

ARTICLE 3 DISTRICTS

301. DESIGNATION OF DISTRICTS AND PURPOSES.

- A. For the purpose of this Ordinance, Westfall Township shall be divided into the following zoning districts, with the following abbreviations:
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| CD | Conservation District |
| R-1 | Low Density Residential District |
| R-2 | General Residential District |
| C-1 | Neighborhood Commercial District |
| C-2 | General Commercial District |
| C-3 | Mixed Commercial and Industrial District |
| ED | Enterprise Zone District |
| GC | General Commercial 1 District |
- B. For the purposes of this Ordinance, the zoning districts named in Section 301.A. shall be of the number, size, shape and location shown on the "Official Zoning Map."
- C. Overlay Districts. The Floodplain Area, as defined by Federal Floodplain Mapping, shall serve as an overlay district to the applicable underlying districts.
- D. Purposes of Each District. In addition to serving the overall purposes and objectives of this Ordinance and the Comprehensive Plan, each zoning district is intended to serve the following purposes:
1. CD Conservation District - To provide for very low-intensity development in areas with significant important natural features, such as wetlands, flood-prone lands and very steeply sloped areas. To recognize that many of these areas have limited road access. To protect the water quality and habitats along the Delaware River, lakes and creeks, and promote groundwater recharge. To provide incentives and a certain amount of flexibility in lot layout through open space development so that development can be clustered on the most suitable portions of a tract of land, while still avoiding overly intense development. To recognize that most of these areas are not near existing public water and sewage systems.
 2. R-1 Low Density Residential District - To provide for low density residential neighborhoods that are primarily composed of single family detached dwellings. To protect these areas from incompatible uses. To provide incentives and a certain amount of flexibility in lot layout through open space development so that development can be clustered on the most suitable portions of a tract of land, while still avoiding overly intense development.
 3. R-2 General Residential District - To provide for medium density residential neighborhoods with a mix of housing types. To protect these areas from incompatible uses. To meet requirements of State law to provide opportunities for various housing types.
 4. C-1 Neighborhood Commercial District - To provide business opportunities while preserving the scenic rural character of the Township. To promote an appropriate mix of retail, service, office, public, institutional and residential uses. To avoid the most intensive commercial uses that are most likely to conflict with the scenic rural character, and most likely to cause conflicts with homes. To primarily provide for smaller-scale uses that will

not be obtrusive in the landscape and that will not overload the road system. To carefully locate commercial areas and commercial driveways to minimize traffic safety and congestion problems along roads.

5. C-2 General Commercial District - To provide for a variety of commercial uses along major highways where a variety of commercial uses are already present. To provide for a wider range of commercial uses than the C-1 district, including uses that are more auto-related (such as car washes and gas stations). To carefully locate commercial areas and commercial driveways to minimize traffic safety and congestion problems along roads.
6. C-3 Mixed Commercial and Industrial District - To provide for industrial and commercial development in a manner that is compatible with any nearby homes and the surrounding environment. To carefully control the types of industrial operations to avoid nuisances and environmental hazards. To encourage coordinated development, particularly in regard to traffic access. To recognize that the road system in parts of Westfall Township is only suitable for types of industries that do not generate large numbers of heavy truck traffic.
7. ED Enterprise Zone District - To comply with the Equitable Court Settlement in the matter of Katz v. Westfall Township.
8. GC General Commercial 1 District - To comply with the Equitable Court Settlement in the matter of Katz v. Westfall Township.

302. **APPLICATION OF DISTRICT REGULATIONS.**

- A. The regulations set by this Ordinance shall apply uniformly to each class or kind of structure or land, except as provided for in this Ordinance.
- B. No structure shall hereafter be erected, used, constructed, reconstructed, placed or occupied and no land shall hereafter be used, developed or occupied unless it is in conformity with the regulations herein specified for the use and district in which it is located.
- C. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- D. Boundary Change. Any territory which may hereafter become part of the Township through annexation or a boundary adjustment shall be classified as the CD zoning district of Westfall Township until or unless such territory is otherwise classified by Board of Supervisors.

