

FRANKLIN TOWNSHIP ZONING ORDINANCE

ARTICLE 1 BACKGROUND PROVISIONS

100. Short Title

This Ordinance should be known and may be cited as "The Franklin Township Zoning Ordinance."

101. Authority

- A. Township Authority. Section 601 of the Pennsylvania Municipalities Planning Code (Act of 1968, P.L. 805, No. 247 as reenacted and amended) provides that the Franklin Township Board of Supervisors may enact and amend a zoning ordinance to implement the provisions of the Northern York County Region Comprehensive Plan with respect to land within Franklin Township and to accomplish any of the purposes of Act 247.
- B. Applicability. This Ordinance requires that, within Franklin Township, in the County of York and the Commonwealth of Pennsylvania, no land, body of water, or structure shall hereafter be used or occupied and no structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered, unless in conformity with all the regulations and procedures herein specified for the district in which such land, body of water, or structure is located.

102. Purpose

- A. General Purposes. The Franklin Township Zoning Ordinance is designed to meet the following general purposes. To promote, protect and facilitate any/or all of the following:
 - 1. The public health, safety, morals, and the general welfare.
 - 2. Coordinated and practical community development and proper density of populations.
 - 3. Emergency management preparedness and operations.
 - 4. Provisions of adequate light and air, access to incident solar energy, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds, the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use, and other public requirements.
 - 5. Preservation of the natural, scenic and historic values in the environment and preservation of forests, wetlands, aquifers and floodplains.
 - 6. Prevention or minimization of one or more of the following: overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire or flood.
 - 7. Provisions for the use of land within the municipality for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings, and a reasonable range of multifamily dwellings in various arrangements, mobile homes and mobile home park.
 - 8. Accommodation of reasonable overall community growth, including population and employment growth.
- B. This Ordinance provides the legal basis and framework for the future development and redevelopment of the Township. Its provisions are guided by the statement of community development goals and objectives and the policy and action plans of the Northern York County Region Comprehensive Plan as they relate to Franklin Township.

103. Scope

In all districts, after the effective date of this Ordinance, any existing building or other structure or any tract of land shall be created, constructed, developed or used only in accordance with the regulations specified for each district. Any existing building or land not in conformity with the regulations herein prescribed shall be regarded as non-conforming but may be continued, extended, or changed subject to

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the special regulations herein provided with respect to non-conforming buildings, structures, or uses. (see Article V, Non-Conformities)

104. Interpretation

- A. In interpretation and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, and general welfare of the residents of the Township.
- B. In interpreting the language of zoning ordinances to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the governing body, in favor of the property owner and against any implied extension of the restriction.
- C. Whenever a use clearly is not permitted by right, by conditional use or by special exception anywhere in the Township, the use is prohibited in the Township, except that the applicant may apply to the Zoning Hearing Board. The Zoning Hearing Board may permit such use as a special exception if the applicant proves to the satisfaction of the Zoning Hearing Board that the use would be compatible with permitted uses in that district. Also, the applicant shall prove that the proposed use would be compatible with the intent of the district. The Zoning Hearing Board shall use such criteria as are listed in this Ordinance and in the Pennsylvania Municipalities Planning Code, and shall not permit any use that is expressly excluded in the district.
- D. Any use not specifically permitted in a district is prohibited in that district, except as is permitted by Subsection 104.C above.

105. Conflict

It is not intended by this Ordinance to repeal, abrogate, annul, or interfere with any existing ordinances or enactment, or with any rule, regulation or permit adopted or issued there under, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Ordinance, provided that where this Ordinance imposes greater restrictions upon the use of buildings or land, or upon the height and bulk of buildings or structures, or prescribes larger open spaces than are required by the provisions of other such ordinance, enactment, rule, regulation or permit, then the provisions of this Ordinance shall control. Furthermore, if a discrepancy exists between any regulation contained within this Ordinance and that contained in any other ordinance, rule or regulation, that provision, rule or regulation which imposes the greater restriction shall apply.

106. Validity

Should any section or provision of this Ordinance be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

107. Establishment of Zones

- A. For the purpose of this Ordinance, Franklin Township is hereby divided into zones, which shall be designated as follows:
 - 1. Industrial (I)
 - 2. Mixed Use (MU)
 - 3. Open Space (O)
 - 4. Residential (R)
 - 5. Floodplain Conservation Overlay (FCO)
 - 6. Steep Slope Conservation Overlay (SCO)

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108. Zoning Map

The areas within Franklin Township, as assigned to each zone and the location of the Conservation Overlay Districts and the Zones established by this Ordinance, are shown upon the Zoning Map, which together with all explanatory matter thereon, is attached to and is declared to be a part of this Ordinance.

109. Zone Boundary Lines

The zone boundary lines shall be shown on the Zoning Map. Zone boundary lines are intended to coincide with lot lines; centerlines of streets, alleys, railroad rights-of-way, and streams at time of passage of this Ordinance; the corporation boundary of the Township; or as dimensioned on the map. In the event of dispute about the location for the boundary of any zone, the Zoning Officer shall investigate and render a decision on the location of the line. Appeals from this decision shall be made to the Zoning Hearing Board.

110. Community Development Objectives

- A. This Ordinance is enacted in accordance with the Northern York County Region Comprehensive Plan and has been formulated to implement the purpose set forth in Section 102 above. This Ordinance is enacted with regard to the following community development objectives:
1. To encourage the preservation of the community's rural character, where appropriate, by large expanses of open space and conservation of natural and cultural resources.
 2. To establish population densities, as appropriate to each district, in order to ensure adequate circulation, health standards, privacy and open space, and in order to provide utilities, protection, services and facilities in the most convenient and efficient manner.
 3. To promote the preservation of continued agricultural uses on prime agricultural soils.
 4. To encourage and promote the provision of a wide-range and variety of housing types to meet the needs of all Township residents, including newly-formed households, growing families and senior citizens.
 5. To insure that the land uses of the community are logically situated in relation to each other.
 6. To facilitate the efficient movement of traffic.
 7. To stimulate the local economy by encouraging controlled and appropriate business location and development.

111. Definitions

- A. WORD USAGE – Words and phrases shall be presumed to be used in their ordinary context unless such word or phrase is defined differently within this section.
- B. LANGUAGE INTERPRETATION – In this Ordinance, when not consistent with the context:
1. Words in the present tense imply also the future tense.
 2. The singular includes the plural.
 3. The male gender includes the female gender.
 4. The word "person" includes an individual, association, partnership or corporation, as well as any similar entity.
 5. The term "shall" or "must" is always mandatory.
- C. SPECIFIC WORDS AND PHRASES – The following words and phrases shall have the particular meaning assigned by this section.

ABANDONMENT – The intentional relinquishment of land or structure or the intentional cessation of use of land or structure.

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ACCESSORY BUILDING/STRUCTURE – A subordinate building or structure, serving a purpose customarily incidental to the use of the principal building or structure and located on the same lot as the principal structure or principal use.

ACCESSORY USE – A use of land or of a building customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principle use.

ACT – Shall mean the Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247, as reenacted and amended.

ADULT-RELATED FACILITIES – A business or club, which engages in one or more of the following areas of sales, services or entertainment.

