

LIBERTY TOWNSHIP ZONING ORDINANCE

Article 3
General Provisions

Section 300 General Provisions

The regulations contained within Article 3 shall apply to all uses within the Township.

Section 301 Accessory Uses and Structures

301.1. Fences and Walls – The following regulations shall apply to fences and walls.

- a. No fence or wall (except agricultural fences, required junkyard, antennas, or tennis court walls or fences, or a retainer wall of a building permitted under the terms of this Ordinance) shall be erected to a height of more than four feet in a front yard and more than ten feet in any other yard within an Agricultural Rural (AR), Conservation (C), or Residential (R) Zone.
- b. Within any Residential Commercial Office (ROC) and Commercial Industrial (CI) Zone, no fence or wall shall be erected to a height of more than ten feet in any yard.
- c. No fence shall block motorist view of vehicles entering or exiting the property (clear sight triangle).
- d. In any zone, fences on residential lots shall be limited to a height of four feet in the front yard and ten feet in other yards. Furthermore, no electric fence shall be permitted on a principal residential lot, unless the residence is part of a farm.
 - (1) Underground electrical fences for dogs, or other similar domesticated pets, are permitted on a principle residential lot. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**

301.2. Swimming Pools – The following regulations shall apply to swimming pools.

- a. No permanent swimming pool shall be permitted without an operable filtration system utilizing chlorine, bromine or some other antibacterial agent.
- b. All swimming pools shall be completely enclosed by a four (4') foot high fence or wall with no openings or holes greater than four inches (4") with a self-closing and lockable gate; however, this does not apply to above-ground pools having a wall measuring four feet (4') in height and having a retractable ladder.
- c. Such fence or wall shall be erected before any pool is filled with water.
- d. All pools must be set back at least ten feet (10') from all lot lines.
- e. These requirements shall not apply to man-made ponds, lakes or other impoundments unless the primary use for their construction is swimming.

301.3. Tennis Courts – The following regulations shall apply to tennis courts.

- a. All tennis courts shall include an open mesh permanent fence ten feet (10') in height behind each baseline.
- b. Such fence shall extend parallel to said baseline at least ten feet (10') beyond the court's playing surface unless the entire court is enclosed.

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- c. Any lighting fixtures shall be arranged to prevent objectionable glare on adjoining property and according to lighting regulations of this ordinance.

301.4. Ornamental Ponds and Wading Pools - the following regulations shall apply to ornamental ponds and wading pools

- a. Such structures shall comply with all accessory use setbacks.
- b. No such impoundment shall contain more than 450 cubic feet of water. All ponds, pools or other impoundments exceeding the requirements of this section shall be considered as "Man-made Lakes, Dams and Impoundment" and are subject to the criteria listed in Section 301.5 of this Ordinance.
- c. No such pond or pool shall have a length or diameter exceeding fifteen feet (15') nor a maximum depth exceeding two feet (2').
- d. All such ponds or pools shall be maintained so to not pose a nuisance by reason of odor, or the harboring of insects.
- e. No such pond or pool shall be used for the commercial hatching of fish or other species.
- f. All Ornamental Ponds and Wading Pools shall comply with the Water Supply Management Regulations of the State of Pennsylvania. These regulations may be obtained from State of Pennsylvania, South-central Regional Office, Water Supply Management. This office administers Adams County requirements.

301.5. Man-Made Lakes, Dams, and Impoundments – the following regulations shall apply to man-made lakes, dams, and impoundments.

- a. Lakes, dams, ponds and impoundments may be permitted in any zone.
- b. Lakes, dams, ponds, and impoundments located along and connected to a stream, shall require a permit from the Pennsylvania Department of Environmental Protection (PA DEP), Bureau of Dams and Waterways Division of Dam Safety; or a letter indicating that the proposed use does not require a PA DEP permit.

301.6. Garage/Yard Sales – The following regulations shall apply to garage and yard sales.

- a. Within any zone, an owner and/or occupant may conduct up to four garage/yard sales per year.
- b. No garage or yard sale shall be conducted for a period longer than three consecutive days.
- c. Only one six (6) square foot sign shall be permitted advertising the garage/yard sale; such sign must be set back at least ten feet (10') from any lot line and comply with the sign regulations of this Ordinance.
- d. In no case shall any aspect of the garage/yard sale be conducted in a street right-of-way.
- e. The conduct of garage sales beyond the extent described herein represents a commercial business and requires appropriate zoning authorization.
- f. All signs must be removed within twenty-four hours following the end of the sales.

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301.7. Forestry Operations To encourage maintenance and management of forested or wooded open space and promote the conduct of forestry as a sound and economically viable use of forested land and forestry activities, including, but not limited to timber harvesting, and to be in compliance with the Pennsylvania Municipalities Planning Code, as amended, forestry shall be a permitted use by right in all zoning districts. The following standards apply to all timber harvesting within the Township where the value of trees, logs, or other timber products removed exceed one thousand dollars (\$1,000.00). These provisions do not apply to the cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement.

- a. Policy and Purpose. In order to conserve forested open space and the environmental and economic benefits they provide, it is the policy of Liberty Township to encourage the owners of forestland to continue to use their land for forestry purposes, including the long-term production of timber, recreation, wildlife, and amenity values. The timber harvesting regulations are intended to further this policy by promoting good forest stewardship, protecting the rights of adjoining property owners, minimizing the potential for adverse environmental impacts, and avoiding unreasonable and unnecessary restrictions on the right to practice forestry.
- b. Notification and Preparation of a Logging Plan.
 1. For all timber harvesting operations, the landowner shall notify the Township Zoning Officer at least ten (10) business days before the operation commences and within ten (10) business days before the operation is complete. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and shall specify the land on which harvesting will occur, the expected size of the harvest area, and, as applicable, the anticipated starting or completion date of the operation.
 2. Every landowner on whose land timber harvesting is to occur shall prepare a written logging plan in the form specified by this Ordinance. No timber harvesting shall occur until the plan has been prepared. The provisions of the plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the Township Zoning Officer upon request.
 3. The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.
- c. Contents of the Logging Plan. As a minimum the logging plan shall include the following:
 1. The design, construction, maintenance, and retirement of the access system, including haul roads, skid roads, skid trails, and landings.
 2. The design, construction, and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips, and water bars.
 3. The design, construction, and maintenance of stream and wetland crossings.
 4. The general location of the proposed operation in relation to municipal and state highways, including any accesses to those highways.
 5. A sketch map or drawing containing the site location and boundaries, including both the boundaries of the property on which the timber harvest will take place and the boundaries of the proposed harvest area within the property; significant topographic features related to potential environmental problems; location of all earth disturbance activities such as roads, landings, and water control measures and structures; location of all crossings of waters of the Commonwealth.
 6. Documentation of compliance with the requirements of all applicable state regulations including, but not limited to, the following: erosion and sedimentation control regulation contained in Title 25 Pennsylvania Code, Chapter 102, promulgated pursuant to The Clean Streams Law (35 P.S. 691.1 et seq; and Stream

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crossing and wetlands protection regulations contained in Title 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. 693.1 et seq.).

7. Any permits required by state laws and regulations shall be attached to and become part of the logging plan. An erosion and sedimentation pollution control plan that satisfies the requirements of Title 25 Pennsylvania Code, Chapter 102, shall also satisfy the requirements for the logging plan and associated map specified above, provided all information required is included or attached.
- d. Forest Practices. The following requirements shall apply to all timber harvesting operations in the Township.
 1. Felling or skidding on or across any public thoroughfare is prohibited without the express written consent of the Township or the Pennsylvania Department of Transportation, whichever is responsible for maintenance of the thoroughfare.
 2. No tops or slash shall be left within twenty-five (25') feet of any public thoroughfare or private roadway providing access to adjoining residential property.
 3. All tops and slash between twenty-five (25') and fifty (50') feet of any public roadway or private roadway providing access to adjoining residential property or within fifty (50') feet of adjoining residential property shall be lopped to a maximum height of four (4') feet above ground.
 4. No tops or slash shall be left on or across the boundary of any property adjoining the operation without the consent of the owner thereof.
 5. Litter resulting from a timber harvesting operation shall be removed from the site before it is vacated by the operator.
 6. Responsibility for Road Maintenance and Repair: Road Bonding. Pursuant to Title 75 of the Pennsylvania Consolidated Statutes, Chapter 49; and Title 67 Pennsylvania Code, Chapter 189, the land owner and the operator shall be responsible for repairing any damage to Township roads caused by traffic associated with the timber harvesting operation to the extent the damage is in excess of that caused by normal traffic, and may be required to furnish a bond to guarantee the repair of such damages.
 - e. Enforcement. The Township Zoning Officer shall be the enforcement officer for the standards set forth herein.
 - f. Inspections. The Township Zoning Officer may go upon the site of any timber harvesting operation before, during, or after active logging to review the logging plan or any other required documents for compliance with the standards and inspect the operation for compliance with the logging plan and other on-site requirements of these regulations.
 - g. Violations Notices; Suspensions. Upon finding that a timber harvesting operation is in violation of any provision of these standards and regulations, the Township Zoning Officer shall issue the operator and the landowner a written notice of violation describing each violation and specifying a date by which corrective action must be taken. The Township Zoning Officer may order the immediate suspension of any operation upon finding that corrective action has not been taken by the date specified in a notice violation; the operation is proceeding without a logging plan; or the operation is causing immediate harm to the environment. Suspension orders shall be in writing, shall be issued to the operator and the owner, and shall remain in effect until, as determined by the Township Zoning Officer, the operation is brought into compliance with the regulations herein or other applicable statutes or regulations. The land owner or the operator may appeal an order or decision of an enforcement officer with thirty (30) days of issuance to the Township Board of Supervisors.

301.8. Manure Storage Facilities – the following regulations shall apply to manure storage facilities:

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- a. All manure storage facilities shall be designed in compliance with the guidelines outlined in the publication Manure Management for Environment Protection, Bureau of Water Quality Management Publication No. 43, and any revisions, supplements, and replacements thereof, published by the Pennsylvania Department of Environment Protection.
- b. All manure waste storage facilities' designs shall be reviewed by the Adams County Conservation District and Township Planning Commission. The applicant shall furnish a letter from the Conservation District attesting to approval of the design of the proposed facility to the Board of Supervisors.
- c. Construction and subsequent operation of the manure waste storage facility shall be in accordance with the permit and the approved design. Any design changes during construction or subsequent operation will require the notification to the Board of Supervisors and the Adams County Conservation District.