303. **ZONING MAP.**

- A. A map entitled "Westfall Township Zoning Map" accompanies this Ordinance and is declared a part of this Ordinance. The Official Zoning Map, which should bear the adoption date of this Ordinance and the words "Official Zoning Map," shall be retained in the Township Building.
- B. Map Changes. Changes to the boundaries and districts of the Official Zoning Map shall only be made in conformity with the amendment procedures specified in the State Municipalities Planning Code. All changes should be noted by date with a brief description of the nature of the change, either on the map or within an appendix to this Ordinance.

C. Replacement Map. If the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of changes and additions, or needs to have drafting errors or omissions corrected, Township Supervisors may, by resolution, adopt a new copy of the Official Zoning Map which shall supersede the prior Official Zoning Map. Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any remaining parts shall be preserved together with all available records pertaining to its previous adoption or amendment.

304. **DISTRICT BOUNDARIES.** The following rules shall apply where uncertainty exists as to boundaries of any district as shown on the Zoning Map.

- A. District boundary lines are intended to follow or be parallel to the center line of street rights-of-way, streams and railroads, and lot lines as they existed on a recorded deed or plan of record in the County Recorder of Deeds' office at the time of the adoption of this ordinance, unless such district boundary lines are fixed by dimensions as shown on the Official Zoning Map.
- B. Where a district boundary is not fixed by dimensions and where it approximately follows lot lines, such boundary shall be construed to follow such lot lines unless specifically shown otherwise.
- C. The location of a district boundary on un-subdivided land or where a district boundary divides a lot shall be determined by the use of the scale appearing on the Zoning Map unless indicated otherwise by dimensions.
- D. Where a municipal boundary divides a lot, the minimum lot area shall be regulated by the municipality in which the principal use(s) are located, unless otherwise provided by applicable case law. The land area within each municipality shall be regulated by the use regulations and other applicable regulations of each municipality.

305. **SETBACKS ACROSS MUNICIPAL BOUNDARIES.**

- A. Intent - To continue the objective of compatible land uses across municipal boundaries.
- B. This Ordinance requires additional setbacks and the provision of buffer yards when certain uses would abut a residential zoning district. These same additional setback and buffer yard provisions shall be provided by uses proposed within Westfall Township regardless of whether such abutting principally residential zoning district is located in an abutting municipality and/or in Westfall Township. See buffer yard provisions in Section 803.D.

306. **TABLE OF ALLOWED USES IN EACH ZONING DISTRICT.**

- A. For the purposes of this Section 306, the following abbreviations shall have the following meanings:
 - P = Permitted by right use (zoning decision by Zoning Officer)
 - SE = Special exception use (zoning decision by Zoning Hearing Board)
 - C = Conditional use (zoning decision by Board of Supervisors)
 - N = Not Permitted
 - (S. 402) = See Additional Requirements in Section 402
 - (S. 403) = See Additional Requirements in Section 403

306.B. Unless otherwise provided by State or Federal law or specifically stated in this Ordinance (including Section 105.B.), any land or structure shall only be used or occupied for a use specifically listed in this Ordinance as permitted in the zoning district where the land or structure is located. Such uses shall only be permitted if the use complies with all other requirements of this Ordinance.

See Section 105.B. which generally provides a process for approval of a use that is not listed - based upon similarity to permitted uses and other criteria. Except as provided in such Section 105.B., any other principal use that is not specifically listed as P, C or SE in the applicable district in this table is prohibited in that district.

For temporary uses, see Section 103.

For the ED and GC Districts, see Section 306.B.2 and 306.B.3.