1. **ADULT BATH HOUSE** – An establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy during which specified anatomical areas are displayed or specified sexual activity occurs. This section shall not apply to hydrotherapy treatment practiced by, or under the supervision of a medical practitioner. A medical practitioner, for the purpose of this Ordinance, shall be a medical doctor, physician, chiropractor or similar professional licensed by the Commonwealth of Pennsylvania.
2. **ADULT BODY PAINTING STUDIO** – Any establishment or business which provides the service of applying paint or other substance whether transparent or nontransparent to or on the human body when specified anatomical areas are exposed.
3. **ADULT BOOKSTORE** – Any establishment, which has a substantial or significant portion of its stock in trade:
 - a. Books, films, magazines or other periodicals or other forms of audio or visual representation which are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
 - b. Instruments, devices or paraphernalia (excluding prophylactics), which are designed for use in connection with specified sexual activities.
4. **ADULT CABARET** – A nightclub, theater, bar or other establishment which features live or media representations of performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.
5. **ADULT MASSAGE ESTABLISHMENT** – Any establishment or business which provides the service of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor or professional physical therapist licensed by the Commonwealth. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, tanning salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.
6. **ADULT MINI-MOTION PICTURE THEATER** – An enclosed or unenclosed building used for presenting any form of audio or visual material that is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
7. **ADULT MODEL STUDIO** – Any place where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity, except that this provision shall not apply to any “figure studio” or “school of art” or similar establishment which meets the requirements establishments in the Education Code of the Commonwealth of Pennsylvania for the issuance or conferring of, and is in fact authorized there under, to issue and confer a diploma.
8. **ADULT MOTEL** – A motel or similar establishment offering public accommodations for any consideration, which provides patrons with material distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

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9. ADULT MOTION PICTURE ARCADE – Any place to which the public is permitted or invited wherein coin or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images and where the images so displayed are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
10. ADULT MOTION PICTURE THEATER – An enclosed or unenclosed building used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.
11. ADULT NEWS RACK – Any coin-operated machine or device which dispenses material substantially devoted to the depiction of specified sexual activities or specified anatomical areas.
12. ADULT OUT-CALL SERVICE ACTIVITY – Any establishment or business which provides an out-call service which consists of individuals leaving the premises upon request or by appointment to visit other premises for a period of time for the purpose of providing any service during which time specified anatomical areas are displayed or specified sexual activity occurs.
13. ADULT SEXUAL ENCOUNTER CENTER – Any business, agency, or person who, for any form of consideration or gratuity, provides a place where people may congregate, assemble or associate for the purpose of engaging in specified sexual activity or exposing specified anatomical areas, excluding psychosexual workshop, operated by a medical practitioner licensed by the Commonwealth, to engage in sexual therapy.
14. ADULT THEATER – A theater, concert hall, auditorium or other similar establishment, either indoor or outdoor which regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.
15. ADULT VIDEO STORE – Any establishment which a majority of its stock in trade consisting of video tapes, video discs, or both, which are distinguished or characterized by an emphasis, depiction or description of specified sexual activities or specified anatomical areas.
16. ANATOMICAL AREAS – For the purpose of this Ordinance, this term shall include any of the following:
 1. Pubic Region (penis, vagina etc.)
 2. Buttocks
 3. Female breasts
17. Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing or relating to “specific sexual activities” or “specific anatomical areas.”

AGRIBUSINESS OPERATION – An enterprise that is actively involved in the intensive commercial production and preparation for market of livestock, livestock productions, animal husbandry, and poultry. All operations must obtain and implement a Nutrient Management, Erosion and Sediment Control Plan and obtain a certification/permit from the County Conservation District or the State Conservation Commission and Department of Environmental Protection.

AGRICULTURE OPERATION – An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock products and in the production, harvesting and preparation for the market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.

AIRPORT – A principle use where aircraft are stored, maintained, repaired, and refueled, and where aircraft take-off and land. Airports may also include other accessory accommodations for aircraft passengers, cargo, or both.

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AIRSTRIP – A principle or accessory use that is privately owned and operated at which the owner's aircraft are stored, take-off, land, or any combination thereof. Additionally, invited guests may use an airstrip so long as no fees or other remuneration are charged for such use, and such use only involves the temporary storage of aircraft.

ALLEY – A public thoroughfare primarily for service access to the rear or sides of properties and is not intended for general traffic circulation.

ALTERATIONS – As applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, of the moving from one location or position to another.

AMATEUR RADIO ANTENNA – An accessory structure or device, partially or wholly exterior to a building, that is used for receiving and/or transmitting electronic signals or short-wave or citizens band radio frequencies, including ham radios. Amateur radio antennas are not considered communication towers and antennas as regulated in this Ordinance.

AMENDMENT – A revision to the Zoning Ordinance text and/or the official Zoning Map and meeting the process requirements of the administration article of this Ordinance.

AMUSEMENT PARK – An outdoor commercial recreational facility, primarily outdoors, that may include structures and buildings, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, buildings for shows and entertainment, and restaurants, and souvenir sales; however, under no circumstances shall amusement parks include adult-related facilities.

ANIMAL HOSPITAL – Any establishment offering veterinary services. Animal hospitals can treat all types of animals and can include outdoor and overnight boarding of animals.

ANIMAL HUSBANDRY – The raising and keeping of livestock and poultry, not including agribusinesses as defined herein, with the intent of producing capital gain or profit or the intent of selling any livestock or poultry products, excluding accessory kennels or stables.

ANTENNA HEIGHT – The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure. If the support structure is on a sloped grade, then the average height between the highest and lowest grades shall be used in calculation the antenna height. The vertical distance shall not include the antenna located on top of the antenna support structure.

ANTENNA SUPPORT STRUCTURE – Any pole, telescoping mast, tower, tripod, or any other structure, which supports a device used in the transmitting or receiving of radio frequency energy.

APPLICANT – A landowner or developer, as hereinafter defined, who has filed an application for development including heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT – Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development, including but not limited to the approval of a subdivision plat or plan or for the approval of a development plan.

APPOINTING AUTHORITY – The Franklin Township Board of Supervisors.

ARCADE – An indoor commercial recreation facility or part of a building in which pinball machines, video games, or other similar player-operated amusement devices, for entertainment purposes only, are present and maintained as the primary use. Slot machines, video poker machines or any other computerized amusement devices used for the purpose of gambling are not permitted. For the purpose of this definition, "primary use" means fifty-one percent (51%) or more of the gross floor area of the portion of the structure being use (not to include any area of a structure being used as storage).

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AREA, BUILDING – The total of areas taken on a horizontal plane at the grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps.

ATTIC – That part of a building, which is immediately below and wholly or partly within the roof framing. Within a dwelling unit, an attic shall not be counted as floor area unless it is constructed as or modified into a habitable room and a permanent stationary interior access stairway to a lower building story.

AUTOMOBILE FILLING STATION – Any area of land, including structures thereon, that is used for the sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any retail sales of motor vehicle accessories, which may not include major repairing, body and fender work, painting, vehicular sales, nor rental or automatic car washes.

AUTOMOBILE, BOAT, TRAILER, TRUCK, FARM MACHINERY, AND MOBILE HOME SERVICE AND REPAIR – An establishment where repairs, improvements, and installation of parts and accessories for motor vehicles are conducted that involves work that is more intense in character than work permitted under the definition of automobile filling station. A repair garage shall include, but not be limited to, any use that involves any of the following work: major mechanical or body work, straightening of body parts, painting, welding or rebuilding of transmissions.

BASEMENT – A story partly underground but having at least one-half (1/2) of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance of the basement ceiling is five feet (5') over the average adjoining grade or ground level or if used for business or dwelling purposes, other than a game or recreation room.

BED AND BREAKFAST – A single-family detached dwelling where between one (1) and six (6) rooms are rented to overnight guests on a daily basis for periods not exceeding two (2) consecutive weeks. Meals may be offered only to registered overnight guests.

BILLBOARD – A sign upon which images, messages, or both, of any kind are printed, posted, or lettered, whether freestanding or attached to surface of a building or other structure. A billboard is used to advertise products, services or businesses at a location other than the premises on which the sign is placed, or to disseminate other messages.

BOARD – The Zoning Hearing Board of Franklin Township.

BOARD OF SUPERVISORS – The Board of Supervisors of Franklin Township.

BOARDING HOUSE – A detached building or portion thereof arranged or used for sheltering or feeding, or both, as a gainful business to individuals that do not constitute a family.

BUFFER – Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.

BUILDABLE SITE AREA – The area of the site, which may be altered, disturbed, or regraded for development purposes. The buildable site area may contain buildings, roads, parking areas, sewage systems, storm water management facilities. The buildable site area shall not contain required open space, recreation or natural resource protection areas.

BUILDING – Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosures of persons, vehicles, animals, or belongings, and including covered porches or bay windows and chimneys.

BUILDING AREA – The total of areas taken on a horizontal plane at the grade level of the principal building and all accessory buildings, exclusive of uncovered porches, awnings, terraces, and steps.

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BUILDING COVERAGE – The area of ground covered by a building or structure.

