

ORDINANCE NUMBER 157

AN ORDINANCE OF WESTFALL TOWNSHIP, PIKE COUNTY, PENNSYLVANIA, AMENDING SECTION 306.B.1 (ALLOWED USES IN EACH ZONING DISTRICT) OF THE WESTFALL TOWNSHIP ZONING ORDINANCE, ORDINANCE NUMBER 124, AS ENACTED ON SEPTEMBER 6, 2005.

BE IT HEREBY ORDAINED AND ENACTED, on the date subscribed herein, by the Board of Supervisors of Westfall Township, Pike County, Pennsylvania, by authority of and pursuant to the provisions of Act of 1968, P.L. 805, No. 247 of the General Assembly of the Commonwealth of Pennsylvania, approved July 31, 1968, as reenacted and amended, known and cited as the "Pennsylvania Municipalities Planning Code," as follows:

Section 306.B.1 of the Westfall Township Zoning Ordinance is hereby amended as follows:

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 N Dwelling) into Dwelling Units (S. 402) (See also "Unit for Care of Relative" under Accessory Uses)	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 N or Exhibition-Trade Show Center	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.)

P = Permitted by use right (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

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 P on certain existing structures	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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(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.)						
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	C	P	P

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(S.403) = See 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.)

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						

c. INSTITUTIONAL/ SEMI-PUBLIC USES

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

d. PUBLIC/SEMI-PUBLIC

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)	SE	SE	SE	SE	SE	SE
other than uses listed separately in this Section 306						
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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TYPES OF USES

ZONING DISTRICTS

(See definitions in Article 2)

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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TYPES OF USES (See definitions in Article 2)	ZONING DISTRICTS					
	CD	R-1	R-2	C-1	C-2	C-3
<u>e. INDUSTRIAL USES (Cont.)</u>						
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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TYPES OF USES (See definitions in Article 2)	ZONING DISTRICTS					
	CD	R-1	R-2	C-1	C-2	C-3

e. INDUSTRIAL USES (Cont.)

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

f. ACCESSORY USES

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

g. MISCELLANEOUS USES

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

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TYPES OF USES

ZONING DISTRICTS

(See definitions in Article 2)

CD R-1 R-2 C-1 C-2 C-3

g. MISCELLANEOUS USES (Cont.)

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	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

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This Ordinance shall become effective five (5) days after the adoption thereof.

ORDINANCE ORDAINED AND ENACTED this 17th day of October, 2012, by the Board of Supervisors of Westfall Township, Pike County, Pennsylvania.

Attest: *Lisa A. Green*

Tom. Ell
Chairman

Paul Schum
Vice-Chairman

Lawrence D. Hamby
Supervisor

Bob Bell
Supervisor

Roy M...
Supervisor