306.B.1 Allowed Uses in Each Zoning District

TYPES OF USES (See definitions in Article 2)	ZONING DISTRICTS					
	CD	R-1	R-2	C-1	C-2	C-3
a. RESIDENTIAL USES						
Single Family Detached Dwelling (Note - Manufactured/mobile homes shall meet the additional requirements for such use in Section 402)	P	P	P	P	N	P
Open Space Development Option in compliance with Section 311 (Note - This option typically allows a higher density and smaller lot sizes.	P**	P	P	N	N	N
Twin Dwelling (side-by-side) (Note - Other forms of two unit buildings are defined as apartments)	N	N	P	P	P	P
Townhouse (includes Rowhouse) (S. 402)	N	N	N	P	P	N
Apartments (S. 402)	N	N	N	P	P	N
Manufactured/Mobile Home Park (S. 402)	N	N	N	N	C	C
Boarding House (includes Rooming House) (S. 402)	N	N	N	N	N	SE
Group Home within a lawful existing dwelling unit (S.402), not including a Treatment Center	P	P	P	P	P	P
Conversion of an Existing Building (including an Existing Dwelling) into Dwelling Units (S. 402) (See also "Unit for Care of Relative" under Accessory Uses)	N	N	N	P	P	N
Age Restricted Housing (S. 402)	N	C	C	C	C	N
Independent Living Retirement Center (S. 402)	N	N	N	C	C	N
b. COMMERCIAL USES						
See also "Resort" which may allow a mix of certain commercial and residential uses.						
Adult Use (S. 402)	N	N	N	N	C	N
After Hours Club (Note - This use is effectively prohibited by State Act 219 of 1990)	N	N	N	N	N	N
Airport (see also "Heliport")	N	N	N	N	C	N
Amusement Arcade (see also "Resorts" in Section 402)	N	N	N	P	P	P
Amusement Park or Water Park	N	N	N	N	P	N
Animal Cemetery (S. 402)	N	N	N	P	P	P
Auditorium (Commercial), Arena, Performing Arts Center or Exhibition-Trade Show Center	N	N	N	P	P	P
Auto Repair Garage or Auto Service Station (S. 402)	N	N	N	N	C	C
Auto, Boat or Mobile/Manufactured Home Sales (S. 402)	N	N	N	N	P	P
Bakery, Retail	N	N	N	P	P	P

* = Except as may be allowed by the Open Space Development provisions in Section 311.

** = With a 10 acre minimum tract size.

Note: A higher density can be achieved in certain cases by using the Transfer of Development Rights provisions of Section 313.)

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N = Not permitted

(S. 402) = See Additional Requirements in Section 402

(S. 403) = See Additional Requirements in Section 403

TYPES OF USES (See definitions in Article 2)	ZONING DISTRICTS					
	CD	R-1	R-2	C-1	C-2	C-3
b. COMMERCIAL USES (Cont.)						
Bed and Breakfast Inn (S. 402), which in a residential district shall be limited to a building constructed prior to 1940	C	C	C	P	P	P
Betting Use	N	N	N	N	P	P
Beverage Distributor, which may include retail and/or wholesale sales	N	N	N	P	P	P
Bus Terminal	N	N	N	P	P	P
Camp (S. 402)	C	N	N	P	P	P
Campground and Recreational Vehicle Campground (S. 402)	N	N	N	P	P	P
Car Wash (S. 402)	N	N	N	P	P	P
Catering, Custom, for Off-Site Consumption	N	N	N	P	P	P
Communications Tower/Antennae, Commercial (S. 402)						
- Meeting Section 402.A.17.a. pertaining to antenna placed on certain existing structures	P	P	P	P	P	P
- Antennae/tower that does not meet Section 402.A.17.a. (such as freestanding towers)	C	N	N	N	SE	SE
- Note - Section 402.A.17 also allows towers serving emergency services stations						
Conference Center	N	N	N	P	P	P
Construction Company or Tradesperson's Headquarters (including but not limited to landscaping, building trades or janitorial contractor). See also as Home Occupation. Accessory outdoor storage shall be permitted provided it meets the plant screening requirements of Sections 803 and 804.	N	N	N	SE	P	P
Convenience Store - Fuel sales shall only be allowed if the requirements and special exception approval are also met for an Auto Service Station (S. 402)	N	N	N	P	P	P
Crafts or Artisan's Studio (see also as Home Occupation)	N	N	N	P	P	P
Custom Printing, Photocopying, Faxing, Mailing or Courier Service	N	N	N	P	P	P
Exercise Club	N	N	N	P	P	P
Fairgrounds	N	N	N	N	P	P
Financial Institution (includes banks), with any "Drive-through" facilities meeting Section 403	N	N	N	P	P	P
Flea Market/ Auction House (S. 402)	N	N	N	P	P	P
Funeral Home	N	N	N	P	P	P
Garden Center, Retail (see also "Wholesale Greenhouses")	N	N	N	P	P	P
Gas Station - See Auto Service Station						
Golf Course (S. 402), with a minimum lot area of 50 acres in a residential district	P	P	P	P	P	P
Heliport	N	N	N	N	SE	N

