

ARTICLE IV
AGRICULTURAL RESIDENTIAL DISTRICT

Section 400 PURPOSE

The purpose of the Agricultural Residential District is to provide for development of the broadest possible range of compatible uses in an orderly manner; 1) Allowing more intensive development and higher population densities in those areas where public services are or will be most readily available, (2) Maintaining low population densities in those areas in which public services are not or will not be readily available, and (3) Restricting development in those areas which, due to natural conditions, present a direct threat to the health and safety of persons and property.

Section 401 DESIGNATION OF DISTRICT

For the purposes of this Ordinance the Township of Charleston, Tioga County, Pennsylvania, is hereby designated as an Agricultural Residential District.

Section 402 PERMITTED USES

A lot or parcel may be used and a building or structure may be erected and used for any of the following purposes:

- A. Principal uses:
1. Single-family detached dwellings including individual mobile homes.
 2. Agricultural uses including horticulture, dairying, animal husbandry, pasturage, orchards, forestry, plant nurseries, and their associated support facilities.
 3. Parks, playgrounds and other noncommercial recreational uses.
 4. Educational and religious uses.
 5. Municipal and civic buildings, libraries, museums, fire and police stations.
 6. Home gardening.
 7. Private clubs, lodges, recreational buildings or properties.
 8. Home occupations and professional offices as a subsidiary and subordinate use to residential units provided:
 - a. Official residences shall be maintained by the occupant who may be an owner, a renter or a lessee;
 - b. The subsidiary use shall be located in the principal dwelling building;
 - c. The subsidiary use shall not occupy more than 40 percent of the ground floor area of the principal dwelling building;
 - d. There shall be a minimum of three off-street parking spaces in addition to those required under the provisions of this Ordinance;

- e. Not more than two nonresidents shall be employed on the premises; and
 - f. Use of an accessory building for purposes related to the home occupation or professional office, shall be limited to the total ground floor area of the accessory building.
9. Mobile home park subject to Charleston Township Subdivision Ordinance Article IX.

B. Minimum lot requirements:

The minimum lot area, lot width and yard regulations and maximum building height and lot coverage requirements specified in Section 404 for a single-family detached dwelling shall be the minimum requirements for all permitted uses specified in this Section.

C. Accessory uses:

The following accessory uses are permitted for those permitted and special exception uses approved under this Ordinance:

1. Private garages or parking areas.
2. Other accessory uses customarily incidental to a permitted principal use.
3. Signs as hereafter provided are permitted:
 - a. Temporary signs advertising the sale, rental or development of property; temporary signs indicating the location and direction of premises and not exceeding four square feet in area; temporary signs erected by churches, schools, civic organizations or other similar institutions provided the area of the sign does not exceed 12 square feet. All temporary signs shall not be or displayed more than 90 consecutive days.
 - b. Permanent announcement signs designating professional offices and home occupation such as those of a beautician, attorney, engineer, architect and seamstress, providing such signs do not exceed nine square feet.
 - c. Permanently illuminated signs designating the name of the occupant, the street name and house number may be attached to the surface of the structure if the letters and numbers are not in excess of three inches in height.
 - d. Permanent signs erected by churches, schools and other institutions provided that the area of the sign does not exceed 12 square feet; the light sources must be within the sign back or sides, but entirely within the cover glass. The area of the sign shall include the support material from the bottom of the sign to or beyond the top of the sign.

- e. Permanent signs for commercial and industrial uses provided that the area of the sign does not exceed 64 square feet.
- f. Street or road signs are permitted at a height of not less than seven feet above the top level of the curb; they may have a reflective surface.
- g. Permanent signs shall be regarded as structures within the meaning of this Ordinance.
- h. Permanent signs shall be located at a minimum distance of ten feet from the street or road right-of-way if no sidewalk exists and four feet from the inside edge of the sidewalk, if such a sidewalk exists. These signs may have a reflective surface, but may not be illuminated from the front or the rear.
- i. The bottommost part of any sign shall not exceed the height of two feet above ground grade if not attached to a structure. No sign, permanent or temporary, shall be installed in the clear sight triangle if it is in conflict with the clear sight line and clear sight triangle requirements.
- j. In addition to the other requirements of this Section, every sign referred to herein must be constructed of durable materials, kept in repair and not allowed to become dilapidated. Each sign shall be removed when the circumstances leading to its erection no longer apply.