Section 302 Outdoor Storage and Dumpsters

- 302.1. Recreational Vehicles, Boats, Campers, Trailers and Trucks - In any residential use area no boats, campers, recreational vehicles, trailers, nor trucks with more than two (2) axles (except personal pickup truck), shall be stored within any front yard, unless located within a driveway.
- 302.2. Trash, Garbage, Refuse or Junk - Except as provided in Sections 431 and 447 of this Ordinance, the outdoor accumulation of trash, garbage, refuse or junk for a period exceeding fifteen (15) days is prohibited.
- 302.3. Outdoor Storage - Outdoor storage is permitted provided all outdoor storage areas are screened from adjoining roads and noncommercial properties, and the outdoor storage area comply with the setbacks and buffer yard requirements.
- 302.4. Waste Products - Dumpsters may be permitted within the side or rear yard, provided such dumpsters are screened from any adjoining roads or properties. All dumpsters shall be set back a minimum of fifty feet (50') from any adjoining residentially zoned or used properties. All waste receptacles shall be completely enclosed.

Section 303 Setback Modifications

- 303.1. Front Setback or Buildings on Built-Up Streets - Where at least two adjacent buildings within one hundred feet (100') of a property are set back a lesser distance than required, the average distances becomes the required minimum front setback for the property.
- 303.2. Accessory or Appurtenant Structures - The setback regulations do not apply to:
 - a. Bus shelters; telephone booths; and cornices, eaves, chimneys, steps, canopies, and similar extensions but do apply to porches and patios whether covered or not.
 - b. Open fire escapes.
 - c. Minor public utility structures, articles of ornamentation or decoration.
 - d. Fences, hedges and retaining walls.

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- 303.3. Agriculture Setback Requirement – No nonagricultural building shall be located within one hundred feet (100') of any agriculture activity or farm field. In addition no shrub or tree shall be planted within twenty feet (20') and thirty feet (30'), respectively of any land adjacent to a farm field.
- 303.4. Minimum Setback Requirements for Accessory Structures – The following minimum setbacks shall be required for accessory structures, unless provided for in the zoning district or specific criteria regulations. **(Added 10/3/06 by Ordinance # 2006-03 of 2006)**
- a. Front Yard Setback – No accessory use or structure (except permitted signs) shall be located within the required front yard. **(Added 10/3/06 by Ordinance # 2006-03 of 2006)**
 - b. Side Yard Setback – Ten feet (10') on each side, unless the structure is greater than two hundred-fifty (250) square feet, in which case, the structure shall meet the setback requirements for the principal structure. **(Added 10/3/06 by Ordinance # 2006-03 of 2006)**
 - c. Rear Yard Setback – Ten feet (10'), unless the structure is greater than two hundred-fifty (250) square feet, in which case, the structure shall meet the setback requirements for the principal structure. **(Added 10/3/06 by Ordinance # 2006-03 of 2006)**

Section 304 Height Limit Exceptions

- 304.1. The height regulations do not apply to the following structures or projections provided such structures or projections are set back a horizontal distance at least equal to their height from any property line Communications and Cell Towers and Antenna, which shall be set back in accordance with the setback regulations of Section 418).
- a. Water towers, antennas, smokestacks, chimneys, farm silos, windmills, flagpoles, school gymnasiums, school auditoriums, or other similar structures.
 - b. Roof-top structures for the housing of elevators, stairways, water storage tanks, ventilating fans, and other mechanical appurtenances.
 - c. Parapet walls or cornices used solely for ornamental purposes if not in excess of five feet (5') above the roofline.
- 304.2. In no case shall any freestanding or roof-top structure above the maximum permitted height be used for the purpose of providing additional floor space for residential and commercial purposes.
- 304.3. All structures and/or projections must comply with the provisions of the Airport Safety Zone listed in Section 209 of this Ordinance.

Section 305 Corner Lots

- 305.1. A front yard, as provided for in the area and lot requirements for the various zones, shall be required along each street on which a corner lot abuts.
- 305.2. Sight distance at intersections shall be observed in accordance with the Liberty Township Subdivision and Land Development Ordinance.

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Section 306 Minimum Habitable Floor Area

All dwelling units must conform to the following minimum habitable floor area with the exception of mobile homes constructed in accordance with the Federal Manufactured Home Construction and Safety Standards, effective June 15, 1976, as amended :

- a. Boarding House Room(designed for one (1) person) 150 square feet
- b. Efficiency Unit 500 square feet
- c. One Bedroom Unit 600 square feet
- d. Two Bedroom Unit 950 square feet
- e. Three Bedroom Unit 1100 square feet
- f. Four Bedroom Unit 1250 square feet
- g. For five or more bedrooms, an additional 150 square feet per bedroom.
- h. The minimum habitable floor area for units within lodging establishments for transients shall be two hundred (200') square feet for each room used for sleeping purposes.

Section 307 Required Vehicular Access

Every building hereafter erected or moved shall be on a lot adjacent to a public street or an approved private street. Approved access shall be in accordance with the Subdivision and Land Development Ordinance of Liberty Township, as may be amended from time to time. Access to lots containing single-family dwellings shall be via driveways (see Section 308); access to lots containing other uses shall be via access drives (see Section 309). Sharing of access is encouraged.

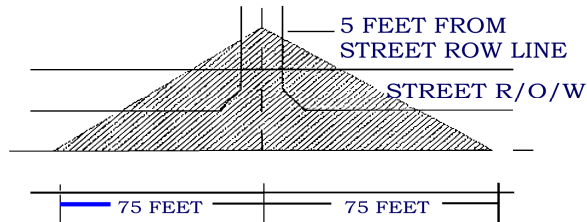
Section 308 Driveway Requirements (Residential Dwelling)

The following regulations apply to residential driveways in addition to the regulations of the Liberty Township Subdivision and Land Development Ordinance.

308.1. Number Per Lot - No more than two (2) driveway connections per lot shall be permitted.

308.2. Setbacks - Driveways shall not connect with a public street within five feet (5') of a fire hydrant nor within three feet (3') of adjoining lot lines.

DRIVEWAY CLEAR-SIGHT TRIANGLE



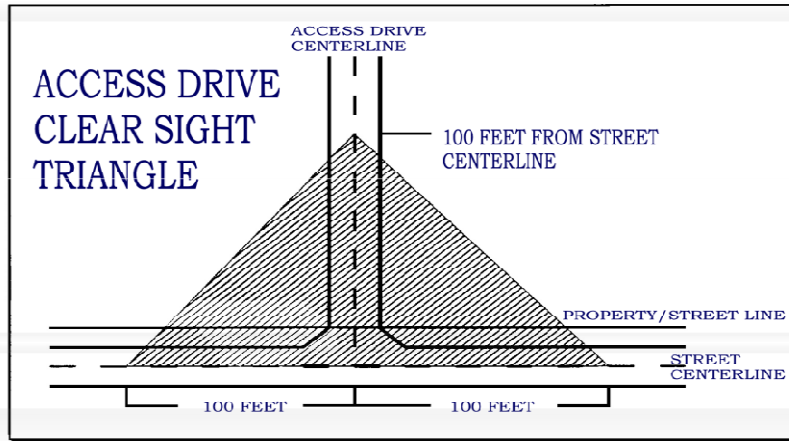
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- 308.3. Road Classification - Driveway access shall be provided to the street of lesser classification when there is more than one street classification as defined in the Liberty Township Subdivision and Land Development Ordinance.
- 308.4. Driveway Width - No driveway shall provide a curb cut less than ten feet (10') or exceeding twenty-four feet (24') in width.
- 308.5. PennDOT Permit - Any proposed driveway intersecting with a State-owned road will require a driveway permit from the Pennsylvania Department of Transportation.
- 308.6. Township Permit - Any proposed driveway intersecting with a Township road will require a driveway permit from the Township.
- 308.7. Drainage - Driveways shall not be constructed in a manner to be inconsistent with the design, maintenance, and drainage of the street.
- 308.8. Clear-Sight Triangle - Driveways shall be located and constructed so that a clear-sight triangle of seventy-five feet (75') as measured along the street centerline and along the driveway centerline is maintained, no permanent obstructions and/or plant materials over three feet (3') high shall be placed within this area

Section 309 Access Drive Requirements (Nonresidential Uses, Excluding Farm Field Access)

- 309.1. Number Per Lot - Except as specified elsewhere, the number of access drives intersecting with a street may not exceed two (2) per lot.
- 309.2. Setbacks - All access drives shall be set back at least:
- a. One hundred feet (100') from the intersection of any street right-of-way lines;
 - b. One hundred feet (100') from any other access drive located upon the same lot (measured from cartway edges);
 - c. Fifteen feet (15') from any side and/or rear property lines; however, this setback is not required along one property line when a joint parking lot is shared by adjoining uses;
- 309.3. Clear-Sight Triangle - Access drives shall be located and constructed so that a clear-sight triangle of one hundred feet (100') as measured along the street centerline and along the driveway centerline is maintained, no permanent obstructions and/or plant materials over three feet (3') high shall be placed within this area;

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- 309.4. Slope - Access drives shall not exceed a slope of four percent (4%) within forty feet (40') of the intersecting street centerline.
- 309.5. Surfacing - All access drives shall be paved with concrete or bituminous paving material, or another material performing the same function suitable to the Zoning Officer and Township Engineer with recommendation from the Township Engineer.
- 309.6. Access Drive Width - Access drives shall provide a twelve feet (12') wide cartway for each lane of travel. However, in no case shall any access drive cartway be less than eighteen feet (18') wide, if it provides for truck movement between the public right-of-way and any required off street loading spaces as regulated by Section 311 of this Ordinance. See table below for further explanation:

Use	No. of Lanes	Direction of Travel	Required Access Drive Width
Automobiles only	1	One way	12 feet
Automobiles only	2	One or two way	24 feet
Automobiles only	3 or more	One or two way	12 feet/lane
Automobiles and trucks	1	One way	18 feet
Automobiles and trucks	2	One or two way	24 feet
Automobiles and trucks	3 or more	One or two way	12 feet/lane

- 309.7. Township Permit - Any proposed access drive intersecting with a Township road shall require the issuance of a driveway permit from Liberty Township.
- 309.8. PennDOT Permit - Any proposed access drive intersecting with a State-owned road shall require the issuance of Pennsylvania Department of Transportation driveway permit.