BUILDING ENVELOPE – The portion of a lot in any zone that is the designated area for the development of all buildings and structures, excluding the areas defined by building setbacks.

BUILDING HEIGHT – The distance measured between the mean grade at the front of the structure to the highest point of the structure, excluding chimneys, spires, towers, elevator penthouses, tanks and similar projections.

BUILDING/LAND USE PERMIT – Written permission issued by the proper Township authority for the construction, repair, alteration, addition, or demolition of a structure.

BUILDING, PRINCIPAL – A building used for the conduct of the principal use of a lot, and which is not an accessory building.

BUILDING SETBACK LINE – The line within a property defining the required minimum distance between any structure and the adjacent right-of-way or property line.

BUILDING SPACING – The horizontal distance between two buildings.

BUSINESS PARK – A tract of land that is planned and developed under a unified design scheme, and operated as an integrated facility for a number of individual permitted business uses regardless of ownership, either common or single and separate, with consideration to transportation facilities, circulation, parking, utility needs, aesthetics, and compatibility. Heavy industry uses shall not be a part of a business park.

CAMPGROUNDS AND FACILITIES – A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by camping units as temporary living quarters for recreation, education, or vacation purposes. Pennsylvania Department of Health requires a permit for campgrounds which meet the following definition: a portion of land used for the purpose of providing a space for trailers or tents for camping purposes regardless of whether a fee has been charged for the leasing, renting or occupying of the space, in accordance with the Pennsylvania Code, Title 28, Chapter 19. The campground may be an organization camp which includes a combination of programs and facilities established for the primary purpose of providing an outdoor group living experience for children, youth, and adults with social, recreational, and educational objectives and operated and used for five (5) or more consecutive days during one or more seasons a year.

CAMPING UNIT – A tent, trailer, cabin, lean-to, recreation vehicle, or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education, or vacation purposes.

CAMPSITE – Any plot of ground within a campground intended for exclusive occupancy by a camping unit or units under the control of a camper.

CARPORT – An unenclosed structure for the storage of one or more vehicles in the same manner as a private garage, which may be covered by a roof supported by columns or posts.

CAR WASH – A principle or accessory use whereby structures equipped with apparatus for the washing, waxing, vacuuming or any combination thereof, of vehicles are provided.

1. **AUTOMATIC CAR WASH** – A self-serve car wash in which the vehicle enters a washing bay and is cleaned solely by a mechanized process.
2. **FULL SERVICE CAR WASH** – A car wash in which attendants are responsible for some portion of the washing process.

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3. SELF-SERVICE CAR WASH – A car wash in which the vehicle enters a washing bay and is cleaned by the vehicle's occupants.

CELL SITE – A tract or parcel of land that contains the cellular phone antenna, its support structure, accessory buildings, and parking, and may include other uses associated with and ancillary to wireless communication.

CEMETERY – Property used for the interring of the dead.

CHANNEL – A natural or artificial watercourse with a definite end and banks, which confine and conduct continuously or periodically flowing water.

CHURCHES AND PLACES OF WORSHIP – A building or structure, or group of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses, including cemeteries but not including campgrounds, which shall be considered a primary use and shall meet the campground requirements, herein.

CLUBHOUSES FOR PRIVATE CLUBS – An organization catering exclusively to members and their guests, or premises or buildings for social, recreational and administrative purposes, provided there are not conducted any vending stands, merchandising or commercial activities except as required for the membership of such club. Clubs shall include but not be limited to, service and political organizations, labor unions, as well as social and athletic clubs. Private clubs shall not include adult-related facilities as defined herein.

CLUSTER GROUPING – A grouping of cluster residential lots forming a cluster in accordance with the requirements of this Ordinance.

COMMERCIAL CAMPS and RESORTS – Land used for a profit or not-for profit use that is primarily recreational in nature and involves the use of cabins, lodge, tents or sites leased for recreational vehicles for transient and seasonal occupancy by persons recreating or traveling, or for seasonal occupancy by organized groups of persons.

COMMERCIAL CONVERSION – The conversion of an existing residence as of the effective date of this Ordinance, to a commercial use.

COMMERCIAL RECREATION FACILITY – An activity operated as a business, open to the public, for the purpose of public recreation or entertainment. This does not include adult-related uses, as defined herein.

1. INDOOR COMMERCIAL RECREATION FACILITY – A commercial recreation facility operating indoors, including but not limited to, bowling alleys, arcades, health clubs, and museums.
2. OUTDOOR COMMERCIAL RECREATION FACILITY – A commercial recreation facility operating outdoors, including but not limited to, amusement parks, racetracks, drive-in motion picture facilities, swimming pools, and miniature golf courses.

COMMUNICATIONS FACILITIES – Communication antennas, buildings, structures and towers associated with the communications industry and in accordance with the following definitions.

COMMUNICATIONS ANTENNA – Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation unidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television antennas or amateur radio equipment including without limitation ham or citizen band radio antennas.

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1. HEIGHT OF A COMMUNICATIONS TOWER – The vertical distance measured from the ground level to the highest point on a communications tower, including antennas mounted on the tower.
2. PUBLIC UTILITY TRANSMISSION TOWER – A structure, owned and operated by a public utility electric company regulated by the Pennsylvania Public Utility Commission, designed and used to support overhead electricity transmission lines.

COMMUNICATIONS EQUIPMENT BUILDING –An unmanned building or cabinet containing communications equipment required for the operation of communication antennas and covering an area on the ground not greater than 250 square feet.

CONDITIONAL USE – A use which may not be appropriate to a particular zoning district as a whole, but which may be suitable in certain localities within the district only when specific conditions and criteria prescribed for such uses have been complied with. The Board of Supervisors reviews conditional uses after recommendations by the Planning Commission, in accordance with Section 603 of this Ordinance.

CONDOMINIUM – A form of ownership providing for individual ownership of a specific dwelling unit, or other space not necessarily on ground level, together with an undivided interest in the land or other parts of the structure in common with other owners.

CONSERVATION EASEMENT – The grant of a property right stipulating that the described land will be permanently protected in its natural state or permitted state prescribed in the ordinance and precluding any future subdivision and land development.

CONSERVATION PLAN – A plan including a map(s) and narrative that, at the very least, outlines erosion and sedimentation control plan for an identified parcel of land.

CONSERVATION SUBDIVISION – A land development process that seeks to identify and permanently protect special natural and/or environmental features and open space in designated conservation areas or preserves.

CONTINUING CARE RETIREMENT COMMUNITY – A community licensed by the Commonwealth Department of Insurance and offering a range of housing, support and health care services so older people do not have to move when their needs change. Many offer independent living (single or multi-family units) and personal care units as well as long-term care nursing centers, all at one campus and developed as a planned unit development.

CONTRACTOR SHOPS – A shop for contractors of plumbing, heating, air conditioning, electrical, roofing, flooring, glass and windows, insulation, carpentry and cabinet making, and other structural components of buildings.

CONVERSION APARTMENT – A multi-family dwelling constructed by converting an existing single family dwelling into no more than two additional dwelling units, which does not substantially alter the exterior of the building.

COUNTY – York County, Pennsylvania.

DAY CARE – Care provided for individuals, either children or adults by an unrelated individual. Care is provided for part of a 24-hour day. The following definitions apply to different types of child and adult day care in accordance with Chapter 3270, Child Day Care Centers, of Title 55, Public Welfare of the Pennsylvania Code and Pennsylvania Department of Aging, Pennsylvania Code, Title 6, Chapter 11, as revised or amended.

1. Commercial Day Care Center - a Pennsylvania state-certified facility providing care for six (6) or more children.

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2. Family Day Care Home – A Pennsylvania state-certified home other than the child's own home, operated for profit or not-for-profit, in which child day care is provided at any one time to four, five or six children unrelated to the operator.
3. Older Adult Daily Living Centers – A facility licensed through the Pennsylvania Department of Aging and operated for profit or not-for-profit to provide daily living services for part of a 24-hour day to four or more older adults, who are sixty years of age or older or eighteen years and older with a dementia-related disease and who are not a relative of the operator, in accordance with the Pennsylvania Code, Title 6, Chapter 11, as revised or amended.