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TYPES OF USES (See definitions in Article 2)	ZONING DISTRICTS					
	CD	R-1	R-2	C-1	C-2	C-3
b. COMMERCIAL USES (Cont.)						
Hotel or Motel (S. 402)	N	N	N	P	P	P
Kennel (S. 402)	N	N	N	N	SE	SE
Laundromat	N	N	N	P	P	P
Laundry, Commercial or Industrial	N	N	N	N	P	P
Lumber Yard	N	N	N	N	P	P
Massage Parlor (S. 402)	N	N	N	N	N	N
Motor Vehicle Racetrack (S. 402)	N	N	N	N	C	N
Office (See also as Home Occupation)	N	N	N	P	P	P
Pawn Shop	N	N	N	N	P	P
Personal Services (includes tailoring, custom dressmaking, haircutting/styling, drycleaning, shoe repair, "massage therapy, certified" and closely similar uses) (See also Home Occupation)	N	N	N	P	P	P
Picnic Grove, Private (S. 402)	N	N	N	SE	P	P
Plant Nursery (other than a Retail Garden Center), provided that within a residential district: a) any on-site retail sales shall be limited to plants primarily grown upon the premises, and b) a 5% maximum building coverage shall apply.	P	P	P	P	P	P
Recreation, Commercial Indoor (includes bowling alley, roller or ice skating rink, batting practice and closely similar uses); other than uses listed separately in this Section 306	N	N	N	SE	P	P
Recreation, Commercial Outdoor (S. 402; including miniature golf course, golf driving range, amusement park and closely similar uses); other than uses listed separately in this Section 306 (see also uses allowed as a "Resort")	N	N	N	N	P	P
Repair Service, Household Appliance	N	N	N	P	P	P
Resort (S. 402) - less than 30 rental units	C	N	N	P	P	P
- 30 or more rental units	N	N	N	C	P	P
(Note - That term allows certain additional uses under Section 402)						
Restaurant or Banquet Hall (S. 402)						
- with drive-through service (S. 403)	N	N	N	N	P	P
- without drive-through service	N	N	N	P	P	P
Retail Store (this term does not include auto sales or an adult use) or Shopping Center	N	N	N	P	P	P
River Livery (S. 402)	C	N	N	C	C	C
Self-Storage Development	N	N	N	N	P	P
Target Range, Firearms (other than target shooting by residents or owners of a lot)						
- Completely indoor and enclosed	C	N	N	N	P	P
- Other than above (S. 402)	C	N	N	N	C	N
Tattoo or Body Piercing Establishment (other than temporary tattoos or ear piercing, which are personal service uses)	N	N	N	N	N	P

