

TOWNSHIP OF UPPER MACUNGIE
Lehigh County, Pennsylvania

ORDINANCE # 2022-10
(Duly Adopted July 7, 2022)

AN ORDINANCE OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 (ZONING) OF THE TOWNSHIP OF UPPER MACUNGIE CODE OF ORDINANCES, KNOWN AS THE UPPER MACUNGIE TOWNSHIP ZONING ORDINANCE AND THE SECTIONS OF CHAPTER 27 AS HEREINAFTER SET FORTH. SPECIFICALLY, THIS ORDINANCE AMENDS:

- § 27-101. Purpose and Objectives.**
- § 27-119. Special Exception Use Process.**
- § 27-202. Terms Defined.**
- § 27-301. Designation of Districts and Purposes.**
- § 27-306. Table of Permitted Uses by District.**
- § 27-307. Table of Lot and Setback Requirements by District.**
- § 27-402. Additional Requirements for Specific Principal Uses.**

WHEREAS, Section 27-108 of the Upper Macungie Township Zoning Ordinance provides that "the Board of Supervisors may amend, challenge or repeal any or all portions of this Chapter on its own motion or upon agreeing to hear a written request for any person, entity or the Planning Commission"; and

WHEREAS, the Upper Macungie Township Board of Supervisors has identified certain requirements related in whole, or in part, which are in need of defining and amending and/or updating; and

WHEREAS, the Upper Macungie Township Board of Supervisors finds that the proposed amendments will promote, protect and facilitate the public health, safety and welfare; and

WHEREAS, pursuant to Section 609 of the Municipalities Planning Code, 53 P.S. § 10609, the Township of Upper Macungie is authorized and empowered to enact amendments to the Upper Macungie Township Zoning Ordinance after Public Hearing thereon pursuant to Public Notice; and

WHEREAS, the 2019 Upper Macungie Township Comprehensive Plan recommends consideration of Zoning Amendments to be consistent with the Community Development Objectives identified within the Plan; and

WHEREAS, the Board of Supervisors of the Township of Upper Macungie has conducted a Public Hearing pursuant to public notice concerning the following amendments to the Upper Macungie Township Zoning Ordinance; and

WHEREAS, after a Public Hearing pursuant to Public Notice, the Board of Supervisors of the Township of Upper Macungie desires to ordain and enact the amendments to the Upper Macungie Township Zoning Ordinance set forth hereinafter.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Upper Macungie, County of Lehigh, Commonwealth of Pennsylvania, as follows:

SECTION 1. DELETIONS, AMENDMENTS, INSERTIONS, AND CHANGES

The following Sections denoted by Section numbers are amended, with such amendments being denoted by bold underlining. **(bold underlining)**

The following Sections or parts thereof denoted by Section numbers are added, with such additions being denoted by the word “NEW” preceding the addition which shall be denoted by bold text. **(bold text)**

The following Sections or parts thereof denoted by Section numbers are deleted, with such deletions being denoted by brackets and strikethrough. (~~strikethrough~~)

For purposes of Codification, all Sections noted herein follow the Sections as set forth in the Code of Ordinance of the Township of Upper Macungie, revised through February 3, 2022.

SECTION 2. BODY OF THE ORDINANCE

§ 27-101 Purposes, **Goals**, and Objectives.

1. This Chapter is hereby adopted: a) in accordance with the requirements and purposes (including § 604 or its successor section, which is included by reference) of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988, and as may be further amended;[1] b) in accordance with the community development goals and objectives (which are included [~~by reference~~]**in Section § 27-101.2**) of the latest revision of the Upper Macungie Township Comprehensive Plan, which constitutes an overall program; c) in consideration of the character of the Township, its various parts and the suitability of the various parts for particular uses and structures; and d) to assist in carrying out the purposes and provisions of the Constitution of the Commonwealth of Pennsylvania (especially Article I, Section 27), the Pennsylvania Floodplain Management Act, Pennsylvania Stormwater Management Act, Pennsylvania Department of Environmental Protection regulations on erosion and sedimentation control, Pennsylvania Department of Transportation regulations on highway access control and

other relevant federal and state laws, regulations, official policies and relevant court decisions.

“NEW” 2. Community Development Goals.

A. Community Character and Design. Community character refers to the natural and built features that shape the Township’s identity. Design standards focus on the way buildings, streets, and open space work together to define a sense of place.

- (1) Upper Macungie will be a place that successfully integrates the rural landscapes with modern communities.**
- (2) Children growing up in UMT will be able to afford to live here in the future and throughout their lifetime with opportunities for aging in place.**
- (3) Upper Macungie’s historic villages will be revitalized and serve as centers of the community.**

B. Natural Resources. Natural resource conservation and management are essential to agricultural production and environmental sustainability. Management systems specific to characteristics of various suburban landscapes must contribute to sustainability of the community.

- (1) Upper Macungie will preserve important green space and scenic open space through a variety of innovative conservation tactics that include zoning, partnerships with land trusts, and effective use of incentives for voluntary preservation.**

C. Quality of Development. Quality development contributes to the economic, environmental, and social sustainability of the community improving the quality of life of today and tomorrow’s residents.

- (1) Development will be environmentally sustainable while enhancing surrounding neighborhoods and the community.**
- (2) When appropriate, use traditional neighborhood or village standards where walking and/or biking is possible.**

- (3) Balance land use opportunities to assure adequate residential, commercial, and institutional uses are provided for to support UMT's suburban industrial employment hub.

D. Infrastructure. Investments in infrastructure and technology are important to livability and economic sustainability. Fast growing suburban communities are challenged to provide, maintain, and operate public facilities and services.

- (1) Public infrastructure and services will be well-planned, well-managed, and coordinated.
- (2) Provide residents continued access to quality health care and wellness services.

E. Excellence in Government. Government plays an important role in implementing sustainable development. It is crucial to involve relevant decision makers and partners to implement sustainable policies.

- (1) Demonstrate measurable progress to achieve goals, objectives, policies, and strategies for all plan elements.
- (2) Build fiscal strength through SMART decision-making that contributes to community sustainability.
- (3) Implement this plan and other plans through the Capital Improvement Plan (CIP) and Annual Budget.

[2-]3. Severability. The Board of Supervisors of the Township of Upper Macungie states that should a court of competent jurisdiction declare any portion of this Part which amends the Township's Zoning Ordinance and Zoning Map invalid or ineffective in response to a challenge by any person, the land in the said zoned districts created by this Chapter shall be regulated by the provisions of the zoned districts which were in existence prior to the adoption of this Chapter.

§ 27-119.3.A. All of the standards listed in Subsection [~~3D~~] 2.C. of § 27-118.

§ 27-202. Terms Defined.

