

MIDDLESEX TOWNSHIP

ZONING ORDINANCE

ORDINANCE NO. 3-89

WITH AMENDMENTS THROUGH MAY 1, 1991

Prepared For:

Middlesex Township
Cumberland County, Pennsylvania

By:

Buchart-Horn, Inc.
Consulting Engineers and Planners
55 South Richland Avenue
P. O. Box M-55
York, PA 17405

TABLE OF CONTENTS

	<u>PAGE</u>
ARTICLE I SHORT TITLE AND PURPOSE	
Section 1.01 Short Title	I-1
Section 1.02 Purposes	I-1
Section 1.03 Community Development Objectives	I-2
ARTICLE II DEFINITIONS	
Section 2.01 General Interpretation	II-1
Section 2.02 Rules of Interpretation	II-1
Section 2.03 Terms Defined	II-2
ARTICLE III ESTABLISHMENT OF DISTRICTS	
Section 3.01 List of Districts	III-1
Section 3.02 Zoning Map	III-1
Section 3.03 Interpretation of District Boundaries	III-1
Section 3.04 Establishment of Floodplain Conservation Districts	III-2
Section 3.05 Interpretation of Area Boundaries	III-4
Section 3.06 Boundary Changes	III-4
ARTICLE IV CONFORMANCE REQUIRED	
Section 4.01 Application of District Regulations	IV-1
ARTICLE V OS - CONSERVATION/OPEN SPACE DISTRICTS	
Section 5.01 Intended Purpose	V-1
Section 5.02 Permitted Uses	V-1
Section 5.03 Accessory Uses	V-1
Section 5.04 Special Exception Uses	V-2
Section 5.05 Lot Area, Building Height and Yard Requirements	V-3
Section 5.06 Minimum Off-Street Parking Requirements	V-3
Section 5.07 Minimum Habitable Floor Area	V-3
ARTICLE VI RF - RESIDENTIAL FARM DISTRICTS	
Section 6.01 Intended Purpose	VI-1
Section 6.02 Permitted Uses	VI-1
Section 6.03 Accessory Uses	VI-2
Section 6.04 Special Exception Uses	VI-2
Section 6.05 Lot Area, Building Height and Yard Requirements	VI-3
Section 6.06 Minimum Off-Street Parking Requirements	VI-4
Section 6.07 Minimum Habitable Floor Area	VI-4

TABLE OF CONTENTS (CONTINUED)

		<u>PAGE</u>
ARTICLE VII	RC - RESIDENTIAL COUNTRY DISTRICTS	
Section 7.01	Intended Purpose	VII-1
Section 7.02	Permitted Uses	VII-1
Section 7.03	Accessory Uses	VII-1
Section 7.04	Special Exception Uses	VII-2
Section 7.05	Lot Area, Building Height and Yard Requirements	VII-3
Section 7.06	Minimum Off-Street Parking Requirements	VII-4
Section 7.07	Minimum Habitable Floor Area	VII-4
ARTICLE VIII	RS - RESIDENTIAL SUBURBAN DISTRICTS	
Section 8.01	Intended Purpose	VIII-1
Section 8.02	Permitted Uses	VIII-1
Section 8.03	Accessory Uses	VIII-1
Section 8.04	Special Exception Uses	VIII-2
Section 8.05	Lot Area, Building Height and Yard Requirements	VIII-3
Section 8.06	Minimum Off-Street Parking Requirements	VIII-3
Section 8.07	Minimum Habitable Floor Area	VIII-3
ARTICLE IX	VC - VILLAGE CENTER DISTRICTS	
Section 9.01	Intended Purpose	IX-1
Section 9.02	Permitted Uses	IX-1
Section 9.03	Accessory Uses	IX-2
Section 9.04	Special Exception Uses	IX-2
Section 9.05	Lot Area, Building Height and Yard Requirements	IX-3
Section 9.06	Minimum Off-Street Parking Requirements	IX-5
Section 9.07	Minimum Off-Street Loading and Unloading Requirements	IX-5
Section 9.08	Minimum Habitable Floor Area	IX-5
ARTICLE X	CH - COMMERCIAL HIGHWAY DISTRICTS	
Section 10.01	Intended Purpose	X-1
Section 10.02	Use Standards	X-1
Section 10.03	Permitted Uses	X-2
Section 10.04	Accessory Uses	X-3
Section 10.05	Special Exception Uses	X-3
Section 10.06	Lot Area, Building Height and Yard Requirements	X-4
Section 10.07	Minimum Off-Street Parking Requirements	X-5
Section 10.08	Minimum Off-Street Loading and Unloading Requirements	X-5

