

AN ORDINANCE AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 1979, AS AMENDED, BY REVISING AND AMENDING ARTICLE II, ARTICLE III, ARTICLE IV, ARTICLE V, ARTICLE VI AND ARTICLE IX OF SAID ORDINANCE.

BE IT HEREBY ENACTED AND ORDAINED, and it is enacted and ordained by authority of the Board of Supervisors of Honey Brook Township that the Township Zoning Ordinance of 1979, as amended, is hereby further amended as follows:

I. Article II, Definitions, Section 202, is hereby amended by adding the new definition:

Rural Occupation. An occupation carried on by a property owner or his immediate family that is accessory and secondary to the principal residential and/or agricultural use that meets the criteria of Section 901.29 and excluding occupations set forth in Section 901.29B3 and 901.29B4.

II. Article III, "A" Agricultural District, Section 302.1, Uses by Right, to include a new subparagraph f) as follows:

f) Rural occupation as outlined in Section 901.29.

III. Article IV, Residential Districts, Section 402.1(a)1 to add a new subparagraph d) as follows:

d) A rural occupation on less than 20 acres.

IV. Article IV, Residential Districts, Section 403.1a to add a new subparagraph 5) as follows:

5) A rural occupation as outlined in Section 901.29 on a minimum lot size of 20 acres.

V. Article V, "NC" Neighborhood Commercial Districts, Section 501.1(a) is amended to read as follows:

a) Any use permitted as a Use by Right in the "A" Agricultural District, or any R-1 Single Family District, or any R-2 Residential District provided, however, that any rural occupation shall only be permitted on a minimum lot size of twenty (20) acres and shall meet all the requirements of Section 901.29. Single-family detached dwellings and other permitted uses shall conform to the requirements of Section 402.2 (or Section 403.2 if both public water and public sewers are provided).

VI. Article VI, "IP" Planned Industrial Office District, Section 602.1(a) is amended to read as follows:

a) Any use permitted as a Use by Right in the Agricultural District as covered in Article III, herein, provided, however, that any rural occupation shall only be permitted on a minimum lot size of twenty (20) acres and shall meet all the

requirements of Section 901.29.

VII. Amend Article IX, Supplemental Regulations, by adding a new section, 901.29, Rural Occupation as follows:

RURAL OCCUPATION

901.29 Rural Occupations

A. **Intent.** This section establishes criteria for rural occupation uses, where such uses are permitted by this ordinance. In providing opportunities for such uses, it is the Township's intent that:

- 1) any rural occupation shall be compatible with other existing and permitted uses on the property and within the surrounding neighborhood and zoning district(s).
- 2) the rural occupation shall be deemed accessory and secondary to the principal residential and/or agricultural use of the property.
- 3) a rural occupation shall be permitted by right in the agricultural district in accordance with the provisions of this section. A rural occupation shall be permitted in other zoning districts provided there is a minimum lot size of 20 acres and the criteria of this section are fully complied with.

B. **Use Criteria.**

- 1) The following rural occupation uses are permitted:
 - a) Blacksmith shops, farrier, farm equipment shop, tinsmithing, tool sharpening shop.
 - b) Butcher shops, bakery, candlestick maker.
 - c) Processing of locally produced agricultural products.
 - d) Preparation of food or food products to be sold or served off-site.
 - e) Veterinary offices which primarily involve farm animals.