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TYPES OF USES (See definitions in Article 2)	ZONING DISTRICTS					
	CD	R-1	R-2	C-1	C-2	C-3
<u>b. COMMERCIAL USES (Cont.)</u>						
Tavern which may include a State-licensed micro-brewery or Nightclub (not including an After Hours Club)	N	N	N	N	C	C
Theater, Indoor Movie, other than an Adult Use	N	N	N	N	P	P
Trade/ Hobby School	N	N	N	P	P	P
Truck Stop	N	N	N	N	C	C
Veterinarian Office or Animal Hospital (S. 402)	N	N	N	P	P	P
Wholesale Sales - see under Industrial Uses						
<u>c. INSTITUTIONAL/ SEMI-PUBLIC USES</u>						
Cemetery (S. 402; any Crematorium must be approved separately)	P	P	P	P	P	P
College or University - Educational and Support Buildings (S. 402)	N	N	N	P	P	P
Community Recreation Center or Library	N	P	P	P	P	P
Crematorium (S. 402)	N	N	N	N	C	C
Cultural Center or Museum	SE	SE	SE	P	P	P
Day Care Center, Adult (S. 402)	N	N	SE	P	P	P
Day Care Center, Child (S. 402) (See also as an accessory use)	N	N	N	P	P	P
Dormitory as accessory to a college, university or primary or secondary school	N	N	N	C	C	C
Emergency Services Station	SE	SE	SE	P	P	P
Hospital	N	N	N	N	P	P
Hunting and Fishing Club - Within the CD district, a 5% maximum building coverage shall apply. This term shall not include uses listed separately in this Section 306 unless that use is also listed as allowed and the requirements for that use are also met.	P	N	N	P	P	P
Maintenance Facilities for Residential Community Associations	P	P	P	P	P	P
Membership Club meeting and non-commercial recreational facilities, provided that an "After Hours Club", "Tavern" or uses listed separately in this Section 306 shall only be allowed if so listed in this table and if the requirements for that use are also met.	SE	SE	SE	P	P	P
Nursing Home or Personal Care Home/Assisted Living (S. 402)	N	N	P	P	P	P
Place of Worship (S. 402) (includes Church)	C	C	C	P	P	P
School, Public or Private, Primary or Secondary (S.402)	N	SE	SE	P	P	P
Treatment Center (S. 402)	N	N	N	N	C	N
<u>d. PUBLIC/SEMI-PUBLIC</u>						
Township Government Uses, other than uses listed separately in this Section 306	P	P	P	P	P	P
Government Facility, other than uses listed separately in this Section 306	SE	SE	SE	SE	SE	SE

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TYPES OF USES (See definitions in Article 2)	ZONING DISTRICTS					
	CD	R-1	R-2	C-1	C-2	C-3
d. PUBLIC/SEMI-PUBLIC USES						
Prison or Similar Correctional Institution	N	N	N	N	N	C
Publicly Owned or Operated Recreation Park	P	P	P	P	P	P
Public Utility Facility (See also Section 114) other than uses listed separately in this Section 306	SE	SE	SE	SE	SE	SE
Swimming Pool, Non-household (S. 402)	P	P	P	P	P	P
U.S. Postal Service Facility, which may include a leased facility	N	SE	SE	P	P	P
e. INDUSTRIAL USES						
Asphalt Plant	N	N	N	N	N	C
Assembly or Finishing of Products Using Materials Produced Elsewhere (such as products from plastics manufactured off-site)	N	N	N	N	SE	P
Building Supplies and Building Materials, Wholesale Sales of	N	N	N	N	P	P
Distribution as a principal use (other than Trucking Company Terminal)	N	N	N	N	N	C
Industrial Equipment Sales, Rental and Service, other than vehicles primarily intended to be operated on public streets	N	N	N	N	P	P
Junk - outdoor storage, display or processing of, other than within an approved junkyard or solid waste disposal area	N	N	N	N	N	N
Junk Yard (S. 402)	N	N	N	N	N	C
Liquid Fuel Storage, Bulk, for off-site distribution, other than: auto service station, retail propane distributor, pre-packaged sales or fuel tanks for company vehicles	N	N	N	N	N	C
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:						
- Agricultural Chemicals, Fertilizers or Pesticides	N	N	N	N	N	C
- Apparel, Textiles, Shoes and Apparel Accessories (see also Crafts Studio)	N	N	N	N	P	P
- Cement Manufacture	N	N	N	N	N	C
- Ceramics Products (other than Crafts Studio)	N	N	N	N	C	P
- Chemicals, Manufacture or Bulk Processing, other than Pharmaceuticals	N	N	N	N	N	SE
- Clay, Brick, Tile and Refractory Products	N	N	N	N	N	P
- Computers and Electronic and Microelectronic Products	N	N	N	N	P	P

