, Germanischer Lloyd Wind Energies, the American Society of Testing and Materials (ASTM), or other pertinent certifying organizations and comply with the PA Uniform Construction Code and all applicable building and electrical codes enforced by Southampton Township, and with all other applicable fire and life safety requirements. The manufacturer specifications shall be submitted as part of the application
4. Two ground mounted AWEF are permitted on a lot.
5. Noise
 - a) The sound produced by the AWEF shall not exceed fifty (50) dBA as measured at the property line at ground level.

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- b) Noise limits may be exceeded during short-term events such as utility outages and/or severe wind storms.
 - c) Methods for measuring and reporting acoustic emissions from PWEF shall be equal to or exceed the minimum standards for precision described in American Wind Energy Association (AWEA) Standard 2.1 - 1989 titled Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems Volume I: First Tier, as amended.
6. When an accessory building is necessary for storage cells or related mechanical equipment, the accessory building shall comply with the accessory building requirements of the underlying zoning district.
 7. The owner of an AWEF shall provide Southampton Township with written confirmation that the public utility company to which the AWEF will be connected has been informed of the customer's intent to install a grid connected system and approved of such connection. Off-grid AWEF shall be exempt from this requirement.
 8. All on-site utility, transmission lines, and cables shall be placed underground.
 9. The display of advertising is prohibited except for identification of the manufacturer of the system
 10. AWEF shall not be lighted except for any lighting required to comply with Federal Aviation Administration (FAA) or Pennsylvania Department of Transportation Bureau of Aviation (BOA) regulations.
 11. AWEF shall be painted a non-reflective, flat color such as white, off-white or gray unless required to be colored differently from FAA or BOA regulations.
 12. AWEF shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation, overspeeding and excessive pressure on the tower structure, rotor blades and turbine components.
 13. An AWEF shall not cause shadow flicker on any occupied building on a non-participating landowner's property.
 14. No part of any AWEF shall be located within or above the required setbacks of any lot, extend over parking areas, access drives, driveways or sidewalks.

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15. The potential ice throw or ice shedding for a AWEF shall not cross the property line of the lot on which the AWEF is located nor impinge on any right-of-way or overhead utility line.
16. The owner of the AWEF shall ensure that the design and operation avoids disruption or loss of radio, telephone, television, cell, Internet or similar signals, and shall mitigate any harm caused thereby.
17. Decommissioning
 - a) Each AWEF and related equipment shall be removed within twelve (12) months of the date when the use has been discontinued or abandoned by system owner and/or operator, or upon termination of the useful life of same.
 - b) The AWEF shall be presumed to be discontinued or abandoned if no electricity is generated by such AWEF for a period of twelve (12) continuous months.
 - c) The AWEF owner shall, at the request of Southampton Township, provide information concerning the amount of energy generated by the AWEF in the last 12 months.
18. Permit requirements
 - a) Land Use Permit applications for accessory wind energy systems shall be accompanied by standard drawings of the wind turbine structure and stamped engineered drawings of the tower, base, footings, and/or foundation as provided by the manufacturer. Applications shall also include drawings that show the location of the AWEF on the property, property lines, right-of-ways, occupied buildings on adjoining properties, and above ground utility lines located on the lot. Permits must be kept on the premises where the AWEF is constructed.
 - b) The Land Use Permit shall be revoked if the AWEF, whether new or pre-existing, is moved or otherwise altered, either intentionally or by natural forces, in a manner which causes the AWEF not to be in conformity with this Ordinance.
 - c) For standard soil conditions (not including gravel, sand, or muck), foundations developed by the wind turbine manufacturer shall be acceptable for AWEF installations of 20kW or less and will not require project-specific soils studies. Applicants proposing projects involving substandard soil conditions or

installations of AWEF greater than 20kW may be required by the Zoning Officer to submit detailed soil studies.