Section 310 Off-Street Parking Requirements

- 310.1. Off-street parking shall be required in accordance with the provisions of this section prior to the occupancy of any building or pursuit of any use, so as to alleviate traffic congestion on streets. These facilities shall be provided whenever:

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- a. A building is constructed or a new use is established;
- b. The use of an existing building is changed to a use requiring more parking facilities; or,
- c. An existing building or use is altered or enlarged so as to increase the amount of parking space required.

310.2. Parking for Single Family Dwellings - Every single family dwelling shall be required to provide at least two (2) off-street parking spaces. Such spaces must be provided behind the street right-of-way line and may take the form of garages, carports or driveways. Additional regulations pertaining to driveways are contained in Section 308 of this Ordinance. The remaining regulations contained in this section do not apply to off-street parking facilities serving one single family dwelling.

310.3. Site Plan approval:

- a. Each application for a permit (for a use for which parking spaces are required) shall include a drawing (site plan) showing the proposed layout of the lot. The drawing shall clearly indicate all of the design elements required below.
- b. No permit shall be issued for any use for which parking spaces are required unless the land development plan has been approved or necessary variances have been obtained.

310.4. Surfacing - All parking lots shall be constructed and maintained with surfaces approved by the Zoning Officer based on the recommendation of the Township Engineer.

310.5. Separation from Streets and Sidewalks - Parking spaces shall be guarded by curbs or other protective devices, which are arranged so that parked cars cannot project into the streets, yards, or walkways.

310.6. Drainage - Parking lots shall be graded to a minimum slope of one percent (1%) to provide for drainage. Adequately sized inlets and storm sewers shall be provided to discharge water in accordance with a plan to be approved by the Township Zoning Officer based on the recommendation of the Township Engineer.

310.7. Parking Space Sizes - The following lists required minimum space sizes in feet:

- a. Parallel 23 feet by 8 feet
- b. Non-parallel 20 feet by 10 feet

310.8. Design Standards For Handicapped Parking Spaces:

- a. Handicapped parking spaces shall be provided in accordance with the provision of the American Disability Act of 1990, as amended.
- b. Spaces shall be required in accordance with the following schedule:

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Total Parking Spaces	Required Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2 % of total
1,001 and over	20 plus 1 for each 100 over 1,000

- c. Size - Parallel 23 feet x 12 feet
 Non-parallel 20 feet x 12 feet

- d. Location - Parking spaces for the physically handicapped shall be located as close as possible to ramps, walkways, entrances, and elevators. Where feasible, these parking spaces shall be located so that the physically handicapped are not forced to wheel or walk across main traffic lanes or behind parked cars to reach the ramps and other facilities. The spaces shall be situated in those areas of the parking lots located nearest to each primary building entrance.

- e. Identification - Parking spaces for the physically handicapped shall be identified clearly.

- f. Curbs:
 - 1. Where a curb exists between a parking lot and a sidewalk, a horizontally scored ramp or curb cut shall be provided for wheelchair access.
 - 2. The curb cut shall not be less than four feet (4') wide and shall have a grade of not more than one foot (1') in twelve feet (12').
 - 3. Curb cuts shall be provided within thirty feet (30') of each accessible entrance to the structure, at all pedestrian walk intersections, and elsewhere to provide reasonable direct circulation within each development.
 - 4. The curb cuts shall not be more than one hundred fifty feet (150') apart.

- g. Sidewalks:
 - 1. Exterior sidewalks shall not be obstructed.
 - 2. Exterior sidewalks shall have a side slope not greater than one inch (1") in four feet (4'). They shall be at least four feet (4') wide and have a grade of not more than one foot (1') in twenty feet (20').

- h. Storm Drains:

Storm drain grates and similar devices shall not be located within the required access for the physically handicapped.

Grade: The grade of parking spaces for the physically handicapped shall not be more than one foot (1') in twenty feet (20').

310.9. Interior Drive Widths:

Interior drives between rows of parking spaces shall have the minimum widths indicated in the following table. Interior drives in areas where there is no parking permitted shall be at least eleven feet (11') wide for each lane of traffic.

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Angle of Parking	Width in Driveway in Feet One-way Traffic	Width of Driveway in Feet Two-way Traffic
90 degrees	25	25
60 degrees	20	22
45 degrees	18	22
30 degrees	11	22
Parallel	11	22

310.10. Marking of Parking Spaces and Interior Drives - All paved parking lots shall be adequately marked, hard or turfed and maintained for the purpose of defining parking spaces and interior drives. As a minimum, the lines of all parking spaces and interior drives (including directional arrows, etc.) shall be solid white and four inches (4") in width.

310.11. Not less than a four (4') foot radius of curvature shall be permitted for horizontal curves in parking areas.

310.12. All dead end parking lots shall be designed to provide sufficient back-up area for all end spaces.

310.13. Lighting - Adequate lighting shall be provided if the parking lot is to be used at night. The lighting shall be in accordance with Section 314.

310.14. Access Drive Requirements - Every parking lot shall be connected to a street by means of an access drive. This access drive shall be at least twelve feet (12') wide for each lane, exclusive of curb return and gutters. Section 309 specifies other requirements for access drives.

310.15. Landscaping and Screening Requirements:

The following landscaping and screening requirements shall apply to all parking lots:

a. Landscaped Strip:

1. When a parking lot is located in a yard which abuts a street, a landscaped strip shall be provided on the property along the entire street line. If there is no building or other structure on the property, the parking lot shall still be separated from the street by the landscaped strip. This strip shall be measured from the street right-of-way line. The strip may be located within any other landscaped strip required to be located along a street.

The following lists required width of landscape strips, which shall be measured from the street right-of-way line, or from the street side of any sidewalk:

Number of Spaces in Parking Lot Including Joint Facilities	Landscape Strip Width in Feet
Less than 100	15
100 to 250	20
Over 250	25

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2. Unless otherwise indicated, all parking lots constructed in side or rear yards (as defined herein) shall be set back a minimum of ten feet (10') from all property lines. Such setbacks shall be used for landscape strips.
- b. Interior Landscaping:
1. In any parking lot containing twenty (20) or more parking spaces (except a parking garage), five percent (5%) of the total area of the lot shall be devoted to interior landscaping. Such interior landscaping may be used, for example, at the end of parking space rows to break up rows of parking spaces at least every ten parking spaces, and to help visually define travel lanes through or next to the parking lot. Landscaped areas situated outside of the parking lot, such as peripheral areas and areas surrounding buildings, shall not constitute interior landscaping. For the purpose of computing the total area of any parking lot, all areas within the perimeter of the parking lot shall be counted, including all parking spaces and access drives, aisles, islands, and curbed areas. Ground cover alone is not sufficient to meet this requirement. Trees, shrubs, or other approved material shall be provided. At least one (1) shade tree shall be provided for each three hundred (300) square feet (or fraction) of required interior landscaping area. These trees shall have a clear trunk at least five feet (5') above finished-grade level.
 2. Parked vehicles may not overhang interior landscaped areas more than two and one-half feet (2½'). Where necessary, wheel stops or curbing shall be provided to insure no greater overhang.
 3. If a parking lot of under twenty (20) spaces is built without interior landscaping, and later additional spaces are added so that the total is twenty (20) or more, the interior landscaping shall be provided for the entire parking lot.

310.16. Speed Bumps:

- a. Speed bumps, constructed as part of access drives or parking lots, shall be marked with permanent, yellow diagonal stripes.
- b. The speed bumps shall be in the form of mounds or depressions in the pavement and shall be designed to restrain motor vehicle speed.
- c. There shall be a warning sign posted at each entrance to a parking area having speed bumps.
- d. In no case shall the overall height (or depth) of speed bumps exceed three inches (3").

310.17. Joint Parking Lots:

In an ROC AND CI Zone, two or more properties may share facilities, provided that cross easements for parking are established on all such properties.

310.18. Prohibited Uses of a Parking Lot - Automobile parking lots are for the sole purposes of accommodating the passenger vehicles of persons associated with the use, which requires them. Parking lots shall not be used for the following:

- a. The sale, display, or storage of automobiles or other merchandise.
- b. Parking/storage of vehicles accessory to the use.
- c. Performing services (including services to vehicles).

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However, parking lots may be used for carnivals, circuses, fairs, exhibitions or other similar events, so long as they do not continue longer than seven (7) days, and are conducted by nonprofit groups.

310.19. Schedule of Required Parking Spaces - The following lists required numbers of parking spaces by use type. Any use involving a combination of several uses shall provide the total number of spaces required for each individual use, except as provided by section 310.17.