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	CD	R-1	R-2	C-1	C-2	C-3
e. INDUSTRIAL USES (Cont.)						
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:						
- Concrete, Cement, Lime and Gypsum Products, other than actual manufacture of cement	N	N	N	N	N	SE
- Electrical Equipment, Appliances and Components	N	N	N	N	P	P
- Explosives, Fireworks or Ammunition	N	N	N	N	N	SE
- Fabricated Metal Products (except Explosives, Fireworks or Ammunition) and/or Machine Shops	N	N	N	N	SE	SE
- Food (Human) and Beverage Products, at an industrial scale as opposed to a clearly retail scale, including but not limited to processing, bottling and related trucking of water removed from a site (not including uses listed individually in this Section 306)	N	N	N	N	P	P
- Food Products for animals	N	N	N	N	N	P
- Gaskets	N	N	N	N	P	P
- Glass and Glass Products (other than Crafts Studio)	N	N	N	N	P	P
- Incineration, Reduction, Distillation, Storage or Dumping of Slaughterhouse Refuse, Rancid Fats, Garbage, Dead Animals or Offal (other than within an approved solid waste facility)	N	N	N	N	N	N
- Jewelry and Silverware	N	N	N	N	SE	P
- Leather and Allied Products (other than Crafts Studio or Tannery)	N	N	N	N	SE	P
- Machinery	N	N	N	N	SE	P
- Manufactured or Modular Housing Manufacture	N	N	N	N	N	P
- Medical Equipment and Supplies	N	N	N	N	P	P
- Metal Products, Primary	N	N	N	N	N	SE
- Mineral Products, Non-metallic (other than Mineral Extraction)	N	N	N	N	N	SE
- Paper and Paper Products (including recycling, but not including manufacture of raw paper pulp)	N	N	N	N	P	P
- Paper - Raw Pulp	N	N	N	N	N	SE
- Paving Materials, other than bulk manufacture of asphalt	N	N	N	N	N	SE
- Pharmaceuticals and Medicines	N	N	N	N	N	P
- Plastics, Polymers, Resins, Vinyl, Coatings, Cleaning Compounds, Soaps, Adhesives, Sealants, Printing Ink or Photographic Film	N	N	N	N	N	SE

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e. INDUSTRIAL USES (Cont.)						
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:						
- Products from Previously Manufactured Materials, such as glass, leather, plastics, cellophane, textiles, rubber or synthetic rubber	N	N	N	N	P	P
- Roofing Materials and Asphalt Saturated Materials or Natural or Synthetic Rubber	N	N	N	N	N	SE
- Scientific, Electronic and Other Precision Instruments	N	N	N	N	P	P
- Sporting Goods, Toys, Games, Musical Instruments or Signs	N	N	N	N	P	P
- Transportation Equipment	N	N	N	N	N	P
- Wood Products and Furniture (not including raw paper pulp)	N	N	N	N	P	P
- See Section 105 for uses that are not listed						
Mineral Extraction (S. 402) and related processing, stockpiling and storage of materials removed from the site, but not including groundwater or spring water withdrawals	C*	N	N	N	C	C
* Such use shall only be allowed in the CD District if the requirements in Section 402 for setbacks and for road access are fully met.						
Packaging	N	N	N	P	P	P
Package Delivery Services Distribution Center	N	N	N	N	P	P
Petroleum Refining	N	N	N	N	N	SE
Photo Processing, Bulk	N	N	N	P	P	P
Printing or Bookbinding	N	N	N	P	P	P
Recycling Center, Bulk Processing, provided all operations of an industrial scale occur within an enclosed building (this use does not include a solid waste disposal or transfer facility)	N	N	N	SE	SE	P
Research and Development, Engineering or Testing Facility or Laboratory	N	N	N	N	P	P
Sawmill/ Planing Mill	C	N	N	N	P	P
Slaughterhouse, Stockyard or Tannery, with a 400 feet minimum setback from all lot lines	N	N	N	N	N	C
Solid Waste Landfill (S. 402)	N	N	N	N	N	N
Solid Waste Transfer Facility or Waste to Energy Facility (S. 402)	N	N	N	N	N	C