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- d) The AWEF must be properly maintained and be kept free from all hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. In the event of a violation of any of the foregoing provisions, the Zoning Officer shall give written notice specifying the violation to the owner of the AWEF to conform or to remove the AWEF.
- B) Requirements for Ground Mounted AWEF
1. Ground mounted AWEF may be placed on lots containing a minimum of two (2) acres assuming they meet the height and setback restrictions found in this section.
 2. AWEF shall comply with the height restrictions of the underlying zoning district and the requirements of the Airport Overlay Zone where applicable.
 3. AWEF shall be set back from property lines, occupied buildings, above ground utility lines (including guy wires), railroads and/or road right-of-ways by a distance equal to the total height of the structure, plus 15 feet.
 4. Ground mounted AWEF are prohibited in front yards, between the principal building and the public street.
 5. AWEF shall not be artificially lighted unless required by the FAA.
 6. Safety and security
 - a) The owner shall post electrical hazard warning signs on or near the AWEF.
 - b) Ground mounted AWEF shall not be climbable up to (15') feet above the ground surface.
 - c) Access doors to any AWEF electrical equipment shall be locked to prevent entry by unauthorized persons.
 - d) The blade tip or vane shall have a minimum ground clearance of fifteen (15) feet as measured at the lowest point of the arc of the blades.

Revised as per Ordinance No. 2013-1

SECTION 13.20 – PRINCIPAL WIND ENERGY FACILITIES (PWEF)

The Pennsylvania Municipalities Planning Code Act of July 31, 1968, as amended, 53 P.S. §§ 10101 *et seq.*, enables a municipality through its zoning ordinance to regulate the use of property and to promote the conservation of energy through access to and use of renewable energy resources.

A) Design and Installation

1. Principal Wind Energy Facilities (PWEF) shall be permitted by conditional use in the Agricultural, Commercial and Commercial/Manufacturing Zoning Districts. Applications for such uses shall be subject to the requirements set forth below, as well as all other applicable State or Federal Regulations.
2. Exemptions
 - a) PWEF constructed prior to February 26, 2013 shall not be required to meet the requirements of this Ordinance;
 - b) Any physical modification to an existing PWEF whether or not existing prior to February 26, 2013 that materially alters the size, type and number of Wind Turbines or other equipment shall require conditional use approval under this Ordinance and meet the requirements of the Uniform Construction Code. Routine maintenance or like kind replacements do not require a permit.
3. The layout, design, installation and ongoing maintenance of PWEF shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI), Underwriters Laboratories (UL), Det Norske Veritas, Germanischer Lloyd Wind Energies, the American Society of Testing and Materials (ASTM), or other pertinent certifying organizations and comply with the PA Uniform Construction Code and all applicable building and electrical codes as enforced by Southampton Township, and with all other applicable fire and life safety requirements. The manufacturer specifications shall be submitted as part of the application.
4. Applicants shall submit land development and/or subdivision plans which shall be compliant with the Subdivision and Land Development Ordinance of Southampton Township.

5. Applicants shall provide sufficient documentation showing that the PWEF will comply with all applicable requirements of the Federal Aviation Administration (FAA) and the Commonwealth Bureau of Aviation.

Revised as per Ordinance No. 2013-1

6. The PWEF shall provide Southampton Township with written confirmation that the public utility company to which the PWEF will be connected has been informed of the intent to install a grid connected system and approved of such connection.
7. All PWEF shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip and other systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for overspeed protection.
8. Visual Appearance
 - a) All on-site utility, transmission lines, and cables shall be placed underground.
 - b) PWEF shall be painted a non-reflective, flat color such as white, off-white, or gray unless required to be colored differently from FAA or BOA regulations.
 - c) PWEF shall not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority. If lighting is required, the lighting alternatives and design chosen shall seek to minimize the disturbance to the surrounding views.
 - d) The display of advertising is prohibited except for identification of the manufacturer of the system, facility owner and operator.
 - e) Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation, and maintenance of the PWEF.
 - f) Accessory Buildings, Structures, Mechanical Equipment
 - (1) Accessory structures and equipment associated with PWEF shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of plant materials which provide a visual screen. In lieu of a planting screen, a decorative fence meeting requirements of the zoning ordinance may be used.
 - (2) The design of accessory buildings and related structures shall, to the extent reasonable, use materials, colors, textures, screening and landscaping that will blend the structures into the natural setting and existing environment.