Type of Use	Minimum of One Parking Space for Each
Commercial Uses	
Automobile repair, filling and washing facilities	400 square feet of gross floor and ground area devoted to repair and service facilities in addition to areas normally devoted to automobile storage and 1 per employee on major shift
Automobile, boat and trailer sales	500 square feet indoor and outdoor display area
Carpeting, drapery, floor covering, and wall covering sales	500 square feet of gross floor area
Convenience stores	75 square feet of gross floor area

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Type of Use	Minimum of One Parking Space for Each
Drive-thru and/or fast-food restaurant	2 seats and 1 per each 2 employees
Commercial Uses	
Food markets and grocery stores	100 square feet of gross floor area for public use and 1 per each employee on 2 largest shifts
Funeral homes	100 square feet of gross floor area, 1 per each employee, and 1 per each piece mobile equipment, such as hearses and ambulances
Furniture sales	500 square feet gross floor area
Hotel, motel, tourist home	Guest sleeping room and 1 per each employee on 2 largest shifts. (Restaurants and other accessory uses shall be viewed separately.)
Mini-warehouses	25 units plus 1 per 250 square feet of office space plus 2 per any resident manager
Office buildings	300 square feet of gross floor area
Professional offices of veterinarians, physicians, dentists, etc.	6 spaces per each physician or dentist, etc.
Retail store or shop (except those listed above)	200 square feet of gross floor area of display area or sales area and 1 per each employee on 2 largest shifts
Warehousing	Employee on the 2 largest shifts
Other commercial buildings	400 square feet of gross floor area
Recreation Uses	
Amusement arcade	80 square feet of gross floor area
Athletic field	4 seats of spectator seating. However, if no spectator seating is provided, a temporary parking area shall be provided on the site. Such area must provide sufficient number of spaces to serve all users of the site, and include a fence delineating such parking area.
Bowling alley, billiard room	1/4 lane/table and 1 per each 2 employees

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Type of Use	Minimum of One Parking Space for Each
Recreation Uses	
Campgrounds	Per campsite, plus 1 per employee, plus 50% of the spaces normally required for accessory uses
Golf course	1/8 hole, plus 1 per employee, plus 50% of the spaces normally required for accessory uses
Golf driving range	1 per tee and 1 per employee
Miniature golf course	1/2 hole and 1 per employee
Riding school or horse stable	2 stalls plus 1 per every 4 seats of spectator seating
Picnic area	Per table
Skating rink	4 persons of legal occupancy
Swimming pools (other than one accessory to a residential development)	4 persons of legal occupancy
Tennis or racquetball clubs	¼ court plus 1 per employee plus 50% of the spaces normally required for accessory uses
Residential Uses	
Residential dwelling	1/2 dwelling unit (i.e. 2 spaces per dwelling unit)
Boarding house, group home, and bed and breakfast	Bedroom plus 1 per nonresident employee
Social and Institutional Uses	
Auditorium, banquet, conference, and meeting facility, church, theater, and other such places of public assembly	200 square feet but not less than 1 space per each 4 seats
Clubs and other similar places	2 seats but not less than 100 square feet of gross floor area and 1 per each employee on 2 largest shifts.
Nursing, rest or retirement homes	3 accommodations (beds) in addition to those needed for doctors and support staff
Hospital	Spaces shall be provided for visitors, at the rate of at least 1 space per each 1.5 accommodations (beds) plus 1 space for each doctor or professional staff and 1 space for each technical or non-professional staff on the largest shift

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Type of Use	Minimum of One Parking Space for Each
Social and Institutional Uses	
Museum, art gallery, cultural center, library	400 square feet of gross floor area
Rehabilitation centers (without overnight accommodations)	1 per each employee and per each 3 people anticipated to be handled through the facility
Schools below grade ten including commercial day-care and kindergarten	6 students enrolled
Schools, tenth grade and above	3 students enrolled
Vocational training, college, technical schools and adult education facilities	1.5 students enrolled

Section 311 Off-Street Loading Facilities

311.1. Off-street Loading - shall be required in accordance with this section prior to the occupancy of any building or use identified herein so as to alleviate traffic congestion on streets. These facilities shall be provided whenever:

- a. A new use is established.
- b. The use of a property or building is changed and thereby requiring more loading space.
- c. An existing use is enlarged thereby requiring an increase in loading space.

311.2. Site Plan Approval:

- a. Each application for a zoning/building permit (for use for which off-street loading spaces are required) shall include a drawing (site plan) showing the proposed layout of the loading area. The drawing shall clearly indicate the design elements required below.
- b. No zoning/building permit shall be issued for any use for which a loading area is required unless the site plan has been approved or necessary variances have been approved.

311.3. Surfacing - All parking lots shall be constructed and maintained with surfaces approved by the Zoning Officer based on the recommendation of the Township Engineer.

311.4. Location - Except as provided elsewhere, a ground-level loading area may be located in any side or rear yard. No exterior portion of an off-street loading facility (including access drives) shall be located within fifty feet (50') of any land within a residential zone.

311.5. Connection to Street - Every loading space shall be connected to a street by means of an access drive. The access drive shall be at least twenty-four feet (24') wide for two-way travel, or eighteen feet (18') wide for one way travel, exclusive of any parts of the curb and gutters. Section 309 specifies other requirements for access drives.

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- 311.6. Separation from Streets, Sidewalks, and Parking Lots - Off-street loading spaces shall be designed so that there will be no need for service vehicles to back over streets or sidewalks. Furthermore, off-street loading spaces shall not interfere with off-street parking lots.
- 311.7. Drainage - Off-street loading facilities (including access drives) shall be drained to prevent damage to other properties or public streets. Furthermore, all off-street loading facilities shall be designed to prevent the collection of standing water on any portion of the loading facility surface, particularly next to access drives.
- 311.8. Required Off-Street Loading Facilities Sizes - The following lists required minimum loading space sizes, in feet (excluding access drives, entrances, and exits):

Commercial Wholesale and Storage Uses	Length	Width	Height (If covered or obstructed)
	70 feet	12 feet	15 feet
All Other Commercial Uses	35 feet	10 feet	15 feet

- 311.9. Lighting - Adequate lighting shall be provided if the loading facility is to be used at night. The lighting shall conform to Lighting Section of this Ordinance.
- 311.10. Landscaping and Screening Requirements - Unless otherwise indicated, all off-street loading facilities shall be surrounded by a fifteen-foot-wide landscape strip. All off-street loading facilities shall also be screened from adjoining residentially-zoned properties and/or adjoining public streets.
- 311.11. Schedule of Off-Street Loading Spaces Required For The Uses Listed below;

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Type of Use	Number Spaces Per	Gross Floor Area/Dwelling Units
Hospital or other institution	None 1.0 +1.0	First 10,000 square feet; 10,000 to 100,000 square feet; Each additional 100,000 square Feet (or fraction)
Hotel, motel or other Similar lodging facilities	None 1.0 +1.0	First 10,000 square feet; 10,000 to 100,000 square feet; Each additional 100,000 square Feet (or fraction)
Commercial	None 1.0 +1.0	First 2,000 square feet; 2,000 to 25,000 square feet; Each additional 40,000 square Feet (or fraction)
Multi-family dwelling	None 1.0 +1.0	Less than 100 dwelling units; 100 to 300 dwelling units; Each additional 200 dwelling units (or fraction)
Office building, Including banks	None 1.0 +1.0	First 10,000 square feet; 10,000 to 100,000 square feet; Each additional 100,000 square Feet (or fraction)

Type of Use	Number Spaces Per	Gross Floor Area/Dwelling Units
Retail sales and services, per store	None 1.0 2.0 +1.0	First 10,000 square feet; 2,000 to 10,000 square feet; 10,000 to 40,000 square feet; Each additional 100,000 square Feet (or fraction)
Theater, auditorium, bowling alley, or other recreational establishment	None 1.0 +1.0	First 10,000 square feet; 10,000 to 100,000 square feet; Each additional 100,000 square Feet (or fraction)
Undertaking establishment or funeral parlor	None 1.0 +1.0	First 3,000 square feet; 3,000 to 5,000 square feet; Each additional 10,000 square Feet (or fraction)
Wholesale or warehousing (except mini-warehousing)	None 1.0 +1.0	First 1,500 square feet; 1,500 to 10,000 square feet; Each additional 40,000 square Feet (or fraction)

Section 312 Buffer, Screening and Landscaping Requirements

312.1 Buffer requirements. Liberty Township recognizes that the processes of development can alter natural topography and vegetation, as well as cause other negative impacts. The Township also recognizes that development creates impervious cover, vehicular traffic, artificial light, increases in air temperature, accelerated runoff, erosion, sedimentation, glare, noise and incompatible uses of land which can negatively impact the community's ecological balance, visual character and individual, as well as, community-wide livability. The Township intends to protect and enhance its economic base, quality of life, and community character by encouraging quality development. Recognizing that the Liberty

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Township Comprehensive Plan promotes the protection of health, safety and welfare of the public and encourages quality development, this section is adopted in order to aid and stabilize the ecological balance of the environment in the Township; provide buffers between uses of different character and intensity; enhance the Township’s general appearance; safeguard and enhance property values; protect public and private investments; manage stormwater; conserve energy; and protect natural areas thereby providing natural habitats for wildlife.

- a. Any nonresidential use adjoining land within a conservation or residential zone or use shall meet the following buffer yard width requirements, unless otherwise stipulated in this Ordinance. The buffer yard shall extend the entire length or width of the property line of the adjoining zone or lot.

Buffer Yard Table

Nonresidential or Mixed Use District*	Minimum Buffer Yard Width (feet)
Nonresidential use other than industrial and 10,000 square feet or under or any residential multifamily development	30’
Nonresidential or Mixed Use District*	Minimum Buffer Yard Width (feet)
Nonresidential use other than industrial and over 10,000 square feet	50’
Industrial use	75’

*Applies only when the use in the ROC District is other than a single family residence.

- b. In the case of a lot used for nonresidential or multi-family uses abutting another lot of similar use, no buffer yard or screening is required.
- c. All buffer yards shall meet the following requirements.
 - 1. No buffer yard or part thereof shall be used for parking, storage, loading and unloading.
 - 2. Buffer yards may coincide within any required building setback.
 - 3. Buffer yards may be crossed by access roads, service drives or easements with a maximum width of thirty-five (35’) feet, provided that the centerline of road, drive or easement crosses the lot line and buffer yard at not less than seventy-five (75°) degrees; however, no turning or maneuvering of vehicles shall be permitted in the buffer area
 - 4. Buffer yards and screening shall extend for the entire width of the property line adjoining the residential property or district.
 - 5. All screening materials and landscaping shall not encroach upon the adjoining property line at full maturity.

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- d. The buffer yard for any nonresidential use separated from a residential use by a public road shall be reduced by one (1) foot for every two (2) feet of the distance between the property line for which the buffer yard is required and the center line of the public road but by not less than one-half of the original buffer.