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<u>e. INDUSTRIAL USES (Cont.)</u>						
Trucking Company Terminal (s. 402)	N	N	N	N	N	C
Warehousing or Storage as a principal use	N	N	N	N	N	P
Warehousing or Storage as an on-site accessory use	N	N	N	P	P	P
Welding	N	N	N	N	P	P
Wholesale Sales (other than Motor Vehicles)	N	N	N	P	P	P
<u>f. ACCESSORY USES</u>						
See list of additional permitted uses in Section 306.C., such as "Residential Accessory Structure or Use"						
See Additional Requirements in Section 403 for Specific Accessory Uses.						
Day Care Center accessory to and on the same lot as an existing lawful Place of Worship, with a minimum lot area of 2 acres (See Place of Worship in S. 402)	P	P	P	P	P	P
Day Care (S. 403) as accessory to a dwelling:						
- Day care of a maximum of 3 adults or youth, in addition to "Relatives" of the caregiver	P	P	P	P	P	P
- Group Day Care Home	N	N	N	P	P	P
- Family Day Care Home	N	N	N	P	P	P
Home Occupation, General (S. 403)	SE	SE	SE	P	P	P
Home Occupation, Light (S. 403)	P	P	P	P	P	P
Outdoor Storage and Display as accessory to a business use and which shall also comply with Sections 403, 803 and 804	N	N	N	P	P	P
Temporary Retail Sales that meets Section 103.G.1.	P	P	P	P	P	P
Unit for Care of Relative (S. 403)	P	P	P	P	P	P
Warehousing as accessory to an on-site principal business use	N	N	N	P	P	P
<u>g. MISCELLANEOUS USES</u>						
Boat Rental and Launch (other than a "River Livery")	P	P	N	P	P	P
Crop Farming and Wholesale Greenhouses	P	P	P	P	P	P
Forestry (S. 402)	P	P	P	P	P	P
Groundwater or Spring Water Withdrawal, averaging more than 10,000 gallons per day removed from a tract for off-site consumption (S. 402) (See also requirements for food and beverage bottling and processing under Industrial Uses)	SE	SE	SE	SE	SE	SE
Nature Preserve or Environmental Education Center, with a 10 acre minimum lot area for any use involving a principal building	P	P	P	P	P	P

P = Permitted by right use (zoning decision by Zoning Officer)
 SE = Special exception use (zoning decision by Zoning Hearing Board)
 C = Conditional use (zoning decision by Board of Supervisors)
 N = Not permitted
 (S. 402) = See Additional Requirements in Section 402
 (S. 403) = See Additional Requirements in Section 403

TYPES OF USES (See definitions in Article 2)	ZONING DISTRICTS					
	CD	R-1	R-2	C-1	C-2	C-3
<u>g. MISCELLANEOUS USES (Cont.)</u>						
Parking Lot for Carpooling, Not Served by Inter-City Bus Service	P	P	P	P	P	P
Parking Lot as the Principal Use of a Lot, other than above	N	N	N	P	P	P
Raising of Livestock and Poultry (S. 402)	P	P	P	N	P	P
Sewage Sludge, Land Application of	C	C	C	C	C	C
Sewage Treatment Plant	C	C	C	P	P	P
Stable, Non-Household (S. 402)	P	SE	SE	P	P	P
All Uses that will be unable to comply with the performance standards of this ordinance. See the "Environmental Protection" requirements of Article 5	N	N	N	N	N	N

P = Permitted by right use (zoning decision by Zoning Officer)
 SE = Special exception use (zoning decision by Zoning Hearing Board)
 C = Conditional use (zoning decision by Board of Supervisors)
 N = Not permitted
 (S. 402) = See Additional Requirements in Section 402
 (S. 403) = See Additional Requirements in Section 403