9. Warnings and Safety Measures

- a) A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

Revised as per Ordinance No. 2013-1

- b) All access doors to PWEF including electrical equipment, outbuildings and all appurtenances thereto, shall be locked or fenced, as appropriate, to prevent entry by non-authorized personnel.
- c) Wind Turbines shall not be climbable up to fifteen (15) feet above the ground surface or the climbing apparatus shall be fully contained and locked within the tower structure.
- d) Visible, reflective, colored objects, such as flags, reflectors or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten (10') feet from the ground.
- e) The potential ice throw or ice shedding for a PWEF shall not cross the property line of the lot on which the PWEF is located nor impinge on any right-of-way or overhead utility line.
- f) The applicant will provide a copy of the project summary and site plan to local emergency services.
- g) Facility owner and/or operator shall abide by all applicable local, state and federal fire code and emergency guidelines. Upon request the applicant, facility owner and/or operator shall cooperate with emergency services to develop and coordinate implementation of an emergency response plan for the PWEF.
- h) No portion of the PWEF shall contain or be used to display advertising. The manufacturer's name and equipment information or identification of ownership shall be allowed on any equipment of the PWEF provided they comply with the prevailing sign regulations

B) Zoning Requirements

1. Lot size

- a) In order for a tract(s) of land to be eligible for a PWEF, it must contain a minimum of two (2) acres.

- b) Wind Turbines shall be separated from each other by a minimum of 1.1 times the total height of the highest wind turbine.

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2. Setbacks

- a) Wind Turbines shall be set back from the nearest property line, occupied buildings, above ground utility lines (including guy wires), railroads and/or road right-of-ways a distance of not less than 1.1 times its total height.
- b) Accessory buildings, structures, and related equipment to the PWEF shall comply with the building setback requirements of the underlying zoning district.

3. Height

- a) There shall be no specific height limitation, so long as the total height meets sound and set-back requirements, except as imposed by FAA regulations.
- b) The minimum Ground Clearance shall be thirty (30) feet.

C) Operational Standards

1. Use of Public Roads

- a) The applicant shall identify all state and local public roads to be used within the Township to transport equipment and parts for construction, operation or maintenance of the PWEF.
- b) The Township's engineer, or a qualified third party engineer hired by the Township and paid for by the applicant, shall document public road conditions prior to construction of the PWEF. The engineer shall document road conditions within thirty (30) days after construction of the permitted project is complete, or as soon thereafter as weather may allow.
- c) The Township may require the applicant to secure a bond for the road(s) to be used within the Township in compliance with applicable regulations at an amount consistent therewith; or, if not provided by regulation, an amount set at the discretion of the governing body in consultation with the Township engineer.
- d) Any road damage caused by the applicant, facility owner, operator, or contractors

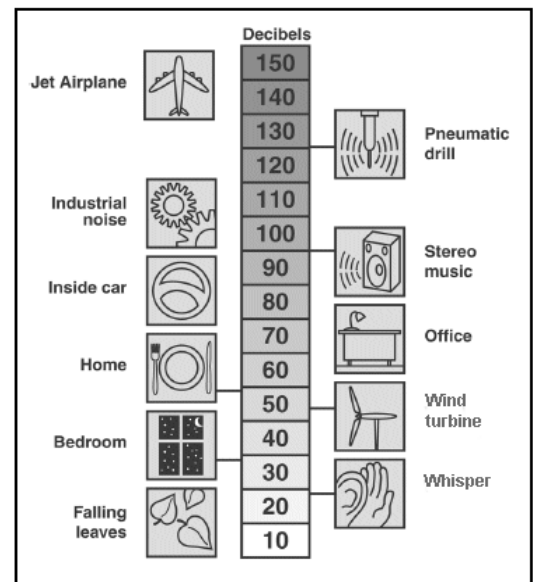
shall be promptly repaired to the Township's satisfaction at the expense of the applicant and/or facility owner.

- e) The applicant shall demonstrate that it has appropriate financial assurance to ensure the prompt repair of damaged public roads.
- f) Every effort should be made to use existing roads and logging roads. New deforestation and forest fragmentation should be kept to a minimum. Private entrance roads to PWEF must be maintained in a mud-free condition.

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2. Noise

- a) Audible sound from a PWEF shall not exceed fifty (50) dBA, as measured at the property line between participating and non-participating landowners.
- b) Noise limits may be exceeded during short-term events such as utility outages and/or severe wind storms
- c) Methods for measuring and reporting acoustic emissions from PWEF shall be equal to or exceed the minimum standards for precision described in American Wind Energy Association (AWEA) Standard 2.1 - 1989 titled Procedures for the Measurement and Reporting of Acoustic Emissions from Wind Turbine Generation Systems Volume I: First Tier, as amended.