Section 403 SPECIAL EXCEPTION USES

The following uses are permitted as Special Exceptions upon approval by the Zoning Hearing Board, subject to the regulations and procedures of this Ordinance.

- A. Principal uses:
 - 1. Single-family semi-detached dwellings; two-family detached dwellings; two-family semi-detached dwellings; townhouses; and garden apartments.
 - 2. Nursing homes, clinics, hospitals, sanitariums and funeral homes are permitted as special exceptions when the Zoning Hearing Board finds after a public hearing that such uses will not create hazardous conditions and will meet the following requirements:
 - a. The lot contains a minimum frontage of 150 feet and an area of one acre (43,560 square feet).
 - b. The architecture of the structure is in keeping with the general residential character of the neighborhood.
 - c. Off-lot sewer service and off-lot water service are provided.

3. Retail sales for local or neighborhood needs to be limited to the following when such business is conducted entirely within a building.
- a. The sale of baked goods and pastries, candy and confectioneries, dairy products and ice cream, groceries, meats, fruit and vegetables.
 - b. The sale of books, magazines, newspapers, tobacco, drugs, gifts and stationery.
 - c. Restaurants, motels and hotels.
 - d. Service establishments including barber shops, beauty shops, tailor shops, laundry and dry cleaning shops, self-service laundries, shoe repair and florist shops.
 - e. General merchandise and retail stores, including variety stores, sporting goods and drug stores.
 - f. Apparel and accessories stores.
 - g. Furniture, home furnishings, household appliance, hardware, paint and glass stores.
 - h. Gift, camera, music, cosmetic, hobby, jewelry, leather and luggage shops.
 - i. Financial institutions and professional offices.
 - j. Medical, veterinary and dental offices, laboratories, clinics and hospitals.
 - k. Fraternal clubs, lodges, and social and recreation clubs.
 - l. Essential service installations.
 - m. Automobile, truck and bus service stations, including repairing, sales and washing uses.
 - n. Warehouses, distribution centers, and truck and bus terminals.
 - o. Mobile homes sales.
 - p. Retail establishments providing primarily drive-in or in-car service.
 - q. Outdoor and indoor commercial recreation and entertainment uses providing recreation and entertainment within conformity with general community standards.
 - r. Any production, manufacturing, assembly, processing, cleaning, research and testing, repair storage or distribution of materials, goods, foodstuffs and other products and wholesale distribution and storage uses subject to compliance with the following performance standards and/or a finding, based on evidence presented, by the Zoning Hearing Board that said use will comply with said standards.
 - (1) Industrial activities shall be such that they:
 - emit no obnoxious, toxic or corrosive dust, dirt, fly ash, fumes, vapors or gases which can cause any damage to human health, to animals or vegetation or to other forms of property, or which can cause any soiling or staining of persons or property at any point beyond the lot lines of the use
 - creating the emission, discharge no smoke of a consistency which will restrict the passage of sunlight; emit any odor perceptible at

the lot boundaries on a regular basis, produce no physical vibrations perceptible at or beyond the lot boundaries; produce no electromagnetic radiation or radioactive emission injurious to human beings, animals or vegetation (electromagnetic radiation or radioactive emissions shall not be of an intensity that interferes with the use of any other property); discharge of any untreated potentially dangerous effluent from plant operations into local surface or sub-surface drainage courses.

- (2) All outdoor facilities for fuel, raw materials and products; and all fuel, raw material and products stored outdoors, shall be enclosed by an approved safety fence and visual screen and shall conform to all yard requirements imposed upon the main building.
- (3) No materials shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse by either direct (surface run-off) or indirect (sub-surface drainage) means.
- (4) All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

Section 404 LOT AREA, WIDTH, YARD, BUILDING HEIGHT AND COVERAGE REGULATIONS

The minimum lot area, minimum lot width, minimum front yard, minimum side yard, minimum rear yard, maximum building height and maximum lot coverage for each permitted and special exception used shall be those set forth in the schedule appearing in this Ordinance and titled "Minimum Lot Area, Lot Width and Yard Requirements, and Maximum Building Height and Lot Coverage Requirements."