- “NEW” **BUSINESS SERVICES** – An establishment within a building that provides services to other businesses. Examples of these services include: computer-related services (rental, repair), copying and quick printing services, mail boxes and/or security systems services
- “NEW” **FLAG LOT** – A lot or parcel created by subdivision which:
- A. Does not have the required length of frontage on a public street;
 - B. Is connected to a public street by means of a flagpole; and
 - C. Is located behind a lot or portion of a lot which has frontage on a public street.
- “NEW” **FLAGPOLE** – A narrow strip or projection of land extending from the public right-of-way to the buildable portion of a flag lot.
- “NEW” **LAND USE OF REGIONAL SIGNIFICANCE** – Any land development that, because of its character, magnitude, or location will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.
- “NEW” **DISTILLERY** – A facility which produces spirits through distillation for consumption, the sales and distribution of which are subject to regulation by the Pennsylvania Liquor Control Board. A distillery, for the purposes of this section, includes, fermenting, distilling, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, sales, administrative office functions, and may include tasting and promotional events.
- “NEW” **BREWERY, LARGE PRODUCTION** – See manufacture
- “NEW” **MICROBREWERY, BREWERY** – A facility licensed by the Pennsylvania Liquor Control Board comprising the building or buildings where malt or brewed beverages are manufactured on site including, without limitation, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, sales and administrative office functions, and may include one or more Tasting Areas, Promotional Events, and Social Events. A Microbrewery may sell, transport, and deliver malt beverages to various off-site locations as permitted by the Pennsylvania Liquor Control Board.
- “NEW” **WINERY** – A bonded winery facility comprising the building or buildings used to convert fruit juices (all or part of which are produced on the property) to wine, and to age, bottle, store, distribute and sell said wine. A winery, for the purposes of this section, includes crushing, fermenting and refermenting, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, sales, administrative office functions, and may include tasting and promotional events.

§ 27-301. Designation of Districts and Purposes.

1. For the purpose of this chapter, Upper Macungie Township is hereby divided into the following zoning districts:

[RU3]	[Rural 3 District]
[RU1.5]	[Rural 1.5 District]
<u>AC</u>	<u>Agricultural Conservation District</u>
<u>RC</u>	<u>Resource Conservation District</u>
R1	Rural Residential District
R2	Low Density Residential District
R3	Medium Low Density Residential District
R4	Medium Density Residential District
R5	Medium High Density Residential District
HC	Highway Commercial District
NC	Neighborhood Commercial District
[LI]	[Light Industrial Park District]
[LI(L)]	[Limited Light Industrial Park District]
<u>I-1</u>	<u>Industrial Buffer District</u>
<u>I-2</u>	<u>Light Industrial District</u>
<u>I-3</u>	<u>Industrial District</u>
GI	General Industrial District
RT	Rural Technology District
[OSP]	[Open Space Preservation District]
<u>MUO</u>	<u>Mixed Use Overlay District</u>

§ 27-301.4.~~[B.]~~**A.** ~~[RU1.5]~~ **AC** District. To provide for development only at a very low intensity in areas where public water and sewer service are less likely to be able to be efficiently provided. To encourage the preservation of farmland by directing growth to occur at higher densities in areas where central utilities can be efficiently provided. To seek to minimize conflicts between agricultural and residential uses.

In accordance with the Goals and Objectives of the latest revision of the Upper Macungie Township Comprehensive Plan, and in addition to achieving other community development objectives of Section §27-104.2 of this Ordinance, the AC – Agricultural Conservation District is intended to:

- (1) **Protect lands currently farmed and inactive lands with prime agricultural soils available for future farming activity.**
- (2) **Protect agricultural uses from conflicts by minimizing potential adjacent non-agricultural land uses.**
- (3) **Encourage the retention of large contiguous areas of Township farmland.**
- (4) **Support the Township and regional agricultural economy and agritainment/agritourism efforts.**

- (5) Permit other low-impact non-agricultural uses within the Township so that farmers can supplement their farm incomes.
- (6) Permit single family development utilizing existing public infrastructure and at locations which minimize impacts on existing agricultural lands.
- (7) Permanently preserve agricultural lands and other environmentally sensitive areas both inside and outside of the Township's Urban Growth Boundary (UGB).

§ 27-301.4.[A.]~~B.~~ [RU3] RC District. To provide for development only at very low intensity within areas that are very environmentally sensitive or that have inadequate road access. To seek to preserve the water quality of important creeks. To recognize areas that include significant amounts of wetlands, high water table soils and flood-prone areas. To direct development toward areas of the Township that are more environmentally suitable. **In accordance with the Goals and Objectives of the latest revision of the Upper Macungie Township Comprehensive Plan, and in addition to achieving other community development objectives of Section §27-104.2 of this Ordinance, the RC – Resource Conservation District is intended to:**

- (1) Protect open space areas currently farmed and inactive lands with prime agricultural soils available for future farming activity.
- (2) Protect open space resources on lands which contain woodlands, steep slopes, floodplains, watercourses and wetlands.
- (3) Provide quality open space, protecting the environment, and promoting a healthy community.
- (4) Provide for water resource protection by reducing demand on the potable water supply, recharging the groundwater supply, limiting soil erosion and stormwater runoff, and reducing contamination and runoff into Little Lehigh and Jordan Creek watersheds.
- (5) Support the Township and regional agricultural economy and agritainment/agritourism efforts.
- (6) Permit other low-impact non-agricultural uses within the Township so that farmers can supplement their farm incomes.
- (7) Permit single family development utilizing existing public infrastructure and at locations which minimize impacts on existing agricultural lands.

(8) **Permanently preserve open space lands and other environmentally sensitive areas both inside and outside of the Township's Urban Growth Boundary (UGB)**

~~§ 27-301.4.J. LI District. To provide sufficient space in appropriate locations to meet current and anticipated future regional needs for light industries, offices and limited types of related commercial development. To carefully control uses to protect the public health and safety. To maintain an attractive physical environment with a campus-like setting that will aid in attracting new businesses. To encourage development that follows an overall plan with common design and landscaping plans. To seek a unified and well-planned system of providing vehicular access to avoid many individual unplanned driveways entering onto arterial streets. To encourage industries to develop within industrial parks with owner established deed restrictions.]~~

~~§ 27-301.4.K. LI(L) District. To serve the same general purposes of the LI District. To seek to avoid the types of uses most likely to cause very high amounts of heavy truck traffic in areas that would require the trucks to pass through historic or residential areas or where roads are clearly inadequate.]~~

§ 27-301.4.J. I-1 District. The purpose of this chapter is to provide for a wide range of low impact manufacturing and related uses that result in employment opportunities and serve as a buffer area where industry abuts residential property. To seek to avoid the types of uses most likely to cause very high amounts of heavy truck traffic in areas that would require the trucks to pass through historic or residential areas or where roads are clearly inadequate.

§ 27-301.4.K. I-2 District. The purpose of this chapter is to provide for manufacturing and related establishments and commercial uses with limited external impact. To seek to avoid the types of uses most likely to cause very high amounts of heavy truck traffic in areas that would require the trucks to pass through historic or residential areas or where roads are clearly inadequate.

§ 27-301.4.L. I-3 District. The purpose of this chapter is to provide, protect, and recognize areas suited for medium and heavy industrial development and uses free from conflict with commercial, residential, and other incompatible land uses. This zone is intended to be applied generally to those areas that have available access to expressway, major arterial roadways, and rail service. To carefully control uses to protect the public health and safety. To maintain an attractive physical environment with a campus-like setting that will aid in attracting new businesses. To encourage development that follows an overall plan with common design and landscaping plans. To seek a unified and well-planned system of providing vehicular access to avoid many individual unplanned driveways entering

onto arterial streets. To encourage industries to develop within industrial parks with owner-established deed restrictions.