- f) The manufacturing, assembly, warehousing, sales, repair and/or servicing of household articles, including such items as chairs, tables, clocks, cabinets and other similar carpentry-type items, as well as decorative iron work and other articles for use in the home.
 - g) Sales and repair of appliances and small engines.
 - h) Dry goods store.
 - i) Greenhouses.
 - j) Taxi, limousine, hauling services provided all vehicles are housed inside the building used for the rural occupation.
 - k) Harness shop, plumbing shop, upholstery shop, shoe shop, printing shop, tailor/dressmaking/sewing/hatters shop, quilt shop.
 - l) Home builder/remodeling business.
 - m) Uses similar to those listed above.
- 2) Prohibited uses include such businesses as grain mills; feed supply; animal rendering; fuel and fertilizer distribution; composting and other farm waste storage facilities; recycling businesses; heavy manufacturing such as the building and repair of dumpsters; automobile, truck, boat or other motor vehicle sales, service and repair facilities; wholesale distribution of industrial products, including lumber and coal yards, building material storage yards, contractors' equipment and storage yards, and commercial warehouses; bed and breakfast establishments; any custom or commercial hauling or spreading of solid, slurry or liquid wastes.
- 3) No manufacturing, mechanical or industrial uses shall be permitted which cause any noise, odor, glare, fumes, smoke, dust, vibration, electro-magnetic interference, or other hazard that is noticeable at or beyond the closest property line. Excluding wastewater treatment, no use that requires application or permitting by the PA DEP for the handling of hazardous waste or other substances shall be permitted. The applicant shall demonstrate that the proposed rural occupation complies with all the

applicable performance criteria stated in Article IX of the Zoning Ordinance.

- 4) The party proposing to conduct the rural occupation use shall own and either he or a member of his immediate family shall reside on the property on which the use is to be located. Immediate family shall be defined as the parents, grandparents, children, grandchildren and great grandchildren. Only one rural occupation use shall be permitted on any eligible property.
- 5) All rural occupations require a zoning permit. A certificate of use and occupancy is required prior to beginning a rural occupation. The issuance of a certificate of use and occupancy for a rural occupation shall be deemed an authorization of the Township Zoning Officer to inspect annually and reissue the Use & Occupancy certificate based on compliance with all ordinance requirements.
- 6) The applicant shall set forth in his application that he will comply with all rules and regulations of all government authorities having jurisdiction over the applicant's business.
- 7) When there is a change in ownership or occupancy of the property where a rural occupation exists or when there is a proposed change in the type of business, the Zoning Officer shall review the proposed change to see if it conforms to the original approval or if changes shall be made.
- 8) A rural occupation does not require the deed restricting of a parcel of land, and further subdivision of the parcel shall be permitted only as long as the existing parcel continues to meet all criteria outlined in this ordinance or any subsequent amendment to this ordinance.

C. General Criteria.

- 1) The following standards shall apply to a rural occupation:

| Property Size (gross acres) | Max. Building Coverage | Max.# Employees (non-family members) | Max.Land Area Devoted to Use |
|--|-----------------------------------|---|---|
| 3 to 5 | 2,000 sq. ft. | 2 | 0.5 acres |
| >5 to 10 | 3,000 sq. ft. | 3 | 0.75 acres |
| >10 to 15 | 4,000 sq. ft. | 4 | 1.0 acres |
| >15 to 20 | 5,000 sq. ft. | 5 | 1.25 acres |
| >20 | 6,000 sq. ft. | 6 | 1.5 acres |

- 2) The rural occupation shall be conducted within a completely enclosed accessory building, and may also utilize a separate building not to exceed 1000 square feet for the fully enclosed storage of materials or to house generator equipment. The buildings may be existing accessory buildings at least (1) year old or newly constructed, conforming buildings. If a new building is constructed for the rural occupation, it shall be located to the side or rear of the principal residence, and shall be set back a minimum of one hundred (100) feet from all property lines and road rights-of-way. Each building shall be designed to be consistent with traditional farmsteads and residential properties and shall afford minimal external evidence of the nature of the rural occupation.
- 3) Occupations requiring more building coverage than permitted in Subsection 901.29 (C) #1 and #2 above, shall be located within commercial or industrial districts as provided for in this ordinance.
- 4) All off-street parking and loading spaces shall conform to Article IX, Section 901.21 (Loading) and 901.22 (Parking). Parking lots shall be provided only at the side or to the rear of the buildings housing the rural occupation.
- 5) Materials, products or supplies comprising any part of the rural occupation

shall be contained within an enclosed building. Any materials, products or supplies connected with a rural occupation may be permitted out of doors by special exception only. In no case shall outside storage be permitted in the front yard of the building housing the rural occupation, nor shall materials be stacked to a height greater than six (6) feet. If the Zoning Hearing Board determines that outside storage is permitted, then a completely planted visual barrier of landscape screening shall be provided. The landscape screen shall be composed of evergreen shrubs and trees arranged to form both a low level and high level screen. The high level screen shall consist of evergreen trees of not less than four (4) feet in height at the time of planting. The low level screen shall consist of evergreen shrubs of not less than two (2) feet at the time of planting. Screening shall be permanently maintained and complete visual blockage shall be achieved within two (2) years following installation.