Section 405 OFF-STREET PARKING, LOADING AND UNLOADING REGULATIONS

A. General Regulations

1. Off-street parking, loading and unloading facilities shall be provided to lessen congestion in the streets. The facilities required herein shall be available

- throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off the public right-of-way.
2. All parking spaces shall be ample in size for the vehicles for which use is intended. The net parking space per vehicle shall be not less than ten (10) feet wide and twenty (20) feet long. Outdoor parking spaces, and the approaches thereto, shall be paved, or covered with gravel or cinders. Such outdoor parking spaces shall be deemed to be part of the open space of the lot on which it is located.
 3. A garage or carport may be located wholly or partly inside the walls of the principal building, or attached to the outer walls. If separated from the principal building, the garage shall conform to all accessory building requirements. The garage may be constructed under a yard or court. The space above an underground garage shall be deemed to be part of the open space of the lot on which it is located.
 4. Parking spaces may be located on a lot other than that containing the principal use with the approval of the Zoning Hearing Board.
 5. Surfacing: Any off-street parking area shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as a gravel, concrete or bituminous concrete surface, and shall be so arranged as to provide for orderly and safe parking and storage of vehicles.
 6. Lighting: Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining premises and public right-of-way.
 7. There shall be adequate provision for ingress and egress to all parking and loading spaces designed for use by employees, customers, delivery services, sales people and/or the general public. Where a parking or loading area does not abut on a public right-of-way, or private alley or easement of access, there shall be provided an access drive per lane of traffic not less than twelve (12) feet in width per lane of traffic; and not less than eighteen (18) feet in width in all cases where the access is to storage areas or loading and unloading spaces required hereunder.

B. Parking facilities required:

Any structure or building hereafter erected, converted, or enlarged for any of the following uses, or any open area hereafter used for commercial purposes, shall be provided

with not less than the minimum spaces, as set forth below, which spaces shall be readily accessible to the uses served thereby. Fractional numbers of parking spaces shall be increased to the next whole number.

1. Residential parking:

- a. All residential units shall be provided with two (2) off-street parking spaces per dwelling unit.
- b. Residential conversion units shall be provided with a minimum of one (1) parking space per dwelling unit. The required parking shall not be located between the street right-of-way line and the front building line.
- c. Boarding or rooming houses, hotels, motels, and tourist houses. At least one (1) parking space for each guest room. If a restaurant in connection with the above is open to the public, the off-street parking facilities shall not be less than those required for restaurants, in addition to those required for guest rooms.

2. Commercial parking:

- a. Theaters, auditoriums, churches, schools, stadiums or any other place of public or private assembly. At least one (1) parking space for each three (3) seats provided for public or private assembly.
- b. Retail stores and other places for trade or business. One (1) vehicle space for each two hundred (200) square feet of floor area for public use.
- c. Food markets and grocery stores. One (1) vehicle parking space for each one hundred (100) square feet of floor area for public use.
- d. Restaurant, tearooms and cafeteria including taprooms, taverns and night clubs. One (1) vehicle space for each fifty (50) square feet of floor area for public use.
- e. Bowling alley. Five (5) vehicle spaces for each alley.
- f. Office building. At least one (1) parking space for each two hundred (200) square feet of floor area or fraction thereof.
- g. Public garages, automobile and gasoline service stations. At least one (1) parking space for each two hundred (200) square feet of floor area, or fraction thereof, devoted to repair or service facilities, and one (1) space for each employee on the largest shift. This shall be in addition to the space allocated for the normal storage of motor vehicles. No parking shall be permitted on the public rights-of-way.