§ 27-301.4.~~[L.]~~ **M.** GI District. To provide for a wide variety of industrial uses in areas that are less likely to impact upon existing neighborhoods. To control the operations of these uses to prevent nuisances and to protect the public health and safety.

§ 27-301.4.~~[M.]~~ **N.** RT District. The Rural Technology District is intended to provide for uses involving research, development and support of new and existing technology in a campus setting. A mixture of uses may be permitted on a single parcel whereby compatibility and integration with existing uses on the site can be demonstrated. Facilities shall be within a single integrated development while preserving the important natural features of the subject site. There shall be ample setbacks of structures and activities from any neighboring residences.

~~[§ 27-301.4.N. Open Space Preservation District. To provide for maintaining the natural environment and relief from built up areas, preserve acres of scenic beauty which are not naturally suited for development, provide land for active and passive recreation and habitats for birds, fish and wildlife.]~~

(Note to the Editor: The following pages utilize yellow highlighting to assist with recognizing updates made to the tables.)

§ 27-306 - Table of Permitted Uses by District.

**Permitted Uses Table
Residential Districts**

KEY:

- P = Permitted by right (zoning decision by Zoning Officer)
- C = Conditional use (decision by the Board of Supervisors with review by Planning Commission)
- SE = Special exception use (decision by Zoning Hearing Board)
- N = Not permitted
- (§ 27-402) = See additional requirements in § 27-402.
- (§ 27-403) = See additional requirements in § 27-403.
- (SW) = Public sewer and public water service both required

Types of Uses (See definitions in Part 2)	Residential Districts							
	[RU3] RC	[RU1.5] AC	R1	R2	R3	R4	R5	[OSP]
Agricultural Uses								
Crop farming	P	P	P	P	P	P	P	{P}
Crop storage, commercial as principal use (§ 27-402) (other than uses occurring on the same lot as a principal crop farming use)	SE	SE	N	N	N	N	N	{N}
Commercial forestry (§ 27-402)	SE	SE	SE	SE	SE	SE	SE	{SE}
Composting (§ 27-403) (principal or accessory use)	P	P	P	P	P	P	P	{P}
Raising of livestock (§ 27-402)	C	C	C	C	C	N	N	{N}
Retail sales of agricultural products grown primarily on the premises (§ 27-403)	C	C	C	C	C	N	N	{N}
Sale or mixing of agricultural fertilizers, seeds or animal feed with a 3-acre minimum lot area as an accessory to a principal crop farming use (not involving bulk manufacturing for sale)	P	P	P	N	N	N	N	{N}
Sewage sludge, land application of (§ 27-402)	C	C	C	C	N	N	N	{C}
Residential Uses								

Types of Uses (See definitions in Part 2)	Residential Districts							
	[RU3] RC	[RU1.5] AC	R1	R2	R3	R4	R5	[OSP]
Single-family detached dwelling (including manufactured/ mobile home (§ 27-402))	P	P	P	P	P	P	P	P
Conservation design development — within the requirements of Part 9	P	P	P	P	P	P	P	N
Single-family semidetached dwelling (twin) (SW)	N	N	N	N ²	P	P	P	N
Boardinghouse (SW) (§ 27-402)	N	N	N	N	N	N	N	N
Conversion apartments (SW) (other than one accessory apartment with an existing single-family detached dwelling) (§ 27-402)	N	N	N	N	N	SE	SE	N
Low-rise apartment (SW) (§ 27-402)	N	N	N	N	P	P	P	N
Group Home Within a Permitted Dwelling Unit, not including a treatment center (§ 27-402)	P	P	P	P	P	P	P	N
Manufactured/ mobile home park (SW)	N	N	N	N	N	N	P	N
Townhouse (SW) (§ 27-402)	N	N	N	N	P	P	P	P
Commercial and Industrial Uses								
All commercial and industrial uses not specifically listed in this table as permitted in the applicable residential district	N	N	N	N	N	N	N	N
Airport, private (§ 27-402)	N	SE	SE	N	N	N	N	N
Bed-and-breakfast use (§ 27-402)	C	C	C	N	N	N	N	N
<u>Brewery, Microbrewery, Distillery</u>	<u>C</u>	<u>C</u>	<u>SE</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Campground (§ 27-402)	C	C	N	N	N	N	N	N
Communications tower, commercial	N	SE	N	N	N	N	N	N
Funeral home (§ 27-402)	N	N	N	N	C	C	C	
Golf course (§ 27-402) with a minimum lot area of 35 acres, not including miniature golf	P	P	P	P	P	P	P	P
Limited business conversion abutting a major arterial street (§ 27-402)	N	C	C	C	C	C	C	N
Medical office building located on the same lot as an approved existing hospital	N	N	N	N	N	N	C	N
Picnic grove, private	SE	N	N	N	N	N	N	SE

Types of Uses (See definitions in Part 2)	Residential Districts							
	[RU3] RC	[RU1.5] AC	R1	R2	R3	R4	R5	[OSP]
Plant nursery with retail sales limited to items grown on the premises (§ 27-402), but with a 2-acre minimum lot area for any commercial indoor greenhouse	P	P	P	P	P	P	P	[P]
Plant nursery which may include retail on-site sale of items not grown on the premises (§ 27-402)	N	N	N	N	N	N	N	[N]
Stable, nonhousehold (§ 27-402)	SE	SE	SE	SE	N	N	N	[N]
Target range, firearms – completely indoor and enclosed as part of a permitted membership club or school	P	P	N	N	N	N	N	[N]
Target range, firearms – not completely indoor and enclosed (§ 27-402) as part of a permitted membership club	SE	N	N	N	N	N	N	[N]
Winery	C	C	SE	N	N	N	N	
Any principal use that is not specifically listed in this table	N	N	N	N	N	N	N	[N]
Institutional Uses								
Animal cemetery (§ 27-402)	SE	SE	SE	N	N	N	N	[N]
Cemetery without crematorium	P	P	P	P	P	P	P	[P]
Crematorium	N	N	N	N	N	N	N	[N]
College or university educational and support buildings	N	N	SE	SE	SE	SE	SE	[N]
Community center or library	P	P	P	P	P	P	P	[P]
Cultural center or museum, noncommercial	SE	SE	SE	SE	SE	SE	SE	[SE]
Day-care center, adult (§ 27-402) (See also as accessory use), serving a maximum of 50 persons at one time	N	N	N	P ¹	P ¹	P ¹	P	[N]
Day-care center, child (§ 27-402), as a principal use	N	N	N	P ¹	P ¹	P ¹	P ¹	[N]
Dormitory as an accessory use to an approved college, university or primary or secondary school	N	N	N	N	N	N	SE	[N]
Hospital (§ 27-402) (SW)	N	N	N	N	N	N	SE	[N]
Membership club, light	SE	SE	SE	N	N	N	N	[N]
Nursing home or personal care home (SW) (§ 27-402)	N	N	N	SE	SE	P	P	[N]