TABLE OF CONTENTS (CONTINUED)

		<u>PAGE</u>
ARTICLE XI LI - LIGHT INDUSTRIAL DISTRICTS		
Section 11.01	Intended Purpose	XI-1
Section 11.02	Use Standards	XI-1
Section 11.03	Permitted Uses	XI-2
Section 11.04	Accessory Uses	XI-3
Section 11.05	Special Exception Uses	XI-3
Section 11.06	Prohibited Uses	XI-3
Section 11.07	Lot Area, Building Height and Yard Requirements	XI-4
Section 11.08	Minimum Off-Street Parking Requirements	XI-4
Section 11.09	Minimum Off-Street Loading and Unloading Requirements	XI-4
 ARTICLE XII IG - INDUSTRIAL GENERAL DISTRICTS		
Section 12.01	Intended Purpose	XII-1
Section 12.02	Use Standards	XII-1
Section 12.03	Permitted Uses	XII-2
Section 12.04	Accessory Uses	XII-3
Section 12.05	Special Exception Uses	XII-3
Section 12.06	Prohibited Uses	XII-3
Section 12.07	Lot Area, Building Height and Yard Requirements	XII-4
Section 12.08	Minimum Off-Street Parking Requirements	XII-5
Section 12.09	Minimum Off-Street Loading and Unloading Requirements	XII-5
 ARTICLE XIII FP - FLOODPLAIN CONSERVATION DISTRICTS		
Section 13.01	General Provisions	XIII-1
Section 13.02	Area Provisions	XIII-2
Section 13.03	Special Exceptions and Variances - Additional Factors to be Considered	XIII-4
Section 13.04	Development Which May Endanger Human Life	XIII-5
Section 13.05	Activities Requiring Special Permits	XIII-6
Section 13.06	Existing Structures in Flood Plain Areas	XIII-10
 ARTICLE XIV SUPPLEMENTARY REGULATIONS		
Section 14.01	Accessory Buildings and Structures	XIV-1
Section 14.02	Temporary Structures for Dwelling Purposes	XIV-1
Section 14.03	Water Supply and Sewerage Facilities Required	XIV-1
Section 14.04	Exceptions	XIV-1
Section 14.05	Required Street Access	XIV-2
Section 14.06	Corner Lots	XIV-2
Section 14.07	Through Lots	XIV-2
Section 14.08	Waiver of Yards	XIV-3
Section 14.09	Courts	XIV-3

TABLE OF CONTENTS (CONTINUED)

		<u>PAGE</u>
Section 14.10	Off-Street Parking Requirements	XIV-3
Section 14.11	Off-Street Loading Requirements	XIV-8
Section 14.12	Driveways	XIV-9
Section 14.13	Commercial Vehicles	XIV-10
Section 14.14	Storage of Motor Homes, Trailers and Boats	XIV-10
Section 14.15	Arterial Road and Interchange Development	XIV-11
Section 14.16	Sign Regulations	XIV-11
Section 14.17	Prohibited Uses In All Districts	XIV-26
Section 14.18	Performance Standards	XIV-27
Section 14.19	Fences and Walls	XIV-31
Section 14.20	Landscaping	XIV-32
Section 14.21	Uses Not Provided For	XIV-32
Section 14.22	Habitable Floor Area	XIV-32
Section 14.23	Fire Escapes	XIV-32
Section 14.24	Private Outdoor Swimming Pools	XIV-32
Section 14.25	Garage/Yard Sales	XIV-33
Section 14.26	Microwave Antenna for Satellite Communications	XIV-34
Section 14.27	Places of Worship	XIV-35
Section 14.28	Cemeteries	XIV-36
Section 14.29	Educational Institutions	XIV-37
Section 14.30	Health and Welfare Institutions	XIV-38
Section 14.31	Membership Clubs and Camps	XIV-39
Section 14.32	Commercial Camps and Resorts	XIV-40
Section 14.33	Mobile Home Parks	XIV-41
Section 14.34	Trailer Camps	XIV-48
Section 14.35	Resources Removal	XIV-48
Section 14.36	Accessory Commercial Uses	XIV-50
Section 14.37	Residential Conversions	XIV-51
Section 14.38	Multiple Dwellings	XIV-52
Section 14.39	Auction House for Household and Other Goods	XIV-54
Section 14.40	Farm Equipment or Lawn and Garden Sales and Service	XIV-55
Section 14.41	Commercial Kennels	XIV-56
Section 14.42	Bed and Breakfast Inns	XIV-57
Section 14.43	SECTION RESERVED	XIV-57
Section 14.44	Commercial Riding Stables	XIV-57
Section 14.45	Wind Energy Conversion Systems	XIV-58
Section 14.46	Automotive Services	XIV-59
Section 14.47	Hotels, Motels and Tourist Homes	XIV-60
Section 14.48	Day Care Centers	XIV-61
Section 14.49	Business Conversions	XIV-61
Section 14.50	Adult Book Stores and Adult Theatres	XIV-62
Section 14.51	Group Homes	XIV-64
ARTICLE XV	NON-CONFORMING USES, NON-COMPLYING BUILDINGS AND NON-CONFORMING LOTS	
Section 15.01	Non-Conforming Uses	XV-1
Section 15.02	Construction Approved Prior to Ordinance	XV-3

