

**USES THAT REQUIRE SEPARATION BUFFERS WITHIN THE UPPER
SAUCON TOWNSHIP ZONING ORDINANCE**

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402.C. No adult use shall be located within one thousand feet (1000') of any land within the (SMC, A, OSR, R-1, R-2, R-3 and AQC) Zones;

402.D. No adult use shall be located within one thousand feet (1000') of any parcel of land which contains any one or more of the following specified land uses:

1. Amusement park;
2. Camp (for minors' activity);
3. Child care facility;
4. Church or other similar religious facility;
5. Community center;
6. Museum;
7. Park;
8. Playground;
9. School; or
10. Other lands where minors congregate.

402.E. The distance between any two adult uses shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of each establishment. The distance between any adult use and any land use specified above shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of the adult-related use to the closest point on the property line of said land use;

402.F. No materials, merchandise, or film offered for sale, rent, lease, loan, or for view upon the premises shall be exhibited or displayed outside of a building or structure;

402.G. Any building or structure used and occupied as an adult use shall be windowless, or have an opaque covering over all windows or doors of any area in which materials, merchandise, or film are exhibited or displayed, and no sale materials, merchandise, or film shall be visible from outside of the building or structure;

402.H. No sign shall be erected upon the premises pictorially depicting or giving a visual representation of the type of materials, merchandise or film offered therein;

402.I. Each entrance to the premises shall be posted with a notice specifying that persons under the age of seventeen (17) years are not permitted to enter therein and warning all other persons that they may be offended upon entry;

402.J. No adult use may change to another adult use, except upon approval of an additional conditional use;

402.K. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate;

402.L. No unlawful sexual activity or conduct shall be permitted; and,

402.M. No more than one adult use may be located within one building or industrial park.

Section 403 Airports/Heliports

403.A. Within the (A) Zone, airports/heliports are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 905.B. and specifically as follows:

409.N. No part of the subject property shall be located within three hundred feet (300') of any land within the (R-1, R-2, R-3 and AQC) Zones.

409.O. A traffic impact report shall be prepared in accordance with Section 322 of this Ordinance and shall devote particular emphasis on movements of vehicles that may be moving between the subject property and other nearby uses that assist in making vehicles ready for sale.

409.P. One truck driver lounge with comfort and bathing facilities, a restaurant, cafeteria or refreshment counter and a filling station are permitted accessory uses provided such use are located, designed and operated in a manner that is meant to serve those persons directly associated with the principal uses while they are on the site. No entrances and/or signage shall be oriented towards attracting patrons from off-so the site. Should the proposed use include a restaurant, cafeteria or refreshment counter, the applicant shall furnish and continuously implement a working plan for the collection of litter and debris.

409.Q. One off-street parking space shall be provided for each 1000 square feet of total interior and exterior display, sales and storage area for vehicles. In addition, an unimproved grassed overflow parking area shall be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior access drives of the permanent parking lot. Overflow parking areas shall contain fencing to confine vehicles on the site.

Section 410 Automobile Filling Stations (Including Minor Incidental Repair)

410.A. Within the (C) Zone, automobile filling stations (including minor incidental repair) are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 804.C.2. and specifically as follows:

410.B. The subject property shall have a minimum width of one hundred twenty-five feet (125');

410.C. The subject property shall front on an arterial or collector road;

410.D. The subject property shall be set back at least three hundred feet (300') from any lot containing a school, day-care facility, park or playground, library, hospital or nursing, rest or retirement home;

410.E. The outdoor storage of motor vehicles (whether capable of movement or not) for more than one (1) month is prohibited;

410.F. All structures (including air compressors, kiosks, gasoline pump islands, but not permitted signs) shall be set back at least thirty feet (30') from any street right-of-way line;

410.G. No outdoor storage of auto parts shall be permitted;

410.H. Access driveways shall be a minimum of twenty-eight feet (28') and a maximum of thirty-five feet (35') wide and separated by seventy-five feet (75') from one another if located along the same frontage as measured from edge to edge;

410.I. All ventilation equipment associated with fuel storage tanks shall be set back one hundred feet (100') and oriented away from any land within an (R-1, R-2, R-3 and AQC) Zone; and,

410.J. The applicant shall furnish evidence that the storage, dispensing and disposal of materials will be accomplished in a manner that complies with State and Federal regulations.