Types of Uses (See definitions in Part 2)	Residential Districts							
	[RU3] RC	[RU1.5] AC	R1	R2	R3	R4	R5	[OSP]
Place of worship (§ 27-402)	P	P	P	P	P	P	P	[P]
Residential alcohol treatment center (§ 27-402)	SE	SE	N	N	N	N	N	[N]
School, public or private — primary or secondary (SW) (§ 27-402)	N	P	P	P	P	P	P	[N]
Treatment center	N	N	N	N	N	N	N	[N]
Public/semipublic								
Emergency services station	C	C	C	C	C	C	C	[C]
Government facility, other than: offices, Township-owned uses, public schools and other uses listed separately	SE	SE	SE	SE	SE	SE	SE	[SE]
Nature preserve	P	P	P	P	P	P	P	[P]
Publicly-owned recreation	P	P	P	P	P	P	P	[P]
Public utility facility, except as exempted by § 27-103 or permitted by Subsection 5 of § 27-306	N	N	N	N	N	N	N	[N]
Swimming pool, nonhousehold (§ 27-402)	(SW)	P	P	SE	SE	SE	SE	[SE]
Township-owned uses	P	P	P	P	P	P	P	[P]
U.S. Postal Service facility or property leased for such use	N	P	P	P	P	P	P	[N]
Accessory Uses								
Accessory apartment, one within an existing single-family detached dwelling or single-family semidetached dwelling (twin dwelling) (§ 27-403)	N	N	N	N	SE	SE	SE	[N]
Agritainment (§ 27-403)	C	C	C	C	C	N	N	[N]
Agritourism	P	P	P	P	P	N	N	[N]
Apartment for care of relative (§ 27-403)	SE	SE	SE	SE	SE	SE	SE	[SE]
Day-care center accessory to and on the same lot as an existing lawful place of worship, with a minimum lot area of 1.5 acres	P	P	P	P	P	P	P	[P]
Home occupation, general (§ 27-403)	SE	SE	SE	SE	SE	SE	SE	[SE]
Home occupation, light (§ 27-403)	P	P	P	P	P	P	P	[P]
Injection well, underground	N	N	N	N	N	N	N	[N]

Types of Uses (See definitions in Part 2)	Residential Districts							
	[RU3] RC	[RU1.5] AC	R1	R2	R3	R4	R5	[OSP]
Overnight parking of a commercial vehicle other than the following: vehicles of less than 12,000 pounds and rated gross vehicle weight that are needed by residents of the principal dwelling on the lot to travel to and from work	N	N	N	N	N	N	N	N
<u>Solar or other alternative energy generation for residential or farm use.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Any accessory use that is not specifically listed as permitted in this table or in Subsections 3 and 4 of § 27-306 or elsewhere in this Part and that would be accessory to a dwelling	N	N	N	N	N	N	N	N

NOTES:

- ¹ Provided that the use has access within a coordinated interior street system
- ² Unless permitted under Part 9, Conservation Design Ordinance

**Permitted Uses Table
Business Districts**

KEY:

- P = Permitted by right (zoning decision by Zoning Officer)
- C = Conditional use (decision by the Board of Supervisors with review by Planning Commission)
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- (SW) = Public sewer and public water service both required

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>"NEW"</u> <u>I-1</u>	LI I-2	LI(L) I-3	GI	RT
Agricultural Uses							
Crop farming	P	P	<u>P</u>	P	P	P	P
Crop storage, commercial – as principal use (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Commercial forestry (§ 27-402)	P	P	<u>P</u>	P	P	P	P
Composting (§ 27-403)	P	P	<u>P</u>	P	P	P	P
Raising of livestock (§ 27-402)	N	C	<u>C</u>	C	C	C	N
Retail sales of agricultural products grown primarily on the premises (§ 27-403)	P	P	<u>P</u>	P	P	P	P
Sale or mixing of agricultural fertilizers, seeds or animal feed (not involving bulk manufacturing for sale)	P	P	<u>P</u>	P	P	P	N
Sewage sludge, land application of (§ 27-402)	N	N	<u>C</u>	C	C	N	N
Residential Uses²							
Single-family detached dwelling [including manufactured/ mobile home (§ 27-402)]		N	<u>N</u>	N	N	N	P
Single-family semidetached dwelling (twin) (SW)		N	<u>N</u>	N	N	N	N
Townhouse (SW) (§ 27-402)		N	<u>N</u>	N	N	N	N
Low-rise apartments (SW) (§ 27-402)		N	<u>N</u>	N	N	N	N
Manufactured/ mobile home park (SW)		N	<u>N</u>	N	N	N	N
Boardinghouse (SW) (§ 27-402)		SE	<u>N</u>	N	N	N	N

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>"NEW"</u> <u>I-1</u>	LI I-2	LI(L) I-3	GI	RT
Group home within a permitted dwelling unit, not including a treatment center (§ 27-402)		P ¹	<u>P</u>	P ¹	P ¹	P ¹	N
Residential conversions (SW) (§ 27-402) (other than one accessory apartment within an existing single-family detached dwelling)	SE	SE	<u>N</u>	N	N	N	N
Commercial Uses							
Adult bookstore, adult movie theater, adult live entertainment use or massage parlor (§ 27-402)	N	SE	<u>N</u>	N	N	N	N
After hours club — prohibited by state Act 219 of 1990	N	N	<u>N</u>	N	N	N	N
Airport, private (§ 27-402)	N	N	<u>N</u>	SE	SE	N	N
Airport, public (§ 27-402)	N	N	<u>N</u>	SE	N	N	N
Auditorium, commercial or nightclub (§ 27-402)	N	P	<u>N</u>	N	N	N	N
Auto repair garage (§ 27-402)	N	C	<u>C</u>	C	N	C	N
Auto service station, other than a truck stop (§ 27-402)	N	C	<u>C</u>	C	N	C	N
Auto, boat or mobile manufactured home sales (§ 27-402), which may include outdoor storage and display of vehicles for sale or rental	N	P	<u>P</u>	P	N	P	N
Bakery	P	P	<u>P</u>	P	P	P	N
Bed-and-breakfast use (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Betting use (§ 27-402)	N	C	<u>N</u>	N	N	N	N
Beverage distributor	P	P	<u>P</u>	P	N	P	N
Business services	P	P	<u>P</u>	P	P	P	N
Bus terminal (§ 27-402)	N	P	<u>P</u>	P	N	P	N
Campground (§ 27-402)	N	P	<u>P</u>	P	P	P	N
Car wash (SW) (§ 27-402)	N	P	<u>P</u>	N	N	P	N
Commercial outdoor recreation (including miniature golf course, golf driving range, amusement park and similar uses)	N	P	<u>P</u>	N	N	P	N
Commercial indoor recreation (includes bowling alley, roller or ice skating, batting practice and closely similar uses)	P	P	<u>P</u>	N	N	P	N
Communications tower, commercial (§ 27-402)	N	SE	<u>SE</u>	SE	SE	SE	C ⁵
Conference center	N	P	<u>P</u>	P	P	P	C ⁵