312.2. Screening and Yard Ground Cover - Any part of the site in the buffer yard and other parts of the site, which is not used for buildings, other structures, loading or parking spaces and aisles, sidewalks, and designated storage areas shall be planted with an all-season ground cover (e.g., grass, ivy, vetch, pachysandra, etc.). In addition, gravel can be substituted if done in a manner to compliment other vegetative materials. It shall be maintained to provide an attractive appearance, and all non-surviving plants shall be replaced promptly.

- a. Landscaping Requirements - Any required landscaping and buffer yards (landscape strips and interior landscaping) shall include a combination of the following elements: deciduous trees, ground covers, evergreens, shrubs, vines, flowers, rocks, gravel, earth mounds, berms, walls, fences, screens, sculptures, fountains, sidewalk furniture, or other approved materials. Artificial plants, trees, and shrubs may not be used to satisfy any requirement for landscaping or screening. No less than eighty percent (80%) of the required landscape area shall be vegetative in composition, and no outdoor storage shall be permitted within required landscape areas.
- b. For each seven hundred fifty (750) square feet of required area for landscape strips, one shade/ornamental tree shall be provided. For every three hundred (300) square feet of interior landscaping required (parking lots) one shade tree shall be provided. If deciduous, these trees shall have a clear trunk at least five feet (5') above finished grade; if evergreen, these trees shall have a minimum height of six feet (6'). All required landscape strips shall have landscaping materials distributed along the entire length of the lot line abutting the yard.
- c. Screening - The following materials may be used: evergreens (trees, hedges, or shrubs), walls, fences, earth berms, or other approved similar materials. Any wall or fence shall not be constructed of corrugated metal, corrugated fiberglass, or sheet metal. Screening shall be arranged so as to block the ground level views between grade, and a height of six feet (6'). Landscape screens must achieve this visual blockage within two (2) years of installation.
- d. Selection of Plant Materials - Trees and shrubs shall be suitable for the Liberty Township environment. All landscaping and screening treatments shall be properly maintained.

Section 313 Signs

313.1. Statement of Purpose - The purposes of this section are as follows:

- a. To provide for signs as a means of effective visual communication.
- b. To promote adopted comprehensive planning and zoning objectives.
- c. To assure compatibility of signs with land uses and buildings in the vicinity of the signs and in the community as a whole.
- d. To improve the safety of pedestrians, vehicular traffic and property.
- e. To enhance the economic value of the community.
- f. To enhance the aesthetic environment.

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- g. To minimize adverse effects of signs on nearby property.
- h. To otherwise promote the public health, safety, morals, and general welfare of the community.
- i. To regulate the use of signs through a sign permitting process.
- j. To enable the fair and consistent enforcement of these sign regulations.

313.2. Sign Area and Height - The following guidelines shall apply when interpreting area and height regulations in this Article:

- a. The area of a sign shall be the area of the smallest rectangle, triangle, or circle that will encompass all elements of the sign, such as letters, figures, symbols, designs, or other display.
 - 1. When the sign is a separate unit, the area shall include any borders, framing, trim, decorative attachments, background, and space between elements; it shall not include any supporting structure, unless that structure is illuminated, is in the form of a symbol, or contains advertising elements.
 - 2. When the sign is applied to a wall or otherwise has no definable edges, the area shall include all color, artwork, or other means used to differentiate the sign from the surface upon which it is placed.
 - 3. When a single sign structure has more than one face with the same message, and no two sign faces are more than three feet (3') apart at any point, the area shall be computed by determining the greatest total area of all sign faces visible from any single location.
- b. Height: The height of a sign shall be measured from the average ground level beneath the sign to the highest point of the sign. The ground level shall be the lower of the ground level existing at the time of construction or the ground level existing prior to construction and prior to any earth disturbance at the site. This prior ground level may be established by any reliable source, including, without limitation, existing topographic maps, aerial photographs, photographs of the site, or affidavits of people who are personally familiar with the site. No person(s) shall artificially increase the maximum height of a sign by altering the grade at the base of the sign by any means.
 - 1. No sign shall be higher than the height limitation of the district in which it is located.
 - 2. The height of freestanding signs shall be controlled by the standards in Table 2.
 - 3. Wall signs may be at any height on the wall to which they are attached, except that they may not extend higher than the top of the wall.
 - 4. Roof signs may extend no more than five feet (5') above the lowest point where they are attached to the building and may not extend above the highest point of the roof.

313.3. General Regulations - The following regulations shall apply to all signs, in addition to the specific regulations and supplemental regulations contained in the following provisions of this article. Where the general regulations are contradicted by the specific or supplementary regulations, the specific or supplementary regulations shall control:

- a. All signs shall be constructed of durable materials and maintained in good condition.
- b. When a sign becomes unsafe, the Zoning Officer shall give written notice to the land owner on which the sign is located that the sign must be made safe or removed immediately.
- c. The areas surrounding all signs shall be maintained in a neat, clean and attractive condition.

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- d. All signs shall be removed within one (1) month if the purpose for which they were erected no longer exists.
- e. Each property which displays one or more permanent freestanding signs and which is in an area where street addresses have been assigned, must prominently display the address on one permanent freestanding sign visible from the street. The address must include the street number; the street name is optional. The address must be of a size and design which is easily identifiable and legible from moving traffic in the street at a distance of one hundred feet (100') (3-inch high lettering/numerals with a 3/4" stroke). The area taken up by the address does not count as part of the sign area. Center signs are exempt from this requirement.
- f. No temporary signs shall be permitted, except as authorized elsewhere in this Article.
- g. No sign shall be located within a street right-of-way, except a government sign, a public utility sign, a sidewalk sign, a nonprofit organization sign, or another sign approved by the governing body or the Pennsylvania Department of Transportation.
- h. No sign within the clear sight triangle shall obstruct vision between the heights of thirty inches (30") and eight feet (8') above the elevation of the centerline of the street.
- i. No signs shall be painted, tied, pasted, nailed, stapled, or otherwise attached to utility poles, trees, fences, fire hydrants, or in an unauthorized manner to walls or other signs, except insofar as such signs comply with generally applicable rules, regulations, or policies formally adopted by the governing body.
- j. Any freestanding sign within a floodplain must receive approval as a special exception.
- k. No sign shall be placed so as to obstruct any door, stairway, window, fire escape, or other means of egress or ingress.
- l. No sign shall be placed so as to obstruct ventilation or light from a building.
- m. No overhead sign shall have a clearance of less than eight feet (8') between any pedestrian walk and the lowest part of the sign.
- n. No sign which is parallel to and attached to the face of a building shall project more than eighteen inches (18") over a public sidewalk.
- o. No sign which is perpendicular to and attached to the face of a building shall project more than forty-eight inches (48") from the building.
- p. No sign shall have lights or other illuminating devices, which constitute a public safety or traffic hazard and shall comply with lighting regulations of this ordinance.
- q. No sign shall be permitted which imitates or which might be confused with an official traffic sign or signal, such as (1) by containing the words 'STOP' or 'DANGER' or (2) by including red, green or yellow lights.
- r. No sign or window display shall include a revolving beam or beacon of light resembling an emergency vehicle or facility.
- s. No sign shall advertise activities or products, which are illegal under Federal, State, or local municipal laws or regulations.
- t. No sign shall include statements, words or pictures, which are considered to be vulgar, obscene or pornographic.

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- u. No streamers, pennants, spinners, reflectors, ribbons, tinsel, or similar materials shall be displayed outside a nonresidential building. (See Section 313.5 for regulations, which apply to banners used as special events signs)
 - v. In addition to any other signage permitted by this Article, each commercial property may display one flag not to exceed thirty-five (35) square feet with a company or corporate identification logo on premise on an approved, standard flagpole.
 - w. No animated, sequential, intermittent, flashing, rotating, or oscillating signs shall be permitted, except for time and temperature signs.
 - x. No sign shall emit smoke, visible vapors, particles, sound, or odor;
 - y. No permanent sign shall be placed on an automobile, truck or other vehicle if that vehicle is being used primarily for displaying such sign.
 - z. No inflatable signs shall be permitted.
 - aa. No open flames shall be permitted as part of a sign or in any other way to attract attention.
 - bb. Advertising painted upon or displayed upon a barn or other structure shall be considered a sign and shall comply with the regulations of this Article.
 - cc. Any sign which has historical significance and is accurate for its specific location, whether original or a replica, shall be exempt from the regulations of this Article.
 - dd. Signs may be interior lighted with non-glaring lights; signs may be externally lighted by lights which are shielded so there is no direct light transmitted to other properties or public rights-of-way and shall comply with lighting regulations of this ordinance.
 - ee. The light from any illuminated sign shall not adversely affect (1) safe vision of operators of vehicles moving on public or private streets or parking areas, (2) any residential district, or (3) any part of a building or property used for residential purposes and shall comply with lighting regulations of this ordinance.
 - ff. No lighting shall be permitted to outline commercial buildings or structures or parts thereof through the use of exposed neon tubing, strings of lights, or other means, with the exception of customary holiday decorations, which may be installed thirty (30) days prior to and removed not later than twenty-one (21) days after the holiday.
 - gg. Business signs in other than commercial district shall not be illuminated when the business is closed.
 - hh. All electrically illuminated signs shall be constructed to the standards/listing of the Underwriters Laboratories, Inc. and the latest edition of the *National Electrical Code*.
- 313.4. Specific Regulations - Tables 1 and 2 provide regulations for specific kinds of signs in each zoning district. Note that there are also supplemental regulations in Section 313.5. which should be reviewed for most kinds of sign; these are referenced in the second column of Table 1, the note at the top of Table 2, Part A, and the second column of Table 2, Part B.
- a. Permitted Signs and Sign Permit Requirements: Table 1 indicates, for each zoning district, which kinds of signs are permitted and not permitted, and which kinds of signs

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require permits. Part A applies to signs on residential properties; Part B applies to signs on nonresidential properties. In those parts, an "N" indicates that the sign is not permitted; a "P-Y" indicates that the sign is permitted and a permit is required; a "P-N" indicates that the sign is permitted and a permit is not required. Part C applies to signs in rights-of-way; these are approved through special processes, rather than through the regular permit procedure.

- b. Permitted Number, Area, Height, and Setback for Signs: Table 2 indicates, for each zoning district, information about the permitted number, maximum area, maximum height, and minimum setback for each kind of sign. Part A has standards for the following kinds of signs: business signs (except center signs), home occupation signs, and identification signs (except development signs and public use signs). Part B has standards for other kinds of signs.