TABLE OF CONTENTS (CONTINUED)

	<u>PAGE</u>
Section 15.03 Registration of Non-Conforming Uses	XV-3
Section 15.04 Non-Complying Buildings	XV-3
Section 15.05 Non-Conforming Lots of Record	XV-4
Section 15.06 Special Requirements in Floodplain Conservation Districts	XV-4
 ARTICLE XVI PLANNED RESIDENTIAL DEVELOPMENTS	
Section 16.01 Statement of Intent	XVI-1
Section 16.02 Eligibility Requirements	XVI-2
Section 16.03 Land Use Control and Density Requirements	XVI-2
Section 16.04 Site Analysis	XVI-4
Section 16.05 Site Design Requirements	XVI-6
Section 16.06 Ownership, Maintenance and Preservation of Common Open Space	XVI-10
Section 16.07 Development in Stages	XVI-12
Section 16.08 Application for Tentative Approval	XVI-12
Section 16.09 Public Hearings	XVI-14
Section 16.10 The Findings	XVI-14
Section 16.11 Status of Plan after Tentative Approval	XVI-16
Section 16.12 Application for Final Approval	XVI-17
Section 16.13 Jurisdiction	XVI-20
Section 16.14 Enforcement Remedies	XVI-20
 ARTICLE XVII ADMINISTRATION AND ENFORCEMENT	
Section 17.01 Appointment of Zoning Officer	XVII-1
Section 17.02 Powers and Duties of Zoning Officer	XVII-1
Section 17.03 Zoning Permits	XVII-2
Section 17.04 Certificate of Occupancy	XVII-7
Section 17.05 Fees	XVII-8
Section 17.06 Enforcement	XVII-9
Section 17.07 Special Exception Uses	XVII-11
 ARTICLE XVIII ZONING HEARING BOARD AND OTHER ADMINISTRATIVE PROCEEDINGS	
Section 18.01 Zoning Hearing Board Creation and Appointment	XVIII-1
Section 18.02 Organization of the Zoning Hearing Board	XVIII-2
Section 18.03 Expenditures for Services	XVIII-2
Section 18.04 Hearings	XVIII-3
Section 18.05 Jurisdiction	XVIII-5
Section 18.06 Zoning Hearing Board's Functions	XVIII-6
Section 18.07 Parties Appellant Before Zoning Hearing Board	XVIII-9
Section 18.08 Time Limitations	XVIII-9

TABLE OF CONTENTS (CONTINUED)

	<u>PAGE</u>
Section 18.09 Stay of Proceedings	XVIII-10
Section 18.10 Validity of Ordinance: Substantive Questions	XVIII-11
Section 18.11 Procedure to obtain Preliminary Opinion	XVIII-14
Section 18.12 Mediation Option	XVIII-14
 ARTICLE XIX AMENDMENTS	
Section 19.01 Power of Amendment	XIX-1
Section 19.02 Enactment of Zoning Ordinance Amendments	XIX-1
Section 19.03 Curative Amendments	XIX-3
Section 19.04 Publication, Advertisement and Availability of Ordinances	XIX-5
 ARTICLE XX APPEALS TO COURT	
Section 20.01 Land Use Appeals	XX-1
Section 20.02 Jurisdiction and Venue on Appeal: Time for Appeal	XX-1
Section 20.03 Appeals to Court: Commencement: Stay of Proceedings	XX-1
Section 20.04 Intervention	XX-2
Section 20.05 Hearing and Argument for Land Use Appeal	XX-2
Section 20.06 Judicial Relief	XX-3
 ARTICLE XXI LEGAL STATUS PROVISIONS	
Section 21.01 Interpretation	XXI-1
Section 21.02 Separability	XXI-1
Section 21.03 Repealer	XXI-1
Section 21.04 Effective Date and Enactment	XXI-1