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>“NEW” I-1</u>	HH I-2	HL(L) I-3	GI	RT
Construction company headquarters/storage	N	P	<u>P</u>	P	P	P	N
Convenience store	C	P	<u>C</u>	C ⁴	N	C	N
Crafts or artisan's studio	P	P	<u>P</u>	P	P	P	N
Exercise club	P	P	<u>P</u>	P	P	P	N
Financial institution (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Flea market/commercial auction house	N	P	<u>P</u>	N	N	N	N
Funeral home (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Heliport (§ 27-402) as principal use	N	N	<u>N</u>	C	N	C	N
Kennel (§ 27-402)	N	P	<u>P</u>	P	P	P	N
Laundry/laundromat, commercial or industrial (SW)	P	P	<u>P</u>	P	P	P	N
Lumberyard	P	P	<u>P</u>	P	P	P	N
<u>Brewery, Microbrewery, Distillery</u>	<u>N</u>	<u>C</u>	<u>SE</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Medical office or clinic	P	P	<u>P</u>	P	P	P	N
Motel or hotel (§ 27-402)	N	P	<u>P</u>	P	P	P	N
Office	P	P	<u>P</u>	P	P	P	C ^{3,5}
Personal services (includes tailoring, custom dressmaking, haircutting/styling, dry cleaning, shoe repair and closely similar uses) (See also as accessory use in this table)	P	P	<u>P</u>	N	N	N	N
Plant nursery, which may include retail sale of garden items not primarily grown on the premises (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Racetrack (§ 27-402)	N	N	<u>N</u>	N	N	C	N
Repair service	P	P	<u>P</u>	P	P	P	N
Restaurant with drive-through service (SW) and/or that primarily involves delivery of ready-to-eat food (§ 27-402)	N	P	<u>N</u>	N	N	N	N
Restaurant, other than above (SW)	P	P	<u>C⁴</u>	C ⁴	C ⁴	N	C ³
Retail store (not including commercial uses listed individually in this table, and not including a shopping center)	P	P	<u>P</u>	N	N	N	N
Shopping center, convenience	P	P	<u>P</u>	N	N	N	N
Shopping center, neighborhood	P	P	<u>P</u>	N	N	N	N
Shopping center, community	N	P	<u>N</u>	N	N	N	N

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>“NEW” I-1</u>	LI I-2	LI(L) I-3	GI	RT
Stable, nonhousehold (§ 27-402)	N	P	<u>P</u>	P	P	P	P
Target range, completely indoor and enclosed (§ 27-402)	N	P	<u>N</u>	P	N	P	N
Target range, not completely indoor and enclosed (§ 27-402)	N	N	<u>N</u>	N	N	C	N
Taxi headquarters	P	P	<u>P</u>	P	P	P	N
Tavern	N	P	<u>P</u>	N	N	N	N
Theater, indoor	N	P	<u>P</u>	N	N	N	N
Theater, outdoor movie (§ 27-402)	N	P	<u>N</u>	N	N	N	N
Trade school	P	P	<u>P</u>	P	P	P	N
Truck stop (§ 27-402)	N	N	<u>N</u>	N	N	C	N
Veterinarian office (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Industrial Uses							
Assembly of materials manufactured elsewhere	N	N	<u>P</u>	P	P	P	C ³
Asphalt plant	N	N	<u>N</u>	N	N	C	N
Beverage bottling (SW)	N	N	<u>P</u>	P	P	P	N
Building supplies, wholesale sales of	P	P	<u>P</u>	P	P	P	N
Finishing of previously prepared resin, vinyl, polymer or rubber products	N	N	<u>P</u>	P	P	P	N
Flexible building including 2 or more different compatible principal uses listed in this table as permitted by right, conditional or special exception in the applicable district (other than a permitted shopping center)	N	N	<u>C</u>	C	C	C	C ³
Industrial equipment sales, rental and service, other than vehicles primarily intended to be operated on public streets	N	P	<u>P</u>	P	P	P	N
Junk: outdoor storage, display or processing of other than within an approved junkyard or solid waste disposal area	N	N	<u>N</u>	N	N	N	N
Junkyard (§ 27-402)	N	N	<u>N</u>	N	N	SE	N
Liquid fuel storage for off-site distribution and use, other than: auto service station, propane distributor, prepackaged sales or fuel tanks for company vehicles	N	N	<u>N</u>	C	N	C	N

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>“NEW”</u> I-1	HH I-2	HL(L) I-3	GI	RT
Manufacture and/or bulk processing of the following, provided manufacturing occurs only indoors:							
Agricultural chemicals, fertilizers or pesticides	N	N	<u>N</u>	C	C	P	N
Animal feed, bulk manufacture for off-site use	N	P	<u>P</u>	P	P	P	N
Apparel, textiles, shoes and apparel accessories	N	P	<u>P</u>	P	P	P	N
Cement, actual manufacture of	N	N	<u>N</u>	N	N	C	N
Cement, gypsum, concrete or plaster products, other than actual manufacture of cement	N	N	<u>N</u>	C	C	C	N
Ceramics products	N	N	<u>P</u>	P	P	P	N
Chemicals, bulk manufacture or bulk storage of highly hazardous or toxic chemicals	N	N	<u>N</u>	N	N	N	N
Chemical products that are not highly hazardous or toxic, other than fertilizers or pesticides	N	N	<u>C</u>	C	C	C	N
Coke or potash work, including coke oven	N	N	<u>N</u>	N	N	N	N
Creosote, including treatment with	N	N	<u>N</u>	N	N	C	N
Electrical and electronic machines, supplies and equipment	N	P	<u>P</u>	P	P	P	C ^{3,7}
Fabricated metal products (except ammunition or explosives)	N	N	<u>C</u>	C	C	C	N
Food products (not including uses listed individually in this table) (SW)	N	P	<u>P</u>	P	P	P	N
Furniture and wood products (not including raw paper pulp)	N	P	<u>P</u>	P	P	P	N
Glass and glass products	N	N	<u>P</u>	P	P	P	N

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>“NEW” I-1</u>	HH I-2	HL(L) I-3	GI	RT
Incineration, reduction, distillation, storage or dumping of slaughterhouse refuse, rancid fats, garbage, bones, dead animals or offal (other than within an approved solid waste facility)	N	N	<u>N</u>	N	N	N	N
Jewelry and optical goods	P	P	<u>P</u>	P	P	P	N
Leather, clay and pottery products	P	P	<u>P</u>	P	P	P	N
Manufactured or modular housing	N	N	<u>P</u>	P	P	P	N
Metal products, primary	N	N	<u>N</u>	N	N	C	N
Microelectronic components (for solid state devices involving use of toxic substances, see below)	N	N	<u>P</u>	P	P	P	C ³
Oilcloth	N	N	<u>N</u>	N	N	C	N
Paper and cardboard products (not including manufacture of raw paper pulp)	N	N	<u>P</u>	P	P	P	N
Paper — raw pulp	N	N	<u>N</u>	N	N	N	N
Paving or roofing materials, other than bulk manufacture of asphalt	N	N	<u>N</u>	C	C	C	N
Pharmaceuticals (§ 27-402)	N	N	<u>P</u>	P	P	P	N
Plastics, polymers, resins or vinyl	N	N	<u>C</u>	N	C	C	N
Products from previously manufactured materials, such as glass, leather, plastics, cellophane, textiles, rubber or synthetic rubber	N	N	<u>C</u>	P	P	P	N
Rubber, natural or synthetic	N	N	<u>C</u>	C	C	C	N
Scientific, electronic and other precision instruments	P	P	<u>P</u>	P	P	P	C ³
Solid state devices involving use of toxic substances	N	N	<u>C</u>	C	C	C	C ³