- 6) The use of only one (1) commercial vehicle with no more than two (2) axles shall be permitted out of doors as part of the rural occupation.
- 7) One (1) non-illuminated sign not exceeding eight (8) square feet shall be permitted and shall be set back a distance at least equal to its height from every lot line and road right-of-way and shall not interfere with required sight triangles.
- 8) When a rural occupation involves retail sales, the sales and display area shall not exceed fifteen percent (15%) of the first floor area of the rural occupation. The 15% retail sales and display area shall not be in addition to the proposed first floor area.

- 9) All outdoor facilities for petroleum products shall be located on impervious pavement and shall be completely enclosed by an impervious dike high enough to contain the total volume of liquid kept in the storage area, plus the accumulated rainfall of a fifty (50) year storm.

Storage tanks for any petroleum products, not exceeding two hundred and seventy-five (275) gallons in size, may be exempted from this requirement.

- 10) All roof-mounted storage/fuel tanks and other equipment shall be suitably screened or enclosed so as not to be visible from any property line or road, using materials compatible with the building on which they are located.
- 11) All driveway intersections, whether existing or proposed, shall conform to the sight distance requirements of Honey Brook Township or the Pennsylvania Department of Transportation, whichever governmental body has jurisdiction. The applicant shall demonstrate that the land use provides for the safe and efficient movement of traffic. Common driveways shall not be utilized to provide ingress and egress to a rural occupation if the common driveway is used by two (2) or more property owners.
- 12) Any rural occupation shall have a paved driveway apron extending thirty (30) feet into the parcel from the roadway. In addition, access drives and parking areas shall be of sufficient length and size to accommodate the off-road stacking of delivery and customer vehicles.

- 13) The applicant shall furnish evidence that an approved means of sewage disposal shall be utilized.
- 14) All trash dumpsters shall be located within a side or rear yard of the building used for the rural occupation and be completely enclosed within a masonry or fenced enclosure equipped with a self-latching door or gate.
- 15) Evidence shall be provided indicating that the disposal of all material and wastes shall be accomplished in a manner that complies with State and Federal regulations. No burning of waste shall be permitted, except that non-toxic wood scraps may be used for heating purposes. Proper disposal of materials and wastes shall be done on a regular basis. All solid wastes generated by a rural occupation shall be disposed of in a trash dumpster or stored inside until the wastes can be disposed of properly.
- 16) Rural occupations shall only be conducted between the hours of 6:00 a.m. and 9:00 p.m.

VIII. Ordinance No. 44 of 1991 providing for farm related businesses in the NC Neighborhood Commercial District is hereby repealed. Ordinance No. 47 of 1991 providing for farm related businesses in the AG Agricultural District and the NC Neighborhood Commercial District is hereby repealed excepting paragraph IV of said ordinance which is saved from repeal.

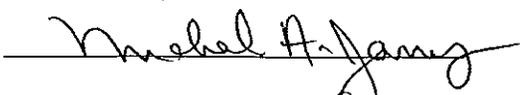
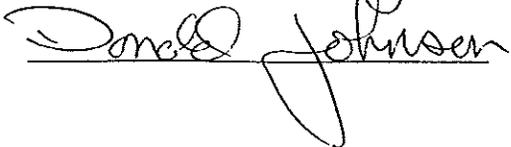
EFFECTIVE DATE. This ordinance shall become effective five (5) days after enactment as provided by law.

ENACTED and ordained this 21st day of June 2000.