313.5. Supplemental Regulations - In addition to the regulations contained elsewhere in this Article, the following shall apply to specific kinds of signs. The regulations in Tables 1 and 2 apply in addition to the following supplemental regulations. Where the provisions in the supplemental regulations and Tables 1 and 2 are contradictory, the provisions contained in the supplemental regulations shall control.

- a. Billboards: Shall be subject to all of the conditions of this section and must be 300 feet from any roadway.
- b. Business Signs:
 - 1. Business signs are generally regulated in accordance with Tables 1 and 2A.
 - 2. Business signs for individual businesses which are permitted by Table 2A must be located so that they are identified with the individual business, i.e., rather than being at the street frontage of a large center, away from the business they are advertising.
 - 3. One special kind of business sign is regulated in accordance with Tables 1 and 2B: "Center Signs" are allowed for centers such as shopping centers and business complexes, which meet at least two of the following three minimums: five (5) units, twenty thousand (20,000) square feet of building area, and five (5) acres of land.
- c. Contractor Signs:
 - 1. Each contractor sign must be set back at least ten feet (10') from the right-of-way, and may not be illuminated.
 - 2. Contractor signs must be removed promptly upon completion of the project; signs which are not removed promptly may be removed and impounded by the municipality, and the municipality may recover a fee equal to the cost of removal and storage.
 - 3. No off-premise contractor signs are permitted.
 - 4. If there are four (4) or more contractor signs on a single lot, they must be combined in a single display by attaching them to a single background panel or frame as large as necessary to accommodate one (1) sign per contractor. The background is not included in calculating the sign area, the height of the display may not exceed ten feet (10'), and the display may project a maximum of twelve inches (12") from the wall if attached parallel to the building.
- d. Garage/Yard Sale Signs:

Garage/yard sale signs may be placed no more than one (1) week prior to the day of the sale and must be removed within 48 hours after the day of the sale.

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- e. Home Occupation Signs:
 - 1. A home occupation sign may include a name, an address, an occupation or activity, and a logo or trademark.
 - 2. There may be no illumination, except that a sign for a medical office or emergency service may be illuminated when the business is open and shall conform to the lighting ordinance of Township.
- f. Identification Signs: Identification signs are generally regulated in accordance with Tables 1 and 2A. However, two special kinds of identification sign are regulated in accordance with Tables 1 and 2B: "Development Signs" and "Public Use Signs".
- g. Development Signs are allowed for residential developments. They may include only the name of the development and may not include any commercial advertising.
- h. Incidental Signs: Incidental signs must have a setback of ten feet (10') from the right-of-way, unless they are thirty inches (30") or less in height, in which case no setback is required.
- i. Nonprofit Organization Signs: Nonprofit organization signs may be placed in street rights-of-way with the approval of the governing body. The governing body may require that they be placed at designated entrances to the community or on common display panels.
- j. Open House Signs:
 - 1. Open house signs must include the words "Open House," the day and time of the open house, and the name of the realtor.
 - 2. They may be displayed no more than three (3) days in advance of the open house and must be removed within two (2) hours of the end of the open house.
 - 3. The open house must be attended by the seller or his representative during the entire advertised time of the open house.
 - 4. Signs which are not removed within the time limits may be removed and impounded by the municipality, and the municipality may recover a fee equal to the cost of removal and storage.
 - 5. There may be no more than two off-premise open house signs for each open house, with not more than one (1) sign per intersection.
 - 6. Open house signs shall be limited to use for six (6) days per month per lot.
 - 7. The placement of open house signs may not interfere with pedestrian or vehicular traffic and must comply with all applicable General Regulations in Section 313.3.
- k. Real Estate Signs:
 - 1. Real estate signs must be removed within five (5) days of the completion of the activity which they advertise.
 - 2. Signs which are not removed within the time limits may be removed and impounded by the municipality, and the municipality may recover a fee equal to the cost of removal and storage.
 - 3. No off-premise real estate signs are permitted.

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1. Sidewalk Signs:

1. Sidewalk signs shall not be more than twenty-four inches (24") wide and forty-eight inches (48") high if placed next to the curb; if placed next to buildings having obstructions such as steps, they shall not be more than forty-two inches (42") wide and seventy-two inches (72") high.
2. The distance between sidewalk signs shall be at least fifteen feet (15').
3. Minimum of four feet (4') of unobstructed walkway shall be maintained
4. Sidewalk signs should be taken in at the close of business for the day.

m. Special Event Signs:

1. Special event signs, including banners, shall comply with all generally applicable rules, regulations or policies of the governing body and, if a special event has a specific date, signs for that event may be displayed no more than twenty-one (21) days in advance.
2. All special event signs must be removed within five (5) days of the end of the event.
3. Signs which are not removed within the time limits may be removed and impounded by the municipality, and the municipality may recover a fee equal to the cost of removal and storage.

313.6 Permitting Procedures and Fees - Permits for the placement of signs are required as indicated by Table 1. Sign permit application requirements, such as forms, plans and fees shall be established by resolution from time to time.

313.7 Nonconforming Signs - Nonconforming signs may continue to be displayed, as long as there is compliance with the following limitations and conditions:

- a. There may be no expansion or increase in the nonconformity in any way.
- b. Maintenance and repair of the sign is permitted; if necessary, up to fifty percent (50%) of the sign and its supporting structure may be replaced in the event of damage; any such replacement must be completed within six (6) months of the damage occurring.
- c. The sign must be brought into conformity if, for a period of at least three (3) months, the message has no longer applied to an activity on the premises.

313.8 Prohibited Signs - The following types of signs and/or sign design features are prohibited in all districts: **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**

- a. Flashing signs and/or flashing and/or rotating lights. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**
- b. Revolving, rotating, wind or blown air activated, or otherwise moving signs. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**
- c. Animated signs. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**
- d. Animated and/or changeable copy sign except when copy is changed manually. Signs with the express purpose of displaying the time and/or temperature or the price of gasoline are exempted from this requirement. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**
- e. Electronic signs advertising a business name and/or products for sale on-site or off-site.
- f. Roof Signs. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**

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- g. Any sign located in or extending into a public right-of-way, except official street and traffic signs and other signs required by State or Federal Law. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**
- h. Any sign attached to a trailer or a vehicle, where any such trailer or vehicle is allowed to remain parked in the same location or in the same vicinity at frequent times, or for extended periods of time (longer than one week), and is exposed to view from a public road, shall be considered a sign subject to the provisions of this Chapter. This provision does not restrict the use of identification signs on vehicles actively used for delivery service, interstate commerce, or any bona fide transportation activity, or which are parked within an enclosure or screened area blocking them from view from a public road. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**
- i. Any sign which uses the words “stop”, “look”, “danger”, “caution”, or any other word or character which attempts or appears to attempt to direct the movement of traffic or which interferes with or resembles any official traffic sign, signal, or device. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**
- j. Open flames used to attract public attention to a place of business or to an advertising sign. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**
- k. Strings or light bulbs, search lights, or other lighting intended to attract attention to a nonresidential use, other than traditional holiday decorations. **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**

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TABLE 1

PERMITTED SIGNS AND SIGN PERMIT REQUIREMENTS*
(Amended 5/4/16 by Ordinance # 2016-01 of 2016)

Kind of sign	Supplemental Regulations	Zoning District		
		AR	C, R	ROC,CI
PART A – SIGNS ON RESIDENTIAL PROPERTIES				
FREESTANDING SIGNS AND BUILDING SIGNS - PERMANENT				
Home Occupation Sign	313.5.e	P - Y	P - Y	P - Y
Identification Sign	313.5.f			
Incidental Sign	313.5.h	P - N	P - N	P - N
Other		N	N	N
FREESTANDING SIGNS AND BUILDING SIGNS - TEMPORARY				
Garage/Yard Sale Sign	313.5.d	P - N	P - N	P - N
Open House Sign	313.5.j			
Real Estate Sign	313.5.k			
Contractor Sign				
Election Sign				
Special Event Sign (on premise)	313.5.m	P - N	P - N	P - N
Special Event Sign (off premise)	313.5.m	N	N	N
Other		N	N	N
PART B - SIGNS ON NONRESIDENTIAL PROPERTIES				
FREESTANDING SIGNS AND BUILDING SIGNS - PERMANENT				
Business Sign	313.5.b	P - Y	P - Y	P - Y
Identification Sign	313.5.f			
Incidental Sign	313.5.h	P - N	P - N	P - N
Billboards	313.5.a	P - N	P - N	P - Y, only CI
Other		N	N	N
Kind of sign	Supplemental Regulations	Zoning District		
		AR	C, R	ROC,CI
PART B - SIGNS ON NONRESIDENTIAL PROPERTIES CONTINUED				
FREESTANDING SIGNS AND BUILDING SIGNS - TEMPORARY				
Business Sign	313.5.b	P - N	P - N	P - N
Open House	313.5.j			
Real Estate Sign	313.5.k			
Contractor Sign	313.5.c			
Sidewalk Sign	313.5.l			
Special Event Sign	313.5.m			
Other		N	N	N

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Kind of sign	Supplemental Regulations	Zoning District		
		AR	C, R	ROC,CI
PART C - SIGNS IN RIGHTS-OF-WAY				
Nonprofit Organization Sign	313.5.i	Permitted by special approval of governing body		
Other		See Section 313.5.i		

TABLE 2
PERMITTED NUMBER, AREA, HEIGHT, AND SETBACK FOR SIGNS
(Amended 5/4/16 by Ordinance # 2016-01 of 2016)

Kind of Sign and Standards	Zoning District		
	AR	C, R	ROC,CI
Part A			
BUSINESS SIGNS (EXCEPT CENTER SIGNS), HOME OCCUPATIONS SIGNS, AND IDENTIFICATION SIGNS (EXCEPT DEVELOPMENT SIGNS AND PUBLIC USE SIGNS)			
[Number permitted and maximum area refer to the combined total of all kinds of signs; also see Supplement Regulations for additional standards; Business Signs (Section 313.5.b), Home Occupation Signs (Section 313.5.e), and Identification Signs (Section 313.5.f)]			
FREESTANDING SIGNS			
Number Permitted Per Lot	1	1	1 ¹
Maximum Area (Sq. Ft.)	8	2	20 ²
Maximum Height (Ft.)	6	6	10
Minimum Setback from Right-of-Way (Ft.)	10	10	10
Kind of Sign and Standards	Zoning District		
	AR	C, R	ROC,CI
BUILDING SIGNS			
Number Permitted Per Lot	2	2	No Limit 1 sq. ft.
Maximum Total Area of All Building Signs on Lot (Sq. Ft.)	8	2	per linear foot of façade up to max. of 100 sq. ft.
TOTAL OF ALL SIGNS			
Total Number of Signs Permitted per Lot	2	2	No Limit
Maximum Total Area of All Signs on Lot	8	2	100
SUPPLEMENTAL REGULATIONS			
PART B - OTHER KINDS OF SIGNS			
(See Supplemental Regulations referenced in second column for additional standards; Note that minimum setbacks apply to freestanding signs only and are to be measured from the right-of-way.			