DECISION – Final adjudication of any board or other body granted jurisdiction under any land use ordinance or this act to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the York County Court of Common Pleas.

DENSITY – The number of residential and non-residential units permitted per acre of land.

DETERMINATION – Final action by an officer, body or agency charged with the administration of any land use ordinance or applications thereunder, except the governing body or the zoning hearing board. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

DEVELOPER – Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT – Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DEVELOPMENT PLAN – The provisions for development, including a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the development plan" when used in this act shall mean the written and graphic materials referred to in this definition.

DRIVE-THROUGH FACILITIES – An accessory use involving a customer being able to order and receive food or other items or make financial transactions while the customer remains within their vehicle.

DWELLING – A building designed or used as the living quarters for one or more families. The term "dwelling" shall not include boardinghouse, hotel, motel, hospital, nursing home, fraternity, sorority house or any group residence.

1. Single-Family Detached: A freestanding building containing one dwelling unit for one family, and having two (2) side yards, one (1) front yard, and one (1) rear yard; in the case of a corner lot, the building will have two (2) front and (1) side and rear yards. Mobile homes can be considered single-family detached dwellings if, in addition to the requirements listed for all dwellings, the mobile home is securely anchored to the permanent foundation, and all of the apparatuses used to transport the unit shall be removed, including the towing hitch. Recreational vehicles shall not be construed as dwellings. Modular homes can be considered single-family detached dwellings so long as they comply with the general requirements of a dwelling.
2. Duplex (two-family; single-family semi-detached): A freestanding building containing two dwelling units for two families, arranged in a side-by-side or over-and-under configuration. Those units placed on common grounds shall have one front and rear yard and two side yards. Those units constructed on individual lots shall have one front, side and rear yard.
3. Multiple Family: A building containing three or more dwelling units.
4. Townhouse: A building containing between three and eight dwelling units arranged in a side-by-side configuration with two or more common party walls.

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DWELLING UNIT – A living area comprised of more than one room used for living and sleeping purposes and having its own kitchen with fixed cooking, refrigeration and plumbing facilities, and its own sanitation facilities with bath and toilet fixtures, all arranged for occupancy by one family or a single person. Each dwelling unit shall have a separate access to the outside or to a common passageway.

FAMILY – A single individual living alone as a separate housekeeping unit and doing his/her own cooking, or a collective body of people living together in a domestic relationship which may or may not be based upon birth, marriage, custodianship, adoption or other domestic bond as a single housekeeping unit based on an intentionally structured relationship providing organization and stability and doing their own cooking with or without assistance from others. This definition does not include persons occupying a hotel, dormitory, lodge or boarding house.

FARM – Any parcel of land with ten (10) or more acres which is used for gain in the raising of agricultural products, livestock, poultry or dairy products, including necessary farm structures and the storage of equipment customarily incidental to the primary use.

FARM OCCUPATION – An accessory/secondary use to the primary agricultural use of a property in which residents engage in a secondary occupation conducted on the farm.

FARM -RELATED BUSINESSES – A business that supports a farm activity provided in Franklin Township and meets the regulations of Article 4 (Sections 402 and 422).

FENCE – Any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire mesh or masonry, composite materials, single or in combination, erected for the purpose of screening or dividing one property from another to assure privacy, or to protect the property so screened or divided, or to define and mark the property line.

FILL – Material placed or deposited so as to form an embankment or raise the surface elevation of the land, including but not limited to levees, bulkheads, dikes, jetties, embankments, and causeways.

FINANCIAL INSTITUTION – A bank, savings and loan association, credit union, finance or loan company, etc.

FLOOD – A general, but temporary condition of partial or complete inundation of normally dry land areas from the overflow of streams, rivers, or other waters of the Commonwealth.

FLOOD, BASE - ONE HUNDRED (100) YEAR FLOOD – The highest level of flooding that, on the average, is likely to occur every 100-years or that has a one (1%) percent chance of occurring each year.

FLOOD-FRINGE AREA – The portion of the 100-year flood plain outside of the area or that portion of the flood hazard area outside of the floodway based on the total area inundated during the regulatory base flood plus twenty-five (25%) percent of the regulatory base flood discharge.

FLOOD HAZARD AREA – The 100-year floodway and maximum land area likely to be flooded by a 100-year flood.

FLOOD HAZARD BOUNDARY MAP – An official map or plat on which the boundaries of the flood hazard area have been drawn. This map conforms to the Flood Insurance Study Map and provides sufficient scale and clarity to permit the identification of parcels as being either within or without the flood hazard area.

FLOOD PLAIN (100-YEAR) – The 100-year floodway and the maximum area of land that is likely to be flooded by the 100-year flood as shown on the Flood Insurance Study Map.

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FLOODPROOFING – Structural or other changes or adjustments to properties or obstructions for the reduction or elimination of flood damages to such properties and obstructions, or to the contents of any structure.

FLOODWAY – The portion of the flood plain, including the watercourse itself and any adjacent land area that must be kept open in order to carry the water of the 100-year flood. At a minimum, any floodway must be large enough to carry the water of the 100-year flood without causing an increase of more than one (1') foot in the elevation of the existing 100-year flood.

FLOODWAY ENCROACHMENT LINES – The lines marking the limits of floodways on official Federal, State and local flood plain maps.

FLOOR AREA OF A BUILDING – The sum of the gross horizontal areas of the several floors of a building and its accessory building on the same lot, excluding non-habitable basement floor areas, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

FLOOR AREA, GROSS – The sum of the gross horizontal area of the floors of a building or structure, measured from the exterior face of exterior walls, or from the centerline of a common wall separating two buildings. Any space where the floor-to-ceiling height is less than five feet is excluded from the floor area.

FLOOR AREA, HABITABLE – The aggregate of the horizontal area of all rooms used for habitation, such as living room, dining room, kitchen, bedroom, hallways, stairways, cellars, attics, service rooms or utility rooms, bathrooms, but not including unheated areas such as enclosed porches. At least one-half (1/ 2) of the floor area of every habitable room shall have a ceiling of not less than seven (7') feet and the floor area of that part of any room where the ceiling height is less than five (5') feet shall not be considered as part of the habitable floor area.

FLOOR AREA, NET – The total of all floor areas of a building, excluding stairwells, hallways, elevator shafts, equipment and utility rooms, interior vehicular parking or loading areas and all floors below the first or ground floor, except when intended to be used for human habitation or service to the public.

FORESTRY – The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. Forestry shall be allowed in any district. The following definitions relate to forestry activities:

1. **FELLING** – The act of cutting a standing tree so that it falls to the ground.
2. **LANDING** – A place where logs, pulpwood, or firewood are assembled for transportation to processing facilities.
3. **OPERATOR** – An individual, partnership, company, firm, association, or corporation engaged in timber harvesting, including the agents, subcontractors, and employees thereof.
4. **PRE-COMMERCIAL TIMBER STAND IMPROVEMENT** – A forest practice, such as thinning or pruning, which results in better growth, structure, species composition, or health for the residual stand but which does not yield a net income to the land owner, usually because any trees cut are of poor quality, too small or otherwise of limited marketability or value.
5. **SKIDDING** – Dragging trees on the ground from the stump to the landing by any means.
6. **SLASH** – Woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.
7. **STAND** – Any area of forest vegetation whose site conditions, past history, and current species composition are sufficiently uniform to be managed as a unit.
8. **TIMBER HARVESTING, TREE HARVESTING, OR LOGGING** – The part of forestry involving cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products.
9. **TOP** – The upper portion of a felled tree that is not merchantable because of small size, taper, or defect.

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FUNERAL HOME – A building used for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith before burial or cremation, including the sale of funeral equipment as an accessory activity.

GARAGE OR YARD SALE – A sale of personal possessions conducted by an individual, group, or organization generally conducted in a residential garage or yard for a day or weekend; in the case of an organization or group the sale may be conducted in public or non-profit property.

GENERAL WAREHOUSING AND STORAGE – A building or group of buildings primarily used for the indoor storage, transfer, and distribution of products and materials.

GOLF COURSE – A tract of land laid out for a least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards and that may include a clubhouse, shelters, maintenance and storage facilities, and a driving range.