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	LI-1 "NEW" I-1	LI-2 I-2	LI-3 I-3	GI	RT
Soaps, detergents, paints, varnishes or enamels	N	N	<u>C</u>	N	C	C	N
Tar, including tar distillation	N	N	<u>N</u>	N	N	C	N
Tire retreading	N	N	<u>N</u>	N	N	C	N
Transportation equipment	N	N	<u>P</u>	P	P	P	N
Mineral extraction (§ 27-402)	N	N	<u>N</u>	N	N	C	N
Outdoor storage and display involving more than 65% of the lot area of a lot, other than storage and display of vehicles for sales or rental (§ 27-403)	N	N	<u>N</u>	N	N	C	N
Packaging	N	N	<u>C</u>	P	P	P	C ³
Package delivery services distribution center	N	N	<u>C</u>	N	P	P	N
Photo processing, bulk	P	P	<u>P</u>	P	P	P	N
Printing or bookbinding	P	P	<u>P</u>	P	P	P	N
Recycling collection center (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Recycling center, bulk (other than a solid waste disposal or transfer facility)	N	N	<u>P</u>	P	P	P	N
Research and development, engineering or testing facility or laboratory, which may include limited manufacture of prototype of one-of-a kind products or models within an enclosed building, but not involving manufacture of toxic substances or toxic chemicals	N	N	<u>P</u>	P	P	P	P
Sawmill/planning mill	N	N	<u>P</u>	P	P	P	N
Self-storage development (§ 27-402)	N	P	<u>P</u>	P	P	P	N
Slaughterhouse or stockyard (§ 27-402)	N	N	<u>N</u>	N	N	C	N
Solid waste facility (§ 27-402)							
Sanitary landfill (§ 27-402)	N	N	<u>N</u>	C	N	N	N
Permitted facilities other than sanitary landfill	N	N	<u>N</u>	N	N	C	N
Trucking company terminal (§ 27-402)	N	N	<u>N</u>	N	N	C	N
Warehousing distributing (other than truck terminal) (§ 27-402),	N	N	<u>SE⁶</u>	SE ⁶	SE ^[6]	C	N

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>"NEW"</u> <u>I-1</u>	LI I-2	LI(L) I-3	GI	RT
not including storage of explosives, fireworks, ammunition or gunpowder, except within a government-owned facility							
Wastewater treatment plant, central, serving uses off the tract	N	N	<u>C</u>	N	P	C	N
Welding	N	N	<u>P</u>	P	P	P	N
Wholesale sales	N	P	<u>P</u>	P	P	P	N
Other uses not specifically listed in this § 27-306, except the Zoning Hearing Board may permit a use if an applicant specifically proves to the satisfaction of the Zoning Hearing Board that the use would meet all of the following standards:	N	N	<u>N</u>	N	N	N	N
a. The use would clearly be less intensive in external impacts and nuisances than uses permitted in that district;							
b. The applicant demonstrates that the proposed use is closely similar in impacts and character to uses permitted in that district;							
c. The use can meet the general standards listed in § 27-118 entitled "Standards for Decisions;" and							
d. The use is not specifically prohibited in the district.							
All uses that would have a serious threat of being unable to comply with the performance standards of this Chapter, especially including the "Environmental Protection" requirements of Part 5	N	N	<u>N</u>	N	N	N	N
Institutional Uses							
Animal cemetery (§ 27-402)	N	N	<u>SE</u>	SE	SE	SE	N
Cemetery without crematorium	P	P	<u>P</u>	P	P	P	N
Crematorium	N	N	<u>N</u>	N	N	SE	N
College or university — educational and support buildings,	P	P	<u>P</u>	P	P	P	C ³

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>"NEW"</u> <u>I-1</u>	LI I-2	LI(L) I-3	GI	RT
not including a dormitory unless specifically permitted							
Community center or library	P	P	<u>P</u>	P	P	P	N
Cultural center or museum	P	P	<u>P</u>	P	P	P	N
Day-care center, adult (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Day-care center, child (§ 27-402), as a principal use (see also as accessory use)	P	P	<u>P</u>	P	P	N	C ³
Dormitory as an accessory use to an approved college, university or primary or secondary school	N	N	<u>SE</u>	N	SC	N	N
Golf course (§ 27-402)	P	P	<u>P</u>	P	P	P	N
Hospital (§ 27-402)	N	P	<u>P</u>	P	P	N	N
Inpatient alcohol treatment center (§ 27-402)	N	SE	<u>SE</u>	SE	SE	SE	N
Institutional group home	N	N	<u>N</u>	N	N	SE	N
Membership club, light or general, other than an "after hours club" or "tavern"	P	P	<u>C</u>	C	C	P	N
Nursing home or personal care home (SW) (§ 27-402)	P	P	<u>P</u>	P	P	N	N
Place of worship (§ 27-402)	P	P	<u>P</u>	P	P	P	P
Picnic grove, private (§ 27-402)	P	P	<u>P</u>	P	P	P	N
School, public or private, primary or secondary (SW) (§ 27-402)	P	P	<u>P</u>	P	P	N	N
Treatment center (§ 27-402)	N	N	<u>N</u>	N	N	SE	N
Public/semipublic							
Township-owned uses	P	P	<u>P</u>	P	P	P	P
Government facility, other than offices, Township-owned uses, public schools and other uses listed separately	SE	SE	<u>SE</u>	SE	SE	SE	N
Emergency services station	C	C	<u>C</u>	C	C	C	C
Nature preserve	P	P	<u>P</u>	P	P	P	P
Publicly owned recreation	P	P	<u>P</u>	P	P	P	P
Public utility facility, other than facilities exempted by § 27-114 or permitted by Subsection 5 of § 27-306	SE	SE	<u>SE</u>	SE	SE	SE	C ³
Swimming pool, nonhousehold (§ 27-402)	P	P	<u>P</u>	P	P	P	N
U.S. Postal Service facility, which may include a leased facility	P	P	<u>P</u>	P	P	P	P
Accessory Uses							

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	<u>"NEW"</u> <u>I-1</u>	HH I-2	HL(L) I-3	GI	RT
Accessory apartment, one within an existing single-family detached dwelling or single-family semidetached dwelling (twin dwelling) (§ 27-403)	P	P	<u>P</u>	P	P	P	N
Agritainment (§ 27-403)	C	C	<u>C</u>	C	C	C	N
Agritourism	P	P	<u>P</u>	P	P	P	N
Day-care center accessory to a place of worship, provided there is a minimum lot area of 2 acres	P	P	<u>P</u>	P	P	P	P
Heliport, private (§ 27-402) as an accessory use	N	C	<u>N</u>	N	C	C	C ³
Home occupation, general (§ 27-403)	P	P	<u>P</u>	P	P	P	N
Home occupation, light (§ 27-403)	P	P	<u>P</u>	P	P	P	P
Housing limited to persons visiting a use for business reasons or for transient employees that are engaged in work on the premises, provided that a maximum of 25 persons shall be accommodated	N	N	<u>N</u>	N	N	N	P
Injection well, underground (§ 27-403)	C	C	<u>C</u>	C	C	C	C ³
Outdoor storage and display (§ 27-403), other than storage of vehicles for sale or rental, involving up to 25% of total lot area	P	P	<u>P</u>	P	P	P	C ³
Outdoor storage and display (§ 27-403), other than storage of vehicles for sale or rental, involving more than 25% but less than 65% of total lot area	SE	SE	<u>SE</u>	SE	SE	SE	N
Retail sales and/or personal services limited to 5% or 5,000 square feet, whichever is less, of the building floor area of an industrial or office building and that are clearly primarily intended to:	P	P	<u>P</u>	P	P	P	C ³
a) Serve workers within that building;							
b) Serve persons visiting offices in that building; and/or							

Types of Uses (See definitions in Part 2)	Business Districts						
	NC	HC	“NEW” I-1	HH I-2	HL(L) I-3	GI	RT
c) Sell items produced within that building or adjacent buildings operated by the same company.							
See list of additional accessory uses in the following sections.							