- h. Hospitals and sanitariums. At least one (1) parking space for each three (3) beds. Such spaces shall be in addition to those necessary for doctors, administrative personnel and other regular employees. One (1) parking space shall be provided for each employee on the largest shift.
- i. Other commercial buildings. At least one (1) parking space for each four hundred (400) square feet of floor area, or fraction thereof, except when otherwise authorized as a Special Exception consistent with the principals set forth herein for comparable buildings.
- j. Drive-in dairy and restaurants. Provisions for parking for drive-in facilities must meet with the approval of the Planning Commission and no parking on the public right-of-way shall be permitted.
- k. Dance halls, roller rinks, clubs, lodges and other similar places. At least one (1) parking space for each two hundred (200) square feet of floor area.
- l. Swimming pool. At least one (1) parking space for each three (3) persons for whom facilities for dressing are provided; or at least one (1) parking space for every twelve (12) square feet of water surface, including areas for swimming, wading and diving, whichever requirement is the greater.
- m. Open areas used for commercial purposes:
 - (1) Golf driving range. At least one (1) parking space for each tee provided.
 - (2) Miniature golf. At least one (1) parking space for each hole provided.
 - (3) Other open areas. At least one (1) parking space for each two thousand five hundred (2,500) square feet of area or fraction thereof.
- n. Mortuaries, funeral homes and undertaking establishments. At least one (1) parking space for each one hundred (100) square feet of floor area for public use. Such space shall be in addition to: (a) employee parking needs; and (b) a service area for mobile equipment, such as hearses and ambulances.
- o. Home Occupations. At least one (1) for the resident, one (1) for each nonresident employee and two (2) for patron use.

3. Industrial parking:
These regulations shall apply to industrial expansion and industrial installations erected after the effective date of this Ordinance. Off-street parking shall be provided on the premises in accordance with the following schedule:

- a. Industrial and manufacturing establishments: One (1) vehicle parking space for each two (2) employees on the combined major and next largest shift.
- b. Truck terminals and wholesale warehouses: One (1) parking space for each two (2) employees on the combined major and next largest shift.
- c. Visitors and salesmen: Space shall be provided in addition to the above parking requirements according to specific needs.

C. Loading and unloading space:

1. In addition to the off-street parking space required above, any building erected, converted or enlarged for commercial, office building, manufacturing, wholesale, hospital or similar uses, shall provide adequate off-street areas for loading and unloading of vehicles. The minimum size loading space shall be fifty (50) feet in depth, twelve (12) feet in width, with an overhead clearance of fourteen (14) feet.
2. All commercial and industrial establishments shall provide loading and unloading and commercial vehicle storage space adequate for their needs. This required space will be provided in addition to established requirements for patron and employee parking.
 - a. In no case where a building is erected, converted or enlarged for commercial, manufacturing or business purposes shall the public rights-of-way be used for loading or unloading of materials.

D. Access to off-street parking and loading areas:

Access to and from all off-street parking, loading and vehicle service areas along public rights-of-way shall consist of well defined separate or common entrances and exits and shall comply with the following provisions:

1. Access drives shall not open any public right-of-way:
 - a. Within eighty (80) feet of the nearest right-of-way line of any intersecting public street or highway.

E. Parking and loading area setbacks:

All nonresidential parking and loading areas and parallel circulation and service lanes shall be separated from the paving edge of a public thoroughfare or adjoining property line by a planting strip at least twenty (20) feet in depth, unless adjoining owners mutually agree to common facilities subject to greater setbacks as may be required by the Zoning Hearing Board.

ARTICLE V
NATURAL HAZARD AREAS

Section 500 PURPOSE

The purpose of this Article is to protect persons and property from undue and unnecessary exposure to natural conditions and locations which will result in threats to their health and safety, and damage and/or destruction.

Section 501 FLOOD PRONE AREAS

No building or structures shall be built nor fill material placed in any area found or designated hereafter as Flood Prone except as a Special Exception subject to the requirements of this Ordinance and approval of the Zoning Hearing Board.