GROUP HOME – A dwelling inhabited by handicapped persons as identified and provided for by the Fair Housing Act. This definition does not include persons occupying a hotel, dormitory, fraternity, sorority, lodge, halfway house, boarding house or institution. They are allowed wherever single-family homes are permitted.

HANDICAPPED – With respect to a person, a physical or mental impairment, as hereinafter defined, which substantially limits one (1) or more major life activities; a record of such impairment; or being regarded as having such an impairment. This term does not include current, illegal use of or addition to a controlled substance, as that term is defined in federal and state law for the purpose of these guidelines, an individual shall not be considered to have a handicap solely because that individual is a transvestite or because of that individual's sexual preference, sexual activities or sexual proclivities.

HEALTH AND FITNESS CLUB – A commercial business that offers active recreational and/or fitness activities. Such activities are provided only to club members and their guests. Such facilities do not include golf courses.

HELICOPTER PAD (PRIVATE) – An accessory use where no more than one helicopter may land/take-off and be stored.

HELIPORT – A principal use where one or more helicopters may land/take-off and are stored. Such use may also include support services such as fueling and maintenance equipment, passenger terminals and storage hangers.

HOME BUSINESS – The routine use of a portion of a dwelling or its accessory buildings for the conduct of business that routinely includes visits by customers, clients, salespersons and suppliers.

HOME IMPROVEMENT AND BUILDING SUPPLY STORE – A business which sells supplies and building materials for homes and nonresidential buildings and which meets the requirements of Article 4, herein.

HOMEOWNERS' ASSOCIATION – An organization of property owners within a development established for the ownership, administration and maintenance of the common open space within the development.

HOSPITAL – An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

HOTEL – A building containing rooms intended or designed to be used or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests and where only a general

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kitchen and dining room are provided within the building as an accessory use or where no kitchen and/or dining facilities are provided.

IMPERVIOUS SURFACE – Any material, structure or coverage that prevents the absorption of stormwater into the ground.

INTERIOR DRIVE – Any on-site vehicular movement lane(s) that is associated with a use other than a single-family dwelling.

JUNK – Used materials, discarded materials, or both, including, but not limited to, waste paper, rags, metal, building materials, house furnishings and appliances, machinery, vehicles or parts thereof, all of which are being stored awaiting potential reuse or ultimate disposal.

JUNKYARD – A lot, land or structure, or part thereof, used primarily for the collecting, storage and sale of junk as defined herein.

KENNEL – A state-licensed facility through the Department of Agriculture containing indoor and outdoor housing facilities for dogs and other household pets in accordance with the Pennsylvania Code, Title 7, Chapter 21, as amended or revised.

LAND DEVELOPMENT – Any of the following activities:

1. The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - a. A group of two (2) or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure; or
 - b. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.
2. A subdivision of land, except:
 - a. The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium.
 - b. The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
 - c. The addition or conversion of building or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used primarily as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

LANDOWNER – The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if authorized under the lease to exercise the rights of the landowner, or other person having proprietary interest in land, including an individual, partnership, association, limited partnership association or corporation.

LIGHT MANUFACTURING – Establishments engaged in the production, processing, cleaning, testing and distribution of materials that do not produce environmental pollution on air or water quality, noise, stormwater, or transportation impacts on the community.

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LIGHTING – The following definitions shall apply to the artificial illumination of areas of parcels and/or buildings

1. Foot-candle – A unit of light intensity stated in lumens per square foot and measurable with a luminance meter, a.k.a. foot-candle or light meter.
2. Glare – The sensation produced by lighting that causes an annoyance, discomfort or loss in visual performance and visibility to the eye.
3. Light Trespass – Light emitted by a lighting installation, which extends beyond the boundaries of the property on which the installation is sited.
4. Luminance – The physical and measurable quantity corresponding to the brightness of a surface (e.g., a lamp, luminaries, reflecting material) in a specific area. And measurable with a luminance meter.

LANDSCAPE SCREEN – A completely planted visual barrier composed of evergreen shrubs and trees arranged to form both a low-level and a high-level screen.

LANDSCAPE STRIP – A linear land area of a lot covered by lawns, trees, plants and other natural material and decorative features; such as: sculptures, walks, fountains and wading pools.

LOADING SPACE – An off-street paved space suitable for the loading or unloading of goods and having direct usable access to a street or alley.

LONG-TERM CARE NURSING CENTERS – A facility defined and licensed by the Commonwealth of Pennsylvania Department of Health in accordance with Title 28 of the Pennsylvania Code, Chapter 201. The facility provides skilled or intermediate nursing care services 24 hours a day and 7 days a week to individuals who do not require more intensive hospital-based care.

LOT – A parcel of land that is a lot of record held in single and separate ownership from adjacent land at the time of enactment of this Ordinance and is separately described by a metes and bounds description which is recorded in the Office of the Recorder of Deeds of York County by deed description or is described by an approved subdivision plan recorded in the Office of the Recorder of Deeds of York County.

1. Corner Lot: A lot at the point of intersection of and abutting two or more intersecting streets, and which has an interior angle of less than 135 degrees at the intersection of the two street lines. Corner lots shall have two front yards, one side and one rear yard.
2. Interior Lot: A lot other than a corner lot, the sides of which do not abut a street.
3. Through Lot: An interior lot having frontage on two parallel or approximately parallel streets.

LOT AREA – The area contained within the property lines of individual parcels of land, excluding any area within a street right-of-way, but including the area of any easement.

LOT COVERAGE – A percentage of the lot area, which may be covered with an impervious surface (e.g., buildings, driveways, parking area, sidewalks).

LOT DEPTH – The horizontal distance measured between the street right-of-way line and the closest rear property line. On corner and reverse frontage lots, the depth shall be measured from the street right-of-way line of the street of address to the directly opposite property line.

LOT WIDTH – The horizontal distance measured between side property lines at the front setback line. On corner lots, lot width shall be measured between the right-of-way line for the non-address street and the directly opposite property line.

MAJOR LIFE ACTIVITIES – Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

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MANUFACTURING – A process whereby substances, raw materials, and/or semi-finished materials are chemically, mechanically, or otherwise transformed to goods and products that have some economic value.

1. **LIGHT MANUFACTURING** - A process whereby substances, raw materials, and/or semi-finished materials are chemically, mechanically, or otherwise transformed to goods and products that have some economic value. The total square footage of impervious surfaces (building, parking, etc.) cannot be greater than 65,000 square feet.

MANURE – The fecal and urinary excrement of livestock and poultry, often containing some spilled feed, bedding or litter.

MANURE STORAGE FACILITIES – A detached structure or other improvement built to store manure for future use, or disposal. Types of storage facilities are as follow: underground storage, in ground storage, earthen bank, stacking area, and aboveground storage.

MAXIMUM FLOOD ELEVATION – The water surface elevations of a flood, which would completely fill the floodplain to the boundaries of the Floodplain Zone.

MEAN SEA LEVEL – The average height of the sea for all stages of the tide, using the national Geodetic Vertical Datum of 1929.

MEDICAL OR DENTAL PRACTICE/CLINIC – Any building or group of buildings occupied by licensed medical practitioners and related services for the purpose of providing health services to people on an outpatient basis.

MINI-WAREHOUSE – A building and/or series of buildings divided into separate storage units, each of which is designed to be separately rented to persons other than the owner of the facility for personal property storage.

MOBILE HOME – A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT – A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which a parcel is leased by the park owner to the occupants of the mobile home erected on the lot.

MOBILE HOME PARK – A parcel or contiguous parcels of land which have been so designated and improved to contain two or more mobile home lots for the placement thereon of mobile homes.

MOTEL – A facility which provides lodging to boarders for compensation, which contains rooms having direct access to the outside without the necessity of passing through the main lobby of the building, and which may provide meals and other services as a part of the compensation.

NATURE PRESERVE – Area in which human activities are very limited and where the natural environment is protected from man-made changes. The nature preserve includes woodland preservation, game preserves, and wildlife sanctuaries.

NIGHTCLUB – Any building used for on-site consumption of food and alcoholic or nonalcoholic beverages where live entertainment is offered. For the purposes of this definition, live entertainment is meant to include the use of disc jockeys for the purposes of supplying musical entertainment.