306.B.Continued

2. Provisions for the ED Enterprise Zone District.

- a. The ED District shall only consist of the real property identified as Pike County Tax Parcel Numbers 082.00-01-51 and 082.00-01-63, encompassing such land as were identified by such Tax Parcel Numbers as of April 27, 2005.
- b. The real property within the ED district shall as well as any land development, subdivision and zoning issues pertaining thereto shall be exclusively governed by the terms and conditions of the Equitable Settlement Agreement and the Settlement Agreement/Release as established to comply with the decision in the matter of Katz v. Westfall Township, et.al., U.S. District Court for the Middle District of Pennsylvania.
- c. All applications for zoning, land development and/or subdivision approval pertaining to the ED district shall be considered and determined exclusively by the Court-appointed master and any successors as approved by the United States District Court for the Middle District of Pennsylvania, in accordance with the terms and conditions of the Equitable Settlement Agreement and the Settlement Agreement/Release.
- d. Any part of the Westfall Township Zoning Ordinance or Subdivision and Land Development Ordinance which conflicts with Section 306.B.2 is hereby repealed in so far as the same is inconsistent with this Section 306.B.2.
- e. The terms and conditions of the Equitable Settlement Agreement and the Settlement Agreement/Release shall solely apply to the real property within the ED District, and any conflict or inconsistency between the terms of this Ordinance and the terms of the

Equitable Settlement Agreement and Settlement Agreement/Release shall be resolved in favor of the Equitable Settlement Agreement and the Settlement Agreement/Release.

3. Provisions for the GC General Commercial 1 District.

- a. The GC District shall only consist of the real property identified as Pike County Tax Parcel Number 083.17-01-01 , encompassing such land as were identified by such Tax Parcel Number as of April 27, 2005.
- b. The real property within the GC district shall as well as any land development, subdivision and zoning issues pertaining thereto shall be exclusively governed by the terms and conditions of the Equitable Settlement Agreement and the Settlement Agreement/Release as established to comply with the decision in the matter of Katz v. Westfall Township, et.al., U.S. District Court for the Middle District of Pennsylvania.
- c. All applications for zoning, land development and/or subdivision approval pertaining to the GC district shall be considered and determined exclusively by the Court-appointed master and any successors as approved by the United States District Court for the Middle District of Pennsylvania, in accordance with the terms and conditions of the Equitable Settlement Agreement and the Settlement Agreement/Release.
- d. Any part of the Westfall Township Zoning Ordinance or Subdivision and Land Development Ordinance which conflicts with Section 306.B.3 is hereby repealed in so far as the same is inconsistent with this Section 306.B.3.
- e. The terms and conditions of the Equitable Settlement Agreement and the Settlement Agreement/Release shall solely apply to the real property within the GC District, and any conflict or inconsistency between the terms of this Ordinance and the terms of the Equitable Settlement Agreement and Settlement Agreement/Release shall be resolved in favor of the Equitable Settlement Agreement and the Settlement Agreement/Release.

306.C. Permitted Accessory Uses in All Districts. An accessory use of a dwelling is only permitted if such use is customarily incidental to the residential use and is specifically permitted by this Ordinance. The following are permitted by right as accessory uses to a lawful principal use in all districts, within the requirements of Section 403 and all other requirements of this Ordinance:

1. Standard Antennae, including antennae used by contractors to communicate with their own vehicles*
2. Fence* or Wall*
3. Garage, Household
4. Garage Sale*
5. Swimming Pool, Household *
6. Such other accessory use or structure that the applicant proves to the satisfaction of the Zoning Officer is clearly customary and incidental to a permitted by right, special exception or conditional principal use.

* See standard for each in Section 403.

306.D. Permitted Accessory Uses to Business and Institutional Uses. The following are permitted by right accessory uses only to a permitted by right, special exception or conditional commercial, industrial or institutional use, provided that all requirements of this Ordinance are met:

1. Storage of fuels for on-site use or to fuel company vehicles
2. The following accessory uses, provided that the use is clearly limited to employees, patients, residents and families of employees of the use and their occasional invited guests:
 - a. Internal cafeteria without drive-through service,
 - b. Day care center or
 - c. Recreational facilities.
3. Bus Shelters meeting Section 403.
4. Automatic Transaction Machine
5. Storage sheds meeting the requirements of Section 307.A.