A. Delineation:

Flood Prone Areas shall be those areas designated by the U.S. Department of Housing and Urban Development as having a flood hazard for purposes of the National Flood Insurance Program and reviewed and accepted by the Township Board of Supervisors. Said designation and delineation may be changed and/or amended from time to time as more information and study is prepared; however, for purposes of this Ordinance said areas shall include all areas subject to flooding by the 100 year flood as defined by the U.S. Department of Housing and Urban Development; or the twenty-five year flood or run-off for small watershed and drainage areas as defined by the use of the methods and procedures as established in the U.S. Department of Agriculture Soil Conservation Services, Engineering Field Manual for Conservation Practices (the most recent edition available at the time delineation is undertaken, presently the 1969 edition) whichever is greater for all streams, both seasonal and perennial, identified or delineated on the seven and one half minute U.S. Geological Survey Quadrangle Sheets for Charleston Township.

B. Use of flood prone areas:

1. No flood prone area shall be used for construction of any building or structure except in a manner which will result in the ground floor being at least one (1) foot above the flood elevation defined by paragraph A above and which will not result in the obstruction of the floodway.
2. No earth, rock, or other fill material nor any physical barrier shall be built or placed in the designated flood prone area except as found by the Zoning Hearing Board to be in the better common good of the residents of Charleston Township.

Section 502 STEEP SLOPES AND SLIDE HAZARD AREAS

No area having a slope in excess of 25 percent for 100 feet horizontal measured across the slope, nor any area identified by the U.S. Soil Conservation Service's Soils Maps for Tioga County (unpublished data at present) as being slide prone shall be used for the construction of any building or structure except after approval as a Special Exception by the Zoning Hearing Board, subject to the requirements of this Ordinance.

- A. Delineation:
Delineation of steep slope and slide hazard areas shall be the responsibility of the landowner, certified by a professional engineer, upon a general finding that said areas may exist on the site by the Zoning Officer.

- B. If use of steep slope and slide hazard areas is requested, plans shall be prepared and presented which demonstrate appropriate design considerations to preclude any potential damage to the proposed use and which have been certified by a professional engineer.

ARTICLE VI
SUPPLEMENTAL REGULATIONS

The provisions of this Zoning Ordinance shall be subject to such exceptions, additions or modifications as herein provided by the following supplemental regulations.

Section 600 HEIGHT REGULATIONS EXCEPTIONS

- A. Public, semi-public or public services building, hospitals, public institutions or schools when permitted in a district, may be erected to a height not exceeding fifty (50) feet, and churches or temples may be erected to a height not exceeding fifty (50) feet if the building is set back from each yard line at least two (2) feet or each additional, one (1) foot of building height above the height limit, otherwise provided in the district in which the building is located.
- B. Special industrial structures such as cooling towers, elevator bulkheads, fire towers, tanks, water towers which require a greater height than provided in the district may be erected to a greater height than permitted providing:
 - 1. The structure shall not occupy more than twenty-five (25) percent of the lot area; and
 - 2. The yard requirements of the district in which the structure is erected shall be increased by two (2) feet for each foot of height over the maximum height permitted.
- C. Agricultural uses including barns, silos etc.
- D. The height limitations of this Zoning Ordinance shall not apply to flagpoles, church spires, belfries, silos, chimneys or antennas.

Section 601 YARD REQUIREMENTS

- A. All yards required to be provided under this Zoning Ordinance shall be open to the sky and unobstructed by any building or structure except for accessory buildings in the rear yard and fences.
- B. The following may project into the required yards as established in this Zoning Ordinance:
 - 1. Steps and stoops not exceeding twenty-four (24) square feet.
 - 2. Open or lattice enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers and the ordinary projection of chimneys and flues into the side or rear yard not exceeding three and one-half (3.5) feet in width and placed so as to obstruct light or ventilation.

3. Sills, eaves, belt courses, cornices and ornamental features not exceeding two (2) feet in width.
4. Patios.

C. Irregular lots:

Where any main wall of a structure located on an irregularly shaped lot does not parallel the lot line which the wall faces, the yard or minimum distance to the lot line at every point shall be at least equal to the minimum (dimension required for the yard or distance to the lot line.)

Section 602 LOT AREA MEASUREMENTS, DEEP LOTS

A. Deep lots:

For purposes of measuring lot area on exceptionally deep lots, only the part of the depth which is less than four (4) times the average width of the lot may be utilized in calculations.