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Additionally, nightclubs can offer the retail sale of carry out beer and wine as an accessory use. This is meant to *include an "under 21" club which features entertainment.

NO-IMPACT HOME-BASED BUSINESS – A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must be in accordance with Section 441.

NONCONFORMING LOT – A lot the area or extent of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the Zone in which it is located by reasons of such adoption or amendment.

NONCONFORMING STRUCTURE – A structure or part of a structure manifestly not designed to comply with the applicable use provisions in the Zoning Ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE – A use, whether of land or of structure, which does not comply with the applicable use provisions in the Zoning Ordinance or amendment heretofore or hereafter enacted where such use was lawfully in existence prior to the enactment of such ordinance, or amendment or prior to the application of such ordinance or amendment.

NONCONFORMITY, DIMENSIONAL – Any aspect of a land use that does not comply with any size, height, bulk, setback, distance, landscaping, coverage, screening, or any other design or performance standard specified by this Ordinance, where such dimensional nonconformity lawfully existed prior to the adoption of this Ordinance or amendment thereto.

NUDITY – The showing of the human male or female genitals or pubic area or buttocks with less than a fully opaque covering or the showing of female breast with less than fully opaque covering of any portion thereof below the top of the nipple or the depiction of covered male genital in a discernibly turgid state.

NURSING, REST OR RETIREMENT HOMES – Facilities designed for the housing, boarding, and dining associated with some level of nursing care. These may include continuing care retirement communities, long-term care and personal care centers, as defined herein.

OBSTRUCTION – Any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood-prone area;

1. Which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water;
2. Which is placed where the flow of the water might carry the same downstream to the damage of life and property.

OFFICE – A place where the primary use is conducting the affairs of a business, professional, service, or government, including administration, record keeping, clerical work, and similar business functions. An office shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair, or storage of materials, goods or products; or delivery of any materials, goods, or products, which are physically located on the premises. Office supplies used in the office may be stored as an incidental use.

ON-SITE SEWER SERVICE – The disposal of sewage generated by one principal use within the confines of the lot on which the use is located or on an easement in a common open space area in a conservation subdivision, as approved by the Pennsylvania Department of Environmental Resources.

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ON-SITE WATER SERVICE – The provision of a safe, adequate and healthful supply of water to a single principal use from a private well.

OPEN HOUSE – An event conducted as part of an attempt to sell or lease a property, whereby the property is open for public inspection. A paid advertisement in the local media and the onsite supervision by the property owner or his/her agent is required.

OPEN SPACE – A space unoccupied by structures or paved surface and open to the sky on the same lot with the structure.

OPEN SPACE, COMMON OR PUBLIC – A parcel or parcels of land, an area of water, or a combination of land and water, within a development designed and intended for the use of all residents of the development (common open space) or the general public (public open space), not including streets and walkways, off-street parking areas, areas with no public accessibility, setbacks, and areas at other than ground level. Open space areas may include floodplains and drainage basins. Common or public open space shall be substantially free of structures but may contain such improvements as are appropriate for recreational use by the residents or the general public and provided for in the district regulations.

OTHER ADULT USES – Any establishment in which conduct, activity of the sale, distribution or exhibition of printed or drawn material which is pornography within the meaning ascribed to that work in this section is the source of a substantial and significant portion of gross business receipts. Such "other adult uses" shall include, but not be limited to, nude wrestling, male or female erotic dancers or strippers, escort centers and erotic massage parlors.

OVERLAY DISTRICT – A zoning district that encompasses one or more underlying zones and deals with special situations specified in the district regulations. The overlay district imposes additional requirements above that required by the underlying district.

PA DEP – Pennsylvania Department of Environmental Protection, or such Department or Departments as may in the future succeed it.

PARKING COMPOUND – A primary business where vehicles may be stored for short-term, daily, or overnight off-street parking, and connected to a street by usable access.

PARKING LOT – An accessory use in which required, and possibly, additional parking spaces are provided subject to the requirements of this Ordinance.

PARKING SPACE – An off-street space available for the parking of one (1) motor vehicle and having usable access to a street or alley.

PARKS, PRIVATE – A recreational facility owned or operated by a nonpublic agency and/or conducted as a private gainful business.

PARKS, PUBLIC AND/ OR NONPROFIT – Those facilities designed and used for recreation purposes by the general public that are (1) owned and operated by a government or governmental agency/ authority, or (2) are operated on a nonprofit basis. This definition is meant to include the widest range of recreational activities, excluding adult entertainment uses and amusement arcades.

PennDOT – Pennsylvania Department of Transportation, or such Department or Departments as may in the future succeed it.

PERSON – An individual, corporation, partnership, association, or any other entity.

PERSONAL CARE HOME – A facility defined and licensed by the Commonwealth of Pennsylvania Department of Public Welfare in accordance with Title 55 of the Pennsylvania Code, Chapter 2620. A

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personal care home is a premise in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 hours for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency or medication prescribed for self-administration. A halfway house is not a personal care home.

PERSONAL CARE CENTER – A personal care home, that requires a building larger than a single-family residential unit to accommodate the number of residents served and special and accessory commercial services provided, often called an assisted-living center. The personal care center may be a stand-alone facility or may be part of a continuing care retirement community.

PERSONAL SERVICES – A small business provided in a total service area of less than 3,600 square feet including but not limited to barber, beauty tanning and health salons, tailors, and repair shops, excluding adult-related facilities.

PESTICIDE – Any substance or mixture of substances intended for use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds, or other forms of plant or animal life.

PETROLEUM PRODUCT – Oil petroleum of any kind and in any form, including crude oil and derivatives of crude oil. It may be alone, as sludge, as oil refuse, or mixed with other wastes.

PHYSICAL OR MENTAL IMPAIRMENT – An impairment including the following disorders: (1) Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one (1) or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine. (2) Any mental or psychological disorder including, but not limited to, mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (3) Any physical disorder including, but not limited to, diseases and conditions including orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, human immunodeficiency virus (HM disease, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.

PORNOGRAPHY – The depiction or dissemination of nudity, sexual conduct, sadomasochistic abuse or explicit and detailed verbal descriptions or narrative accounts of nudity, sexual excitement, sexual conduct or sadomasochistic abuse which, to the average person applying contemporary community standards, has as its dominant theme, taken as a whole, an appeal to prurient interest.

PLANNING COMMISSION – The Planning Commission of Franklin Township.

PLANNED CENTER – A group of uses planned and designed as an integrated unit with controlled ingress and egress and shared off-street parking provided on the property as an integral part of the unit.

PREMISES – The property upon which the activity is conducted as determined by physical facts rather than property lines. It is the land occupied by the buildings or other physical uses that are necessary or customarily incident to the activity, including such open spaces as are arranged and designed to be used in connection with such buildings or uses. The following are not considered to be a part of the premises on which the activity is conducted, and any signs located on such land are to be considered off-premise advertising:

1. Any land, which is not, used as an integral part of the principal activity, including land which is separated from the activity by a roadway, highway, or other obstruction, and not used by the activity, and extensive undeveloped highway frontage contiguous to the land actually used by a commercial facility, even though it might be under the same ownership;
2. Any land, which is used for, or devoted to, a separate purpose unrelated to the advertised activity;

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3. Any land which is in closer proximity to the highway than to the principal activity, and developed or used only in the area of the sign site or between the sign site and the principal activity and whose purpose is for advertising purposes only. In no event shall a sign site be considered part of the premises on which the advertised activity is conducted if the site is located on a narrow strip of land, which is non-buildable land, or is a common or private roadway, or is held by easement or other lesser interest than the premises where the activity is located.

PRIME AGRICULTURAL LAND – Land used for agricultural purposes that contains soils of the first, second or third class as defined by the United States Department of Agriculture's Natural Resource and Conservation Services York County Soil Survey.

PRINCIPAL USE – The primary or predominant use of any lot or parcel.

PUBLIC - Owned, operated, or controlled by a governmental agency (Federal, State, or Local, including a corporation created by law for the performance of certain specialized governmental functions, and the Board of Education).

PUBLIC HEARING – A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action on zoning-related matters. A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), known as the Sunshine Act, and subsequent amendments.