3. A Wind Turbine shall not cause vibrations through the ground which are perceptible beyond the property line of the parcel on which it is located.

4. Shadow Flicker.

- a) A PWEF shall not cause shadow flicker on any occupied building on a non-participating landowner's property.
- b) A PWEF shall be designed in such a manner as to minimize shadow flicker on a roadway.
- c) The facility owner and operator shall conduct, at the applicant's expense, a modeling study demonstrating that shadow flicker shall not occur on any occupied building on a non-participating property.

5. Facility owner and/or operator shall ensure that the design and operation of any PWEF avoids disruption or loss of radio, telephone, television, cell, Internet or similar signals, and shall mitigate any harm caused thereby.
6. The applicant shall provide a proposed foundation design and analysis of soil conditions by a professional engineer.

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7. Public Inquiries and Complaints

- a) The Facility Owner and Operator shall maintain a phone number and identify a responsible person for the public to contact with inquiries and complaints throughout the life of the project.
- b) The Facility Owner and Operator shall make efforts to respond to the public's inquiries and complaints.

8. Decommissioning

- a) The PWEF owner is required to notify Southampton Township immediately upon cessation or abandonment of the operation. The PWEF shall be presumed to be discontinued or abandoned if no electricity is generated by the system for a period of twelve (12) continuous months.
- b) Upon one, or more, of the conditions in paragraph 8.a above occurring, the PWEF owner shall then have twelve (12) months in which to dismantle and remove the PWEF.
- c) Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, roads, foundations to a depth of 36 inches, and any other associated facilities.
- d) Disturbed earth shall be graded, re-seeded and/or reforested to reclaim the site back to its predevelopment condition, based on the subdivision/land development plan or documented predevelopment condition, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
- e) If the facility owner or operator fails to complete decommissioning within the period prescribed by paragraph 8.a above, then the land owner shall have six (6) months to complete the decommissioning.

f) If neither the facility owner or operator, nor the landowner complete decommissioning within the periods described by paragraphs 8.a and 8.e above, then Southampton Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a participating land owner agreement to the Township shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors and assigns that Southampton Township may take such action as necessary to implement the decommissioning plan.

D) Application Requirements. A conditional use application for a PWEF shall include the following:

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1. A narrative describing the proposed PWEF, including an overview of the project, the project location, the approximate generating capacity of the PWEF, the approximate number, representative types and height or range of heights of Wind Turbines to be constructed including their generating capacity, dimensions and respective manufacturers, and a description of ancillary facilities.
2. An affidavit or similar evidence of agreement between the property owner and the Facility Owner or Operator demonstrating that the Facility Owner or Operator has the permission of the property owner to apply for necessary permits for construction and the operation of the PWEF and setting forth the applicant's and property owner's name, address and phone number.
3. Identification of the properties on which the proposed PWEF will be located, and the properties adjacent to where the PWEF will be located.
4. A site plan showing the planned location of each Wind Turbine, property lines, setback lines, access road and turnout locations, substation(s), electrical cabling from the PWEF to the substation(s), ancillary equipment, buildings, and structures, including permanent meteorological towers, associated transmission lines and layout of all structures within the geographical boundaries of any applicable setback.
5. A Decommissioning Plan sufficient to demonstrate compliance with Section C.8 above.
6. A wind resource study shall be submitted documenting wind resources at the site. The study shall include but is not limited to data showing average wind speeds capable of generating electricity and the available capacity to transmit the electricity into the power grid.
7. A noise study in accordance with Section C.2 above.

8. A shadow flicker study in accordance with Section C.4 above.
9. Other relevant studies, reports, certifications and approvals as required by this Ordinance or as may be requested by the Borough/Township to ensure compliance with this Ordinance.
10. Throughout the permit process, the applicant shall promptly notify the Township of any changes to the information contained in the conditional use/special exception permit application. Changes to the pending application that do not materially alter the initial site plan may be adopted without a renewed public hearing.