NOTES:

- ¹ If such dwelling exists prior to the adoption of this section.
- ² In the NC District, residential uses shall be permitted under the same standards, limitations, lot and setback requirements as the R4 District.
- ³ Permitted if such use is an integrated part of the primary use on a lot of 100 acres or more. See §§ 27-404 and 27-402 for conditions whereby specific proposed uses within the RT Rural Technology District shall be permitted.
- ⁴ Provided the use has access through a coordinated interior road system.
- ⁵ As an integral part of a permitted laboratory or research use, but not as a separate principal use.
- ⁶ The applicant shall prove that the proposed location and proposed intensity of the use will not cause substantial amounts of tractor-trailer truck traffic that will adversely affect residential neighborhoods, and with a maximum of 20,000 square feet of total distribution and/or warehouse floor area per lot and per building.
- ⁷ Except, non-bulk manufacture that is directly part of a research process is permitted.

§ 27-307 Table of Lot and Setback Requirements by District.

2. The following requirements shall apply for each respective district, unless a more restrictive requirement is listed for a particular use in § 27-402 or 27-403 or elsewhere in this Chapter. For a ~~[cluster]~~ **Conservation Design** development, which is an option allowing smaller lots in certain residential districts, see Part 9. See also the steep slope regulations of § 27-505, which may require larger lots in areas of fifteen-percent or greater slope.
 - A. Table of Lot and Setback Requirements for the ~~[RU3, RU1.5,]~~ **AC, RC,** R1 and R2 Districts (see also ~~[cluster]~~ **Conservation Design** option in Part 9).

Type of Requirement (See definition of terms in Part 2)	[RU3] AC District	[RU1.5] RC District	R1 District	R2 District	[OSP District]
a. Minimum Lot Area (per dwelling unit for residential purposes) (square feet)	<u>See §27-402.D.</u>	<u>See §27-402.D.</u>			(10 acres)

Type of Requirement (See definition of terms in Part 2)	[RU3] AC District	[RU1.5] RC District	R1 District	R2 District	[OSP District]
SFD without either public sewer or public water	[130,680] 43,560 ³	[65,000] 43,560 ³	43,560	43,560	[435,600]
SFD with public sewer but not public water	[130,680] 43,560 ³	[65,000] 43,560 ³	30,000	30,000	[435,600]
SFD with public water but not public sewer	[130,680] 43,560 ³	[65,000] 43,560 ³	[39,000] 43,560	[39,000] 43,560	[435,600]
SFD with both public sewer and public water	[130,680] 43,560 ³	43,560	20,000	16,000	[435,600]
Other permitted principal uses	130,680	65,000	43,560	43,560	[435,600]
b. Minimum Lot Width (at the minimum front yard building setback line) (feet)*					
Lot required to be 1 acre or larger	250	175	130	130	[500]
Lot permitted to be less than 1 acre	NA	150	100	90	[NA]
*Exceptions: 1) On the curve of a cul-de-sac street, this minimum width may be reduced by 40%. 2) On the outside of curves over 300-foot radius but less than 600-foot radius, this minimum lot width may be reduced by 10%. 3) On the outside of curves of up to 300-foot radius, this minimum lot width may be reduced by 20%.					
c. Minimum Lot Width (at the street right-of-way line) (feet after development)					
For a lot granted preliminary subdivision approval after the adoption of this Chapter that will have direct vehicle access onto an arterial street	200	200	150	150	[500]
For any other lot (may be 30-foot minimum for a lot on the curve of a cul-de-sac street)	50	50	50	50	[NA]
d. Minimum Width and Length (of a dwelling) (feet)	20	20	20	20	[20]
e. Minimum Building Setback (for principal structure) (feet)					
Front yard	35	35	35	30	[40]
Side yard — each of two sides	20	20	20	15	[30]
Rear yard	35	35	35	25	[35]

Type of Requirement (See definition of terms in Part 2)	[RU3] AC District	[RU1.5] RC District	R1 District	R2 District	[OSP District]
For any yard adjacent to a public street	35	35	35	30	{45}
From a dwelling to an industrial zoning district boundary, for lots granted preliminary approval after the adoption of this Chapter	75	75	75	75	{75}
From a dwelling to the existing right-of-way of an expressway, for lots granted preliminary approval after the adoption of this Chapter	75	75	75	75	{75}
For any permitted nonresidential principal structure to a residential lot line (see definition in Part 2)	50	50	50	50	{50}
f. Minimum Building Setback (for accessory structures) (feet)					
Within required minimum front yard building setback for principal buildings — not permitted					
Side yard	10	10	10	10	{10}
Rear yard	10	10	10	10	{10}
Shall not be located within a corner lot front yard setback required by Subsection 2C of § 27-803, or within an active utility easement					
g. Maximum Height (feet) (see exceptions in § 27-802)					
Principal building	45	45	40	40	{45}
Accessory building	25 ²	25 ²	25 ²	25 ²	{25 ² }
h. Maximum Number of Stories					
Principal building	2 1/2	2 1/2	2 1/2	2 1/2	{2 1/2}
Accessory building	1 ¹	1 ¹	1 ¹	1 ¹	{1 ¹ }
i. Maximum Building Coverage	15%	20%	25%	25%	{15%}
j. Maximum Impervious Coverage (for lots with permitted nonresidential principal uses)	25%	25%	40%	50%	{25%}

NOTES:

¹ Plus an additional nonhabitable floor that shall be restricted to storage.

² Or not greater than the maximum height of the principal building, whichever is more restrictive.