- 409.N. No part of the subject property shall be located within three hundred feet (300') of any land within the (R-1, R-2, R-3 and AQC) Zones.
- 409.O. A traffic impact report shall be prepared in accordance with Section 322 of this Ordinance and shall devote particular emphasis on movements of vehicles that may be moving between the subject property and other nearby uses that assist in making vehicles ready for sale.
- 409.P. One truck driver lounge with comfort and bathing facilities, a restaurant, cafeteria or refreshment counter and a filling station are permitted accessory uses provided such use are located, designed and operated in a manner that is meant to serve those persons directly associated with the principal uses while they are on the site. No entrances and/or signage shall be oriented towards attracting patrons from off-so the site. Should the proposed use include a restaurant, cafeteria or refreshment counter, the applicant shall furnish and continuously implement a working plan for the collection of litter and debris.
- 409.Q. One off-street parking space shall be provided for each 1000 square feet of total interior and exterior display, sales and storage area for vehicles. In addition, an unimproved grassed overflow parking area shall be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior access drives of the permanent parking lot. Overflow parking areas shall contain fencing to confine vehicles on the site.

Section 410 Automobile Filling Stations (Including Minor Incidental Repair)

- 410.A. Within the (C) Zone, automobile filling stations (including minor incidental repair) are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 804.C.2. and specifically as follows:
- 410.B. The subject property shall have a minimum width of one hundred twenty-five feet (125');
- 410.C. The subject property shall front on an arterial or collector road;
- 410.D. The subject property shall be set back at least three hundred feet (300') from any lot containing a school, day-care facility, park or playground, library, hospital or nursing, rest or retirement home;
- 410.E. The outdoor storage of motor vehicles (whether capable of movement or not) for more than one (1) month is prohibited;
- 410.F. All structures (including air compressors, kiosks, gasoline pump islands, but not permitted signs) shall be set back at least thirty feet (30') from any street right-of-way line;
- 410.G. No outdoor storage of auto parts shall be permitted;
- 410.H. Access driveways shall be a minimum of twenty-eight feet (28') and a maximum of thirty-five feet (35') wide and separated by seventy-five feet (75') from one another if located along the same frontage as measured from edge to edge;
- 410.I. All ventilation equipment associated with fuel storage tanks shall be set back one hundred feet (100') and oriented away from any land within an (R-1, R-2, R-3 and AQC) Zone; and,
- 410.J. The applicant shall furnish evidence that the storage, dispensing and disposal of materials will be accomplished in a manner that complies with State and Federal regulations.

418.G. The subject property shall front on an arterial or collector road; and,

418.H. The applicant shall demonstrate adequate provision for the collection and disposal of greases and wastes.

Section 419 Casinos, Off-Track Betting Parlors and/or Slot Machine Parlors

419.A. Within the (I and E) Zones, casinos, off-track betting parlors and/or slot machine parlors are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 905.B. and specifically as follows:

419.B. A casinos, off-track betting and/or slot machine parlor shall not be permitted to be located within one thousand feet (1,000') of any other casinos, off-track betting and/or slot machine parlor;

419.C. No casino, off-track betting and/or slot machine parlor shall be located within one thousand feet (1,000') of any land within the (R-1, R-2, R-3 and AQC) Zones;

419.D. No off-track betting parlor shall be located within one thousand feet (1,000') of any parcel of land which contains any one or more of the following specified land uses:

1. Amusement park;
2. Camp (for minors' activity);
3. Child care facility;
4. Church or other similar religious facility;
5. Community center;
6. Museum;
7. Park;
8. Playground;
9. School; or
10. Other lands where minors congregate;