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CENTER SIGN Maximum Area (Sq. Ft.) Maximum Height (Ft.) Minimum Setback (Ft.) Number Permitted/Center	313.5.b	-	-	-
		20	20	80
		6	6	20
		10	10	10
1 per principal entrance, up to maximum of 2, except that there may be more than 2 if all entrances are at least 1,200 ft. apart.				
CONTRACTOR SIGN Maximum Area (Sq. Ft.) Maximum Height (Ft.) Minimum Setback (Ft.) Number Permitted/Lot See Section 313.5.c for multiple signs on one lot	313.5.c	-	-	-
		4	4	4
		6	6	6
		*	*	*
1 per contractor				
DEVELOPMENT SIGN Maximum Area (Sq. Ft.) Maximum Height (Ft.) Minimum Setback (Ft.) Number Permitted/ Residential Development	313.5.g	-	-	-
		20	20	20
		6	6	6
		10	10	10
1 per principal entrance up to maximum of 2 entrances				
GARAGE/YARD SALE SIGN Maximum Area (Sq. Ft.) Maximum Height (Ft.) Minimum Setback (Ft.) Number Permitted/Lot	313.5.d	-	-	-
		4	4	4
		6	6	6
		10	10	10
1 per sale				
GOVERNMENT SIGN	None	Placed within rights-of-way; Generally not regulated by this Article		
Kind of Sign and Standards	Zoning District			
	AR	C, R	ROC,CI	
SUPPLEMENTAL REGULATIONS				
PART B - OTHER KINDS OF SIGNS				
(See Supplemental Regulations referenced in second column for additional standards; Note that minimum setbacks apply to freestanding signs only and are to be measured from the right-of-way.				

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INCIDENTAL SIGN	313.5.h	-	-	-
Maximum Area (Sq. Ft.)		2	2	2
Maximum Height (Ft.)		6	6	6
Minimum Setback (Ft.)		10	10	10
Number Permitted/Lot		No limit		

Zone Districts: C - Conservation; AR - Agriculture Rural; R - Residential; ROC - Residential Office Commercial; CI - Commercial Industrial

- Notes:
1. Number permitted on each street frontage, except that in a structure with multiple businesses, the individual businesses may not have their own freestanding signs.
 2. Area permitted on each street frontage.
- *
- An additional freestanding sign is permitted for each additional street frontage with the area to be calculated as indicated in note 2 above and with no freestanding sign to exceed 80 square feet.

Section 314. Performance Standards for all Uses

- 314.1 Performance Standards All uses shall be subject to and comply with the following regulations, or as amended, where applicable.
- a. Noise Pollution and Vibration: "Rules and Regulations" of the Pennsylvania Department of Environmental Protection.
 - b. Air Pollution. Airborne Emissions and Odor: "Rules and Regulations" of the Pennsylvania Department of Environmental Protection.
 - c. Water Pollution: The Clean Streams Law, June 22, 1937 P.L. 1987, 35 P.S. 691, or as amended.
 - d. Mine Reclamation and Open Pit Setback: Pennsylvania Act 147, the "Surface Mining Conservation and Reclamation Act" of 1971, or as amended.
 - e. Glare and Heat: "Rules and Regulations" of the Pennsylvania Department of Environmental Protection.
 - f. Subdivision and land developments shall be reviewed in accordance with the requirements of the Liberty Township Subdivision and Land Development Ordinance.
 - g. Act 101: Municipal Waste Planning, Recycling and Waste Reduction Act, Act of July 28, 1988, P.L., No. 101 (Act 101), as amended.
 - h. Act 537: Pennsylvania Sewage Facilities Act, Act of January 24, 1966, P. L. 1535, No. 537 (as amended).
- 314.2 Public Nuisance or Hazard No use or operations shall be permitted which creates a public nuisance or hazard to adjoining property by reason of fire, explosion, radiation or other similar cause.
- 314.3 Outdoor Lighting Where light fixtures are installed to provide exterior illumination, excluding overhead street lighting and warning, emergency, or traffic signals, the following restrictions shall apply. These standards will only apply to non-residential and multi-family uses abutting residential uses.

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- a. All outdoor lighting, whether or not required by this ordinance; shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook.
- b. All future amendments to the recommended practices of the IESNA shall be made a part of the Ordinance without further action by the Board of Supervisors.
- c. Street lighting fixtures, when required for safety considerations, may be controlled by photocells for dusk to dawn operation,
- d. The lighting from any luminary shall be shaded, shielded, or directed to prevent direct light from being distributed beyond an angle of thirty-five (35) degrees from a vertical plane onto adjacent properties and/or surrounding areas. Unshielded lighting is not permitted, except for temporary holiday lighting.
- e. Lighting shall be designed so that glare or direct illumination does not exceed one (1) foot-candle beyond the property line on which the lighting originates.
- f. Externally illuminated signs shall be lighted by fixtures mounted on top of the sign and aligned down, rather than by fixtures mounted at the bottom of the sign and aimed up. Sign lighting shall be equipped with timers and extinguished between the hours of eleven (11) PM and dawn.
- g. Such lighting on private, commercial, industrial, municipal, recreational or institutional property; shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse (disabling glare).
- h. Pole-mounted lamps shall be placed directly above the area to be illuminated and shielded at the top and sides; or positioned near the perimeter of a property and aimed toward the area requiring illumination, subject to applicable yard setback provisions.
- i. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of mounting height, wattage, aiming angle, fixture placement, etc.
- j. The installation or erection of any lighting, which may be confused with warning signals, emergency signals, or traffic signals, shall not be permitted.
- k. Lighting of parking lots shall be in accordance with Section 310.13, herein.

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1. Maintenance: Lighting fixtures shall be maintained so as to always meet the requirements of this Ordinance.
- m. Nonconforming Lighting: Any lighting fixture existing on the effective date of this Ordinance which does not conform with the requirements of this Ordinance shall be considered a lawful, nonconforming lighting fixture. A nonconforming lighting fixtures shall be made to comply with the requirements of this Ordinance when such fixture is replaced or relocated.

Section 315. Conservation Subdivision Area, Development Area, and Density Determinations for Option 1 and 2 Conservation Subdivisions

Applicants shall use the Adjusted Tract Area Approach to determine the minimum conservation area for the C and AR Districts, the maximum development area, and the permitted residential building density for conservation subdivisions.

- a. Adjusted Tract Area Approach: The Adjusted Tract Area equals the gross tract area minus the constrained land described below, using existing resources and site analysis plan in accordance with the Liberty Township Subdivision and Land Development Ordinance.
 1. Constrained land equals the sum of the following:
 - a. All land within the rights-of-way of existing public streets or highways, or within the rights-of-way for existing or proposed overhead rights-of-way of utility lines
 - b. All land under existing private streets
 - c. Wetlands: The Township will require the designated wetlands on the subdivision plan to be multiplied by 0.80. Also, wetlands may be defined as follows: **(Amended 6/3/08 by Ordinance # 2008-01 of 2008)**
 - (1) The Township may allow the designated Wetlands to be taken from the National Wetland Inventory for Pennsylvania so long as all the designated Wetlands and hydric soils are to remain with the parent tract. **(Added 6/3/08 by Ordinance # 2008-01 of 2008)**
 - (2) The Township may allow all hydric soils, with a ten (10) foot buffer area, associated with the property to represent the designated wetlands. **(Added 6/3/08 by Ordinance # 2008-01 of 2008)**
 - d. Floodway: multiply the acreage within the floodway by 1.0
 - e. Floodplains: multiply the non-wetland portion of the 100-year floodplain by 0.50
 - f. Steep Slopes: multiply the acreage of land with natural ground slopes exceeding 25 percent by 0.80

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- g. Extensive Rock Outcroppings: multiply the total area of rock outcrops and boulder-fields more than 1,000 square feet by 0.90
 - h. Moderately Steep Slopes: multiply the acreage of land with natural ground slopes of between 15 and 25 percent by 0.25.
 - i. Streams/ponds: multiply the acreage of streams/ponds by 1.0. **(Amended 5/4/16 by Ordinance # 2016-01 of 2016)**
2. If a portion of the tract is underlain by more than one natural feature subject to a density factor, that acreage shall be subject to the most restrictive density factor.
 3. Since acreage that is contained within the public or private rights-of-way, access easements or access strips is excluded from developable lot area, any portion of these items that also contains a natural feature subject to a deduction from the total tract acreage should not be included when calculating the adjusted tract area.
 4. Minimum Required Conservation Area or Greenway Area: The minimum required conservation area equals the Adjusted Tract Area times the open space percentage for selected option in the underlying district plus all constrained land.
 5. Maximum Development Area: The maximum development area is the gross tract area minus the Conservation Area. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 6. Permitted Dwelling Units: The maximum number of permitted dwelling units equals the Adjusted Tract Area divided by the density factor for the selected option in the underlying district.
 7. The following chart must be placed on all Subdivision and Land Development plans with the appropriate areas completed: **(Added 5/4/16 by Ordinance # 2016-01 of 2016)**