³ **“NEW” Subject to Section 27-402 QOO. Single Family Detached Dwellings (AC & RC Zoning Districts)**

C. Table of Lot and Setback Requirements for the NC, HC, [~~LI, LI(L)~~] **I-1, I-2, I-3**, GI and RT Districts:

Type of Requirement (See definition of terms in Part 2)	NC District ¹	HC District ⁴	<u>“NEW” I-1 District</u>	LI and LI(L) <u>I-2 & I-3 Districts</u>	GI District	RT District ²
a. Minimum Lot Area (square feet)	43,560 (1 acre)	43,560 (1 acre), except 5 acres for a hotel or motel	<u>87,000, except 43,560 for a lot that is permanently deed restricted to nonindustrial uses</u>	87,000, except 43,560 for a lot that is permanently deed restricted to nonindustrial uses	87,000, except 130,000 for any conditional or special exception industrial uses	100 acres ²
b. Minimum Lot Width (at the minimum front yard building setback line) (feet)	100	125	<u>150</u>	150	150 except 250 feet for a lot required to have a minimum lot area of 3 acres of more	1,000 ²
c. Minimum Lot Width (at the post-development street right-of-way line) (feet)						
For a lot granted preliminary subdivision approval after the adoption of this Chapter that will have direct vehicle access involving left-hand turns onto or off of an arterial street	200	250	<u>250</u>	250	250	250
For any other lot	30	30	<u>30</u>	30	30	30
d. Minimum Building Setback (for principal structure) (feet)						
Front yard	50 ³	50 ³	<u>50³</u>	50 ³	50 ³	100 ³

Type of Requirement (See definition of terms in Part 2)	NC District ¹	HC District ⁴	“NEW” I-1 District	{I and L(L)} I-2 & I-3 Districts	GI District	RT District ²
Side yard — each of 2 sides	10	15	<u>30</u>	30	30	100 ²
Rear yard	30	30	<u>30</u>	30	30	100 ²
For any yard adjacent to a public street	50 ³	50 ³	<u>50³</u>	50 ³	50 ³	100 ³
e. Minimum Building Setback (for principal structure) (feet)						
For a portion of a building used for manufacturing or an area routinely used for the parking, storage or loading/unloading of tractor-trailer trucks or refrigerated trucks to an abutting: a) residential lot line (see definition in Part 2) or b) lot line of a primary or secondary school	150 ⁶	150 ⁶	<u>150⁶</u>	150 ⁶	150 ⁶	150 ⁸
For any nonresidential principal structure other than a portion of a building used for manufacturing to an abutting lot line of: a) a residential lot line (see definition in Part 2) or b) a primary or secondary school.	50	60	<u>75</u>	75	75	100 for a business use
f. Minimum Building Setback (for accessory structures) (feet)						
Front yard — not permitted						
Side yard	5	5	<u>20</u>	20	20	100
Rear yard	5	5	<u>20</u>	20	20	100
For any side or rear yard abutting a public street	20	20	<u>50³</u>	50 ³	50 ³	100
For a nonresidential principal structure to an abutting: a) residential lot	30	30	<u>100</u>	100	100	100

Type of Requirement (See definition of terms in Part 2)	NC District ¹	HC District ⁴	“NEW” I-1 District	{L and L(L)} I-2 & I-3 Districts	GI District	RT District ²
line (see definition in Part 2) or b) lot line of a primary or secondary school.						
g. Maximum Height (feet) (see exceptions in § 27-802)						
Principal building	35	35 ⁵	<u>50</u>	Office buildings: 150 ⁷ All other buildings: 50 ⁵	50 ⁵	35 ⁵
Accessory building	25	25	<u>50</u>	50	50	35
h. Maximum Number of Stories						
Principal building	2 1/2	3	<u>4</u>		4	3
Accessory building	1	1	<u>1</u>	1	1	1
i. Maximum Building Coverage	35%	35%	<u>40%</u>	40%	35%	15%
j. Maximum Impervious Coverage	75%	75%	<u>75%</u>	75%	75%	40%
k. Maximum Ratio of Total Floor Area to Total Lot Area for: a) a shopping center or b) a building that primarily includes offices and has more than 1 story.	NA	0.30	<u>0.30</u>	0.30	NA	NA
l. Minimum Setbacks (from all lot lines) (feet)	NA	NA	<u>NA</u>	NA	NA	100 for parking and loading areas; 50 for service roads and driveways; 200 for any storage or use of toxic substances or toxic chemicals

“NEW” § 27-402.QOO. Single Family Detached Dwellings (AC & RC Zoning Districts)

(1) Total Tract.

- (a) Only the portion of a lot which is physically situated within the AC & RC Districts may be used for the purposes of calculating the AC Total Tract Area.**
- (b) Lands that are currently preserved as Agricultural Conservation Easements or by other approved methods shall be subtracted from the Total Tract Area. Lands preserved by the aforementioned methods shall be subtracted from the Total Tract Area for the purpose of future development within the AC and RC Districts.**
- (c) Adjacent contiguous parcels of land under common ownership may be combined for the purposes of calculating the Total Tract Area and ultimately the buildable area for single family detached dwelling units. However, it is required that prior to plan recording each individual tract must be consolidated by deed.**
- (d) In the computing the "Total Tract Area" the area shall not include areas within the existing or ultimate rights-of-way for existing streets, underground gas transmission line easements or existing areas within the one-hundred-year floodplain or areas determined to be wetlands.**

(2) Percentage Option.

- (a) For single-family detached dwelling development 30% of the Total Tract Area may be developed.**
- (b) Existing Agricultural uses or Woodland areas as defined in Section § 27-202 must be preserved for 70% of the Total Tract Area.**
- (c) The residual agricultural or Woodland area tract may include an existing single-family dwelling unit provided that the use existed prior to enactment of this amendment.**
- (d) Development shall utilize existing public streets for access. One (1) flagpole style lot is permitted per development.**

(3) Sliding Scale Option:

- (a) For single-family detached dwelling development, the applicant shall use the below table:**

AC Total Tract Area	Permitted Number of Lots
12 to 15 acres	3
> 15 to 30 acres	5
> 30 to 60 acres	7
>60 to 90 acres	9
>90 to 120 acres	11
>120 to 150 acres	13
>150 acres	15 lots plus 2 lots for each 30 acres over 150 acres

- (b) **Existing Agricultural uses or Woodland areas as defined in Section § 27-202 must be preserved for 70% of the Total Tract Area.**
- (c) **The residual agricultural or Woodland area tract may include an existing single-family dwelling unit provided that the use existed prior to enactment of this amendment.**
- (d) **Development shall utilize existing public streets for access. One (1) flagpole style lot is permitted per development.**

§27-402.PPP. Warehouse, Distribution or Wholesale Sales.

- (3) Uses that would involve ~~the entrance~~ **a driveway or accessway** to the use of an average of more than 100 tractor-trailers per weekday shall be required to meet the additional site development standards in this § 27-402 for a trucking company terminal.

“NEW” (7) An environmental impact statement shall be provided including:

- (a) **Description of the action, including its need and benefits;**
- (b) **Description of the environmental setting and areas to be affected;**
- (c) **An analysis of all environmental impacts related to the action;**
- (d) **An analysis of reasonable alternatives to the action;**
- (e) **Identification of ways to reduce or avoid adverse environmental impacts.**

SECTION 3. EFFECTIVE DATE

This Ordinance shall become effective five (5) calendar days after the date of enactment.

SECTION 4. SEVERABILITY

In the event that any provision, section, sentence, clause or part of this ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this ordinance, it being the intent of this Township that such remainder shall be and shall remain in full force and effect.

SECTION 5. REPEALER

All other Ordinances or parts of Ordinances inconsistent herewith shall be and the same expressly are repealed.

ENACTED AND ORDAINED the 7th Day of July, 2022 by the Board of Supervisors of Upper Macungie Township, Lehigh County, Pennsylvania, in lawful session duly assembled.

ATTEST

**UPPER MACUNGIE TOWNSHIP
BOARD OF SUPERVISORS**

KALMAN SOSTARECZ, Township Secretary

JAMES M. BRUNELL, Chairman

SUNNY GHAI, Vice-Chairman

KATHY A. RADER, Member