Attest:


Secretary/Treasurer

**HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS**

HONEY BROOK TOWNSHIP
HONEY BROOK, PENNSYLVANIA 19344

APPLICATION
FOR
RURAL OCCUPATION USE PERMIT

APPLICATION is hereby made to the Building Inspector of Honey Brook Township for approval of this detailed statement of specifications and plans herewith submitted for the use, erection, addition, alteration, repair, removal or demolition of the property/structure herein described. The applicant agrees to the requirement that all provisions of the Township Building Code and Zoning Ordinance and S.A.L.D.O. will be complied with whether specified herein or not.

_____ (Applicant's Signature)

_____ (Date)

_____ (Applicant's Name Printed or Typed)

NOTE: Applications must be signed and accompanied by one set of detailed construction drawings, including a plan of the property meeting the plan content requirements outlined on attached sheets.

TYPE OF IMPROVEMENT

- NEW OR CHANGE IN USE
- NEW BUILDING
- ACCESSORY BUILDING
- ADDITION, ALTERNATION, REPAIR
- HAVC
- SWIMMING POOL
- SIGN
- TEMPORARY BUILDING
- AWING, FENCE
- DEMOLITION
- STORAGE TANK
- OTHER (Specify _____)

Brief Description of Improvement:

ADDRESS: _____

TAX PARCEL NO. _____

LOT NO. _____

ZONING DISTRICTS _____

ESTIMATED COST \$ _____

IDENTIFICATION

OWNER:

Name _____

Address _____

Phone _____

E-Mail _____

CONTACTOR:

Name _____

Address _____

Phone _____

Registration No. _____

E-Mail _____

ARCHITECT:

Name _____

Address _____

Phone _____

E-Mail _____

CHARACTERISTICS OF LOT

LOT LENGTH _____

LOT WIDTH AT BUILDING LINE _____

LOT AREA _____

SEWAGE

PUBLIC SEWER

ON-SITE

COMMUNITY

(Permit No. _____)

WATER

PUBLIC

ON-SITE

COMMUNITY

CHARACTERISTICS OF BUILDING

| | |
|--|--|
| LENGTH _____ WIDTH _____ HEIGHT _____ STORIES _____ FLOOR AREA _____ | FRAMING <input type="checkbox"/> WOOD <input type="checkbox"/> MASONRY <input type="checkbox"/> STEEL <input type="checkbox"/> OTHER (Specify _____) |
| PRINCIPAL USE: <input type="checkbox"/> DWELLING (Specify No. of units _____) <input type="checkbox"/> OTHER (Specify _____) | FOOTING <input type="checkbox"/> STONE <input type="checkbox"/> CONCRETE <input type="checkbox"/> PIERS |

| | Depth | Thickness |
|--|-------|-----------|
| | | |

SIGNS

| | |
|---|--|
| <input type="checkbox"/> PERMANENT <input type="checkbox"/> TEMPORARY* | TYPE: <input type="checkbox"/> FREE-STANDING <input type="checkbox"/> WALL-MOUNTED <input type="checkbox"/> OTHER (Specify _____) |
|---|--|

LOT LOCATION _____
 HEIGHT _____
 WIDTH _____
 AREA _____ (sq. ft.)
 Method of Illumination _____
 Distance from ground to highest portion of sign _____
 Distance from ground to lowest portion of sign _____

*Permits for temporary signs are valid for no more than 30 days, but are renewable upon re-application.

STORAGE TANKS

| | |
|---|--|
| LOT LOCATION _____ LENGTH _____ WIDTH _____ VOLUME _____ | STRUCTURAL MATERIAL _____ CONTENTS _____ DEPTH OF EXCAVATION _____ |
|---|--|

DEMOLITION

TYPE OF BUILDING TO BE DEMOLISHED _____

WILL ANY PORTION OF BUILDING BE DETAINED FOR RE-USE?
 Yes (specify) _____ No

NOTE: All foundations and on-site sewage disposal facilities shall be completely filled and properly compacted so as to preclude entry or cave-in. If demolition activity will take more than one full working day, the work site shall be completely fenced or a watchman shall be posted during non-working hours. All utility lines shall be properly capped or disconnected. Applicant shall contact all applicable utility companies to verify location and to obtain capping and disconnection regulations.