Section 603 REDUCTION IN LOT AREA

No lot area though it may consist of one (1) or more adjacent lots of record, shall be reduced in area so that the yard lot area per family, lot width, building area or other requirements of this Ordinance are not maintained, public utilities excepted.

Section 604 FENCES OR HEDGES

Subject to the following conditions, fences may be erected along the boundaries of a lot:

- A. On any corner lot, no wall, fence, sign or other structure shall be erected or altered, and no hedge, tree, shrub or other growth shall be permitted which may cause danger to traffic on a street by obscuring the view.
- B. No solid hedge or growth shall be planted or permitted to grow higher than three (3) feet in height on any property line or street right-of-way line between the front or side street so that the sight distance from any adjacent driveway onto a public highway or sidewalk is restricted.

Section 605 STRUCTURE ON SMALL LOT OF RECORD

Notwithstanding the limitations imposed by any other provisions of this Ordinance, the Zoning Officer may permit erection of a structure on any lot of record separately owned or under contract of sale and containing, at the time of the passage of this Ordinance, an area or a width smaller than that required in this Ordinance. In no case shall any structure be permitted within five (5) feet of a lot line.

Section 606 CLEAR SIGHT TRIANGLE REQUIREMENTS

In order to prevent the creation of a traffic hazard by limiting visibility at a street intersection, no structure, building, earthen bank or vegetation exceeding three and one-half (3.5) feet in height above the finished paved area at the center of the roadway shall be allowed within the clear sight triangle on corner lots.

Section 607 ADDITIONAL DWELLINGS

A. Residential uses:

Additional residential structures may be erected on a large tract if a minimum land area of two (2) acres per structure is available and if said land area is definable and a logical parcel for each such structure. In no case shall the gross density on such a large tract exceed one dwelling unit per two (2) acres.

B. Nonresidential uses:

Where a lot or tract is used for a nonresidential purpose, more than one (1) principal building may be located upon the lot or tract, but only when such buildings conform to all open space and yard requirements around the lot for the district in which the lot or tract is located.

Section 608 ESSENTIAL SERVICE INSTALLATIONS

Essential service installations as defined in this Ordinance, shall be permitted subject to restrictions recommended by the Planning Commission and approved by the Board of Supervisors with respect to use, design, yard area, setback and height.

Section 609 GENERAL STORAGE

No lot or premises shall be used as a storage area for junk automobiles, appliances or the storage or collection of any other miscellaneous items. Also, no lot or premises shall be used as a garbage dump or a dead animal rendering plant nor may rubbish or miscellaneous refuse be stored in the open where the same may be construed as a menace to the public health or safety.

Section 610 JUNK YARDS

All junk yards existing at the effective date of this Ordinance, within one (1) year thereafter, and all new junk yards, where permitted, shall comply with the following provisions:

- A. No junk material, appurtenant structure, or other enclosure shall be stored or placed within fifty (50) feet of any adjoining property or public right-of-way and such setback area shall be kept free of weeds and scrub-growth unless the adjoining property is wooded.
- B. Any junk yard shall be completely enclosed with a visual screen of evergreen or evergreen type hedge where practical, or a maintenance free shadow fencing may be substituted, or tree-row of a variety and size at the time of planting that such will attain a height of eight (8) feet within three (3) years thereafter and maintained in a sound and attractive manner.
- C. All junk shall be stored or arranged so as to permit access by firefighting equipment and to prevent the accumulation of water, and with no junk piled to a height of more than six (6) feet.
- D. No oil, grease, tires, gasoline or other similar material shall be burned at any time, and all other burning shall be attended and controlled at all times.
- E. Any junk yard shall be maintained in such a manner as to cause no public or private nuisance, nor to cause any offensive or noxious sounds or odors, nor to cause the breeding or harboring of rats, flies or other vectors.

Section 611 SANITARY LANDFILL

Sanitary landfills, where authorized as a conditional use, shall be regulated by the applicable laws of the Pennsylvania Department of Environmental Resources.