PUBLIC NOTICE – Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days, and the second publication shall not be less than seven days from the date of the hearing.

PUBLIC SEWER – A municipal sanitary sewer or a comparable common or package sanitary facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems are capable of serving multiple users. Such systems may be privately owned and managed.

PUBLIC USES – Includes public and semi-public uses of a welfare and educational nature, such as schools, parks, fire stations, municipal buildings-and garages.

PUBLIC UTILITIES – Use or extension thereof which is operated, owned or maintained by a public utility corporation, municipality or municipal authority or which is privately owned and approved by the Pennsylvania Public Utility Commission for the purpose of providing public sewage disposal and/or treatment; public water supply, storage and/or treatment; or for the purpose of providing the transmission of energy, cable or telephone service.

PUBLIC WATER – A municipal water supply system, or a comparable common water facility approved and permitted by the Pennsylvania Department of Environmental Protection. Such systems are capable of serving multiple users. Such systems may be privately owned and managed.

QUARRY – A place where rock, ore, stone, and similar materials are excavated for sale or for off-tract use.

RADIOACTIVE MATERIAL – Any natural or artificially produced substance, which emits radiation spontaneously.

RECYCLING COLLECTION FACILITIES – An incidental use that serves as a Township drop-off point for the temporary storage of recyclables.

REGARDED AS HAVING AN IMPAIRMENT – Regarded as having one (1) of the following impairments: (1) A physical or mental impairment that does not substantially limit one (1) or more major life activities but that is treated by another person as constituting a limitation. (2) A physical or mental impairment that

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substantially limits one (1) or more major life activities only as a result of the attitudes of others toward such impairment. (3) None of the impairments defined in "physical or mental impairment" of this definition but is treated by another person as having such impairment.

REHAB FACILITIES – A professionally supervised care and related medical and other health services facility provided for people who are recovering from addictions (alcohol, drug, etc.) that are not in need of hospitalization due to physical trauma.

RESIDENTIAL CONVERSIONS – The conversion of a one-unit residential structure into 2 or more residential or non-residential units or a combination of the both. A residential conversion can also apply to the conversion of a non-residential structure into a residential living unit.

RESTAURANT – An establishment that serves prepared food primarily on non-disposable tableware, but can provide for incidental carry-out service so long as the area used for carryout service does not exceed five percent (5%) of the total patron seating area nor eighty (80) square feet (whichever is less). Caterers shall be included in this definition.

RESTAURANT - DRIVE-THRU OR FAST FOOD – An establishment that serves prepared food generally packaged in paper wrappers and/or disposable plates and containers. Such food can be consumed either on or off of the site.

RETAIL STORE/SALES – Retail stores are those businesses whose primary activities involve the display and retail sales of goods and products. This term shall not include adult-related facilities as defined herein.

RIDING STABLES AND EQUESTRIAN CENTERS – A commercial establishment devoted to horses and any of the following activities: boarding, instructing, showing and riding, in accordance with the requirements of Article 4.

RIGHT-OF-WAY – A corridor of owned or eased land for purposes of maintaining primary vehicular and pedestrian access to abutting properties, including but not limited to, roads, streets, railroad, utilities, highways and sidewalks. Abutting property owners are prohibited from encroaching across the right-of-way line. (See also Street Line.).

RURAL OCCUPATION – A rural occupation is defined as a business or employees of a business that is located outside of the built-up section of the Township where public water and sewer service are generally not available. Examples of rural businesses are: forestry, agricultural, equestrian, recreational sports retail and rental services, woodworking/sawmill shops, roadside produce stands, landscaping businesses, Christmas tree farming, and other horticultural-oriented businesses.

SADOMASOCHISTIC ABUSE – Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

SATELLITE DISH ANTENNA – A device incorporating a reflective surface which is solid, open mesh or bar-configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electro-magnetic waves between terrestrial and/or orbital-based uses. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennas.

SCHOOL – A principal use in which supervised education or instruction is offered according to the following categories:

1. **Commercial School:** A school that may offer a wide range of educational or instructional activities (excluding vocational-mechanical trade schools as defined below) that may, or may not, be operated as a gainful business by some person or organization other than the school district.

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2. Nonprofit School: A school licensed by the Pennsylvania Department of Education for the purpose of providing elementary, secondary, and adult education, and operated by the School District.
3. Private School: A school that offers elementary, secondary, post-secondary and/or post graduate education that may, or may not, be operated as a gainful business.
4. Vocational-Mechanical Trade School: A school that may, or may not, be operated as a gainful business that principally offers training in any of the following occupations:
 - a. Truck driving;
 - b. Engineer repairs;
 - c. Building construction and general contracting;
 - d. Woodworking;
 - e. Masonry;
 - f. Plumbing;
 - g. Graphic arts;
 - h. Culinary arts;
 - i. Health and beauty;
 - j. Interior design.
 - k. Electrical contracting; and;
 - h. Other similar trades, as determined by the Zoning Hearing Board.

SETBACK – The required horizontal distance between a setback line and a property or street right-of-way line.

1. Setback, Front: The distance between the street line and the front setback line projected the full width of the lot.
2. Setback, Rear: The distance between the rear lot line and the rear setback line projected the full width of the lot.
3. Setback, Side: The distance between the side lot line and the side setback line projected from the front yard to the rear yard.

SETBACK LINE – A line within a property and parallel to a property line or street line which delineates the required yard.

SEXUAL CONDUCT – Acts of masturbation, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person is a female, breast.

SEXUAL EXCITEMENT – The condition of human male or female genitals when in a state of sexual stimulation or arousal.

SHOPPING CENTERS OR MALLS – A shopping center consists of two (2) or more retail or restaurant establishments within the same development proposal. A shopping mall includes two (2) or more retail establishments that are connected with common walls.

SHOOTING RANGE – A place where firearms and other projectile-type weapons (e.g., guns, rifles, shotguns, pistols, air guns, archery cross bows, etc.) can be shot for recreation, competition, skill development, training, or any combination thereof. Nothing within this definition shall be construed to include hunting when conducted in accordance with the rules and regulations of the Commonwealth of Pennsylvania.

SIGN – A device for visual communication that is used to bring the subject to the attention of the public. Signs do include lettering, logos, trademarks, or other symbols which are an integral part of the architectural design of a building, which are applied to a building, or which are located elsewhere on the premises; signs affixed to windows or glass doors or otherwise internally mounted such that they are obviously intended to be seen and understood by vehicular or pedestrian traffic outside the building; flags and insignia of civic, charitable, religious, fraternal, patriotic, or similar organizations; insignia of

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governments or government agencies; banners, streamers, pennants, spinners, reflectors, ribbons, tinsel, and similar materials; and inflatable objects. Signs do not include architectural features which may be identified with a particular business; signs within a building which are obviously intended to be seen primarily from within the building; flags of governments or government agencies; and displays of merchandise either behind store windows or outdoors. The following definitions relate to signs:

1. **Billboard:** An off-premise, permanent sign, which directs attention to a product, service, business, or cause.
2. **Building Sign:** A sign attached to or painted on a building, which has a use in addition to supporting the sign; this includes wall signs and roof signs.
3. **Business Sign:** A sign, which directs attention to any business, professional, or commercial activity occurring on the premises on which the sign is located, but not including a home occupation sign. (Also see "Center Sign".)
4. **Center Sign:** A business sign, which provides identification at the entrance to a center, such as a shopping center, office complex; or commercial park.
5. **Contractor Sign:** A temporary sign which carries the name and information about a contractor who is involved in construction work occurring on the premises on which the sign is located.
6. **Development Sign:** An identification sign at the entrance to a residential development.
7. **Election Sign:** A temporary sign, which directs attention to a candidate or candidates for public office, a political party, or a ballot issue.
8. **Freestanding Sign:** A permanent sign not attached to or painted on a building or structure, which has no use in addition to supporting the sign.
9. **Garage/Yard Sale Sign:** A temporary sign which directs attention to the sale of personal goods on the premises on which the sign is located.
10. **Government Sign:** An off-premise sign placed by a governmental unit, such as traffic, directional, informational, or street name sign, or an historical marker.
11. **Home Occupation Sign:** A sign providing information about a business activity conducted within a dwelling unit on the premises on which the sign is located.
12. **Identification Sign:** A sign used to identify the name and display information about the individual, organization, agency, institution, facility, or development located on the premises on which the sign is located, but not including a business sign. (Also see "Development Sign" and "Public Use Sign".)
13. **Incidental Sign:** An informational sign, no more than two (2) square feet in size and not including any commercial message or logo, which carries a message, such as "enter," "open," "telephone," "rest rooms," "no parking," "no trespassing," "warning," a listing of hours when open, an on-site direction, or anything similar.
14. **Nonprofit Organization Sign:** An off-premise sign displaying information about a church, service club, or other organization, which does not operate for the purpose of making a profit.
15. **Off-Premise Sign:** A sign that does not apply to the property on which it is displayed.
16. **On-Premise Sign:** A sign that applies to the property on which it is displayed.
17. **Open House Sign:** A temporary sign which provides information about a real estate open house, including the words "Open House," the day and time of the open house, and the name of the realtor.
18. **Overhead Projecting Sign:** A sign located such that pedestrian or vehicular traffic might pass beneath any part of it.
19. **Permanent Sign:** A sign intended to be displayed for an unlimited period of time.
20. **Public Use Sign:** An identification sign used to identify the name and display information about a public use, such as a government building, school, park, firehouse, or church.
21. **Public Utility Sign:** A sign with a message relating to a business organization performing a public service and subject to special governmental regulations (e.g., an electric company, sewer authority, or telephone company.)
22. **Real Estate Sign:** A temporary sign which provides information about a real estate activity on the premises on which the sign is located, such as a sign advertising a sale, rental, or property available for or in the process of development, but not including an open house sign.
23. **Roof Sign:** A sign attached to or painted on a roof.

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24. Sidewalk Sign: A temporary sign placed on the sidewalk adjacent to the commercial activity it advertises, but not including a contractor sign, a garage/yard sale sign, a home occupation sign, an open house sign, a real estate sign, or a special event sign.
25. Special Event Sign: A temporary sign which carries information about a special event, such as an auction, flea market, festival, carnival, meal, or fund-raising event, but not including any business sign, such as a "sale" sign at a store.
26. Temporary Sign: A sign intended to be displayed for a limited period of time.
27. Window Display: An exhibit behind a window, which is intended to draw attention to a product, service, business, or cause.

SKILLED OR INTERMEDIATE NURSING CARE – Professionally supervised nursing care and related medical and other health services provided for a period exceeding 24 hours to an individual not in need of hospitalization, but whose needs are above the level of room and board and can only be met in a long-term care nursing facility or an inpatient basis because of age, illness, disease, injury, convalescence or physical or mental infirmity.

SOIL SURVEY – The latest published version of the United States Department of Agriculture's Soil Survey for York County, Pennsylvania.

SOLID WASTE – Garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities.

SOLID WASTE FACILITY – A disposal site licensed by the Commonwealth in which refuse and earth, or other suitable cover material, are deposited and compacted in alternative layers of specified depth in accordance with an approved plan.

SPECIAL EXCEPTION – A use that is generally compatible with a particular zone once specified criteria have been met. Special exception uses are listed by zone and approved by the Zoning Hearing Board in accordance with Article 6 of this Ordinance.

SPECIFIED SEXUAL ACTIVITIES – For the purposes of this Ordinance, this term shall include any of the following:

1. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following depicted sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zoerasty; or
2. Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or
3. Use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or
4. Fondling or touching of nude human genitals, pubic region, buttocks or female breast; or
5. Masochism, erotic or sexually oriented torture, beating, or the infliction of pain; or
6. Erotic or lewd touching, fondling or other contact with an animal by a human being; or
7. Human excretion, urination, menstruation, vaginal or anal irrigation.

STREAM – Any natural or artificial channel of conveyance for surface water with an annual or intermittent flow within a defined bed and bank.

STREET – Includes street, avenue, boulevard, road, highway, freeway, lane, viaduct and any other dedicated and adopted public right-of-way used, whether private or public, or intended to be used by vehicular traffic.

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STREET CENTERLINE – The horizontal line paralleling the street that bisects the street right-of-way into two equal widths. In those instances where the street right-of-way cannot be determined, the street centerline shall correspond to the center of the cartway.

STREET LINE (Right-of-Way Line) – A line defining the edge of a street right-of-way and separating the street from abutting property or lots. The street line shall be the same as the legal right-of-way line currently in existence.

STRUCTURE – Any man made object, including buildings, having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION – The division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land Including changes in existing lot lines for the purpose, whether immediate or future, or lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SWIMMING POOL – Any pool, permanently constructed for leisure swimming not located within a completely enclosed building, and containing, or normally capable of containing, water to a depth at any point greater than one and one-half feet (1 ½'). Farm ponds and/or lakes are not included, provided that swimming was not the primary purpose for their construction.

TAVERN – An establishment which serves alcoholic beverages for on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board without live entertainment.

TEMPORARY FARM EMPLOYEE HOUSING – A temporary housing structure for seasonal farm employees in accordance with Article 4 of this Ordinance, herein.

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TRAVEL TRAILER – A portable structure, primarily designed to provide temporary living quarters for recreation, camping or travel purposes. In addition to the above, any of the following attributes are characteristic of a "travel trailer":

1. The unit is of such size or weight as not to require special highway movement permits from the Pennsylvania Department of Transportation when self propelled, or when hauled by a standard motor vehicle on a highway.
2. The unit is mounted or designed to be mounted on wheels.
3. The unit is designed to be loaded onto, or affixed to, the bed and/or chassis of a truck.
4. The unit contains, or was designed to contain, temporary storage of water and sewage.
5. The unit contains some identification by the manufacturer as a travel trailer.

TRUCK AND MOTOR FREIGHT TERMINALS – An area and building where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.

USE – The specific purpose, for which land or a structure is designed, arranged, intended, occupied or maintained.

USE AND OCCUPANCY PERMIT – A permit issued by the Zoning Officer certifying a use's compliance with information reflected on the zoning/building permit and the Zoning Ordinance.

VARIANCE – A modification of any provision of this Ordinance granted by the Zoning Hearing Board subject to findings specified by the Act.

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VETERINARIAN'S OFFICE – A building used primarily for the treatment, by a veterinarian, of small domestic animals such as dogs, cats, rabbits and birds or fowl.

WATERCOURSE – A permanent or intermittent stream, river, brook, run, creek, channel, swale, pond, lake or other body of surface water carrying or holding surface water, whether natural or artificial

WATERSHED – All the land from which water drains into a particular watercourse.

WHOLESALE TRADE ESTABLISHMENTS – An establishment or place of business primarily engaged in selling merchandise to retailers; industrial, commercial, institutional, or professional business users; to other wholesalers; or acting as agents or brokers and buy merchandise for, or selling, merchandise to, such individuals or companies.

WIND ENERGY CONVERSION SYSTEM (WECS) – Any device which converts wind energy to mechanical or electrical energy which may include blades, hubs to which blades are attached, and any device, such as a tower, used to support the hub and/or rotary blades, etc.

WINDOW – An opening to the outside other than a door which provides all or part of the required natural light, natural ventilation or both to an interior space. The glazed portion of a door in an exterior wall may be construed to be a window in regard to provision of natural light.

YARD – An open area between a building setback line and the adjoining lot lines or right-of-way which may not be occupied or obstructed by a portion of any structure, except as is specifically permitted by this Ordinance.

1. Yard, Front: The area contained between the street right-of-way line and the front setback line. On corner lots, there shall be two (2) front yards, being the area contained between the street right-of-way lines and the principal structure.
2. Yard, Rear: The area contained between the rear property line and the rear setback line. On corner and reverse frontage lots, the rear yard shall be considered that area between the principal structure and the property line directly opposite the street of address.
3. Yard, Side: The area(s) between the side property line and the side setback line. On corner lots, the side yard shall be considered those areas between the principal structure and the property lines directly opposite the non-address street(s).

ZONING – The designation of specified districts within the Township, reserving them for certain uses together with limitations on lot size, heights of structures and other stipulated requirements.

ZONING OFFICER – The duly constituted municipal official designated to administer and enforce this ordinance in accordance with its literal terms.