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Section 13.21 Farm Related Business

Farm Related Businesses are permitted by right as an accessory use subject to the following criteria:

1. No part of a Farm Related Business shall be within two hundred feet (200') of any land within a residential zone, nor within one hundred feet (100') of any existing residence (excluding a farm dwelling).
2. The existing roadway that will provide access to the property must be appropriate for the expected type and volume of road traffic that will be generated by the proposed use.
3. The length of any on-site access drive(s) shall be sufficient to allow the stacking of delivery and/or customer vehicles. Furthermore, any use that potentially involves the movement of vehicles through mud and/or manure shall provide a paved apron of at least fifty feet (50') from the street right-of- way. In addition, another fifty foot (50') gravel section shall be located just beyond the paved apron;
4. The Township may require that any outdoor storage of supplies, materials, or products be screened from adjoining roads and properties. The display of farm equipment for sale shall be excluded from this provision;
5. One sign shall be permitted for a Farm Related Business in accordance with Section 13.16;
6. Vegetative screening may be required in accordance with Section 13.12 of this Ordinance when a Farm Related Business abuts any property used principally for residential purposes. Certain pieces of apparatus used for farm-related businesses, which create noxious dust, odor, light, or noise, may require greater setbacks and vegetative screening, as determined by the Board of Supervisors;
7. Parking areas may be required to be fenced or to include other appropriate devices to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads.

8. The applicant must provide for sufficient off-street parking spaces and off-street loading spaces for all uses proposed according to the off-street parking and loading provisions of this Ordinance.
9. A Farm Related Business must comply with the coverage requirements in the zoning district in which it is located.
10. Permanent structures associated with a Farm Related Business shall comply with the setback requirements of the underlying zoning district.

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11. Temporary structures and outdoor displays associated with a Farm Related Business shall not encroach into a public road right-of-way, and must comply with the side and rear yard setback requirements of the underlying zoning district.
12. New structures required for accessory Farm Related Businesses are limited to 4000 square feet of gross floor area in the aggregate
13. Farm Related Businesses must comply with the access and driveway provisions in Section XII of the Southampton Township Subdivision and Land Development Ordinance.
14. Farm Related Businesses shall be owned or operated by the landowner, landowner's immediate family member, operator of the farm, or persons residing on the farm.
15. Farm Related Businesses shall comply with the Performance Standards in Section 13.02 of this Ordinance.

Section 13.22 Agritourism Enterprise

Agritourism Enterprises are permitted by right as an accessory use subject to the following regulations:

1. No part of an Agritourism Enterprise shall be within two hundred feet (200') of any land within a residential zone, nor one hundred feet (100') of any existing residence (excluding a farm dwelling).
2. An Agritourism Enterprise must comply with the coverage requirements in the zoning district in which it is located.
3. An Agritourism Enterprise must comply with the access and driveway provisions in Section XII of the Southampton Township Subdivision and Land Development Ordinance.

4. The length of any on-site access drive(s) shall be sufficient to allow the stacking of delivery and/or customer vehicles. Furthermore, any use that potentially involves the movement of vehicles through mud and/or manure shall provide a paved apron of at least fifty foot (50') from the street right-of- way. In addition, another fifty foot (50') gravel section shall be located just beyond the paved apron;
5. The applicant must provide for sufficient off-street parking spaces and off-street loading spaces for all uses proposed according to the off-street parking and loading provisions of this Ordinance.

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6. If, at any time after the opening of the facility, the Township determines that parking, loading or traffic back-ups are occurring on adjoining roads, and such are directly related to the lack of on-site facilities on the subject property, the Township can require the applicant to revise and/or provide additional on-site parking and/or loading space to meet the off street parking and loading provisions of this Ordinance within (30 days).
7. The Township may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot.
8. Parking areas may be required to be fenced or include other appropriate devices to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads.
9. Signage for Agritourism Enterprises shall be in accordance with Section 13.16 of this Ordinance.
10. The Applicant should become familiar with the applicable federal, state, and local laws and regulations regarding the preparation of food in order to be aware of those regulations.
11. The hours of operation shall be developed at the discretion of the Board of Supervisors and protect neighbors from noise, disturbance or interruption.
12. Agritourism Enterprises shall be owned or operated by the landowner, landowner's immediate family member, operator of the farm, or persons residing on the farm.
13. Agritourism Enterprises shall comply with the Performance Standards in Section 13.02 of this Ordinance.