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Adjusted Tract Approach Calculations			
Constrained Lands	Area of Constrained Lands (acres)	Multiplying Factor of Constrained Lands	Total Constrained Land to be Subtract (Acres)
Right-Of-Ways	X	1.00	X
Private Streets	X	1.00	X
Floodways	X	1.00	X
Floodplains	X	0.50	X
Slopes (15-25%)	X	0.25	X
Slopes (> 25%)	X	0.80	X
Rock Outcropping	X	0.90	X
Streams/Ponds	X	1.00	X
Wetlands	X	0.80	X
Total Land Area (acres)		X	
Total Constrained Land to be Subtracted (acres)		X	
Adjusted Tract Area (acres)		X	

Section 316 General Regulations and Design Standards for Conservation Subdivisions

316.1 Conservation subdivisions shall be governed by the following minimum general regulations:

- a. Ownership: The tract of land may be held in single and separate ownership or in multiple ownership. However, when a tract is held in multiple ownership, it shall be planned as a single entity with common authority and common responsibility.
- b. Existing Resources and Site Analysis Plan: An Existing Resources and Site Analysis Plan shall be required in accordance with the Liberty Township Subdivision and Land Development Ordinance.
- c. Intersections and Access: New intersections with existing public roads shall be minimized. Although two access ways into and out of subdivisions containing more than 15 (fifteen) dwellings are generally required for safety, proposals for more than two entrances onto public roads shall be discouraged if they would unnecessarily disrupt traffic flow.
- d. Sensitive Area Disturbance: The proposed design shall strictly minimize disturbance of environmentally sensitive areas, as shown on the Existing Resources and Site Analysis Plan as required by the Liberty Township Subdivision and Land Development Ordinance. Lands within the 100-year floodplain, wetlands, slopes in excess of 25%, and rock outcroppings constitute such environmentally sensitive areas, where

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disturbance shall be strictly minimized. Demonstration by the applicant that these features will be protected by the proposed application shall be prerequisite to approval of both the Preliminary Plan and Final Plan.

- e. Community Wastewater Systems: In developments that are proposed to be served by community wastewater disposal systems, the selection of wastewater treatment technique shall be based upon a thorough review and comment by the Township Sewage Enforcement Officer and Township Engineer and acceptance by the Pennsylvania Department of Environmental Protection and the Board of Supervisors.

316.2. Conservation subdivisions shall be governed by the following design standards.

- a. All new dwellings shall meet the following setback requirements:
 - 1. From all external road ultimate right-of-way - 100 feet
 - 2. From all other tract boundaries - 50 feet
 - 3. From cropland or pasture land - 100 feet
 - 4. From buildings or barnyards housing livestock - 300 feet
 - 5. From active recreation areas such as courts or playing fields (not including tot- lots) - 150 feet
 - 6. Minimum setbacks: distance between residential buildings on adjacent lots, unless otherwise indicated in the Zoning District, shall be not less than ten feet (10'); however no residential lot shall have a minimum side setback less than five feet (5'). A nonresidential building shall be no closer than twenty feet (20') to an adjacent building, with no nonresidential lot having a side setback less than ten feet (10').
 - 7. Views of houselots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping.
 - 8. Houselots shall be accessed from interior streets, rather than from roads bordering the tract.
 - 9. At least three-quarters of the lots shall directly abut or face greenway land across a street.
- b. Conservation Areas shall be subject to the following design standards. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 - 1. Conservation Areas shall be located to form an interconnected open space network between development sites and/or contiguous agricultural lands. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 - 2. In order to preserve a concentration of farmed land in Liberty Township, Conservation Areas designated on farmed parcels shall be designed to include prime agricultural soils of the tract and to connect to farmed land on adjoining tracts.

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- (Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
3. No portion of any building lot may be used to meet the minimum Conservation Area requirement. However, active agricultural land with farm buildings, excluding areas for residences, may be used to meet the minimum required Conservation Area. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 4. All constrained land (as identified in Section 315.a.1) shall be included in the required Conservation Area. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 5. Buffers for Adjacent Public Parkland: Where the proposed developments adjoin public parkland, the conservation area shall include a natural conservation buffer of at least one-hundred-fifty (150) feet in width along the common boundary with the parkland. Within this buffer, no new structures shall be constructed, nor shall any clearing of trees or under story growth be permitted, except as may be necessary for street, trail construction, or woodland management. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 6. Pedestrian and maintenance access, excluding those lands within the Conservation Area to be retained for agricultural purposes, shall be provided in accordance with the following regulations. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 - a. Each neighborhood shall provide one (1) centrally located access strip for every fifteen (15) lots to provide community access to the Conservation Area. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 - b. Each access strip shall be a minimum of thirty-five (35) feet in width. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 7. Access to Conservation Area lands remaining in agricultural use may be appropriately restricted to protect public safety and to prevent interference with agricultural operations. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**
 8. All Conservation Area lands that are not wooded or farmed shall be landscaped in accordance with the landscaping requirements of the Liberty Township Subdivision and Land Development Ordinance. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**

Section 317 Conservation Area Easements

Option 1 and 2 conservation subdivisions: The required conservation area shall be subject to permanently preserved conservation easements prohibiting future development other than permitted or conditional uses in the conservation area. **(Amended 10/3/06 by Ordinance # 2006-03 of 2006)**

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Section 318 Ownership and Maintenance of Conservation Areas and Common Facilities

318.1 Ownership Options. The following methods may be used, either individually or in combination, to own common facilities (conservation areas and greenway areas). Common facilities shall not be transferred to another entity except for transfer to another method of ownership permitted under this section, and then only when there is no change in the common facilities or in the open space ratio of the overall development. Ownership methods shall conform to the following:

- a. Fee Simple Dedication to Liberty Township. The Township may, but shall not be required to, accept any portion of the common facilities, provided that there is no cost of acquisition to the Township and the Township agrees to and has access to maintain such facilities. Furthermore, the Board may require adherence to conditions or standards set forth by the Township prior to acceptance of dedication.
- b. Homeowners' or Condominium Association. Common facilities may be held in common ownership by a homeowners' association, subject to all of the provisions for homeowners' associations set forth in Commonwealth regulations and statutes and the Liberty Township Subdivision and Land Development Ordinance. In addition, the following regulations shall be met:
 1. The applicant shall provide the Township a description of the organization of the proposed association, including its by-laws, and all documents governing ownership, maintenance, and use restrictions for common facilities.
 2. The proposed association shall be established by the owner or applicant and shall be operating (with financial subsidization by the owner or applicant, if necessary) before the sale of any dwelling units in the development.
 3. Membership in the association shall be automatic (mandatory) for all purchasers of dwelling units therein and their successors in title.
 4. The association shall be responsible for maintenance and insurance of common facilities.
 5. The by-laws shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in his dues. Such dues shall be paid with the accrued interest before the lien may be lifted.
 6. Written notice of any proposed transfer of common facilities by the association or the assumption of maintenance for common facilities must be given to all members of the association and to the municipality no less than thirty (30) days prior to such event.
 7. The association shall have adequate staff to administer, maintain, and operate such common facilities.
 8. Evidence shall be produced as required by the Board to demonstrate the financial viability of the homeowner's association.

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- c. Private Conservation Organization or the County. With permission of the Township, an owner may transfer either fee simple title of the open space or easements on the open space to a private non-profit conservation organization or to the County given the following conditions.
 - 1. The conservation organization is acceptable to the Township and is a bona fide conservation organization intended to exist indefinitely.
 - 2. The conveyance contains appropriate provisions for proper reverter or retransfer in the event that the organization or Adams County becomes unwilling or unable to continue carrying out its functions.
 - 3. The greenway land is permanently restricted from future development through a conservation easement and the Township is given the ability to enforce these restrictions.
 - 4. A maintenance agreement acceptable to the Township is established between the owner and the organization or Adams County.
 - 5. Evidence shall be provided as required by the Board to demonstrate the financial viability and liability of the private conservation organization.
- d. Dedication of Easements to the Township. The Township may, but shall not be required to, accept easements for public use of any portion of the common land or facilities. In such cases, the facility remains in the ownership of the condominium association, homeowners' association, or private conservation organization while the easements are held by the municipality. In addition, the following regulations shall apply:
 - 1. There shall be no cost of acquisition to the Township.
 - 2. Any such easements for public use shall be accessible to the residents of the Township.
 - 3. A satisfactory maintenance agreement shall be reached between the owner and the Township.
- e. Non-Common Private Ownership. The land may be owned privately provided the conservation area or greenway is permanently restricted from future development through a conservation easement and that the Township is given the ability to enforce these restrictions.

318.2. Maintenance

- a. Unless otherwise agreed to by the Board of Supervisors, the cost and responsibility of maintaining common facilities and conservation or greenway land shall be borne by the property owner, condominium association, homeowners' association, or conservation organization.
- b. The applicant shall, at the time of final plan submission, provide a Plan for Maintenance of Conservation or Greenway Lands and Operation of Common Facilities in accordance with the following requirements.

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1. The Plan shall define ownership.
 2. The Plan shall establish necessary regular and periodic operation and maintenance responsibilities for the various kinds of open space (i.e. lawns, playing fields, meadow, pasture, cropland, woodlands, etc.).
 3. The Plan shall estimate staffing needs, insurance requirements, and associated costs, and define the means for funding the maintenance of the greenway land and operation of any common facilities on an on-going basis. Such funding plan shall include the means for funding long-term capital improvements as well as regular yearly operating and maintenance costs.
- c. In the event that the organization established to maintain the conservation or greenway lands and the common facilities, or any successor organization thereto, fails to maintain all or any portion thereof in reasonable order and condition, the Township may assume responsibility for maintenance, in which case any escrow funds may be forfeited and any permits may be revoked or suspended.
- d. The Township may enter the premises and take corrective action, including extended maintenance. The costs of such corrective action may be charged to the property owner, condominium association, homeowners association, conservation organization, or individual property owners who make up a condominium or homeowners' association and may include administrative costs and penalties. Such costs shall become a lien on said properties. The Township shall have the ability to place a lien against all property of the defaulting owner pursuant to the municipal lien laws of the Commonwealth of Pennsylvania.