419.E. The above-required distances shall be measured in a straight line without regard to intervening structures, from the closest point on the exterior property line of each land use;

419.F. No more than one (1) casino, off-track betting and/or slot machine parlor may be located within one building or shopping center;

419.G. The applicant shall furnish expert evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, light and/or litter;

419.H. The applicant shall furnish expert evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the building;

419.I. A working plan for the cleanup of litter shall be furnished and implemented by the applicant;

419.J. Off-street parking shall be provided at the rate of one (1) space per each sixty-five (65) square feet of gross floor area, including related dining, restaurant and snack bar areas; and,

419.K. All off-track betting parlors shall comply with the Pennsylvania Horse and/or Harness Racing Commission's Rules and Regulations pertaining to Nonprimary Locations, as defined therein and casinos and slot machine parlors shall be licensed by the Pennsylvania Gaming Control Board.

- 453.H. All junk shall be stored or arranged so as to permit access by firefighting equipment with vehicle access lanes of no less than twelve feet (12') in width spaced no more than five hundred feet (500') apart at the greatest separation distance. Such access lanes shall be kept free from obstruction at all times;
- 453.I. The manner of storage and arrangement of junk, and the drainage facilities of the premises shall prevent the accumulation of stagnant water upon the premises and no inflammable liquid shall be permitted to remain in any junked container, whether the container is a separate item or is an integral part of, another item, at any time.
- 453.J. No material shall be burned at any time;
- 453.K. Junkyards 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, mosquitoes or other vectors;
- 453.L. No junk shall be located on land with a slope in excess of five percent (5%);
- 453.M. No Junk yard shall be located within two hundred feet (200') of any land within the (R-1, R-2, R-3 and AQC) Zone; and,
- 453.N. Upon approval of a conditional use for a junk yard, the Zoning Officer shall issue a temporary certificate of use and occupancy. Such temporary certificate of use and occupancy shall be reviewed every twelve (12) months until such time as the junk yard ceases to exist. A fee, in the amount to be set by the Board of Supervisors, shall be paid by the landowner upon each renewal of the temporary certificate of use and occupancy. Such fee shall be based upon the cost of the annual review of the temporary certificate of use and occupancy.

Section 454 Kennels

- 454.A. Within the (SMC and/or A) Zones, kennels are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 804.C.2. and specifically as follows:
- 454.B. The following lists minimum required lot sizes and required setbacks based upon the number of animals kept:

Type and Number of Animals Kept	Minimum Required Lot Area	Minimum Required Setback of Unenclosed Animal Boarding Buildings, Pens, Stalls, Runways, and Running Areas from the Nearest Property Line
1 dog to 50 dogs	5 acres	150 feet
1 to a maximum of 200 animals, other than dogs	5 acres	150 feet
1 dog to 50 dogs, plus 1 to a maximum of 200 animals, other than dogs	5 acres	150 feet
More than 50 dogs	10 acres	300 feet
More than 51 dogs, plus more than 200 animals, other than dogs	10 acres	300 feet

- 457.C. All manure storage facilities associated with a concentrated animal operation or a concentrated animal feeding operation (both as defined herein) shall require written evidence of an approval of the applicant's nutrient management plan from the Lehigh County Conservation District or the Pennsylvania Conservation Commission under Title 25, Chapter 83, Subchapter D. of the Pennsylvania Department of Environmental Protection's Nutrient Management Rules and Regulations;
- 457.D. All manure storage facilities shall be operated and maintained in accordance with the Pennsylvania Department of Environmental Protection's publication *Manure Management Manual for Environmental Protection*, and any revisions, supplements, and replacements thereof, published by the Pennsylvania Department of Environmental Protection; and,
- 457.E. Any design changes during construction or subsequent operation will require the obtainment of another zoning permit subject to the applicable regulations of this Section.

Section 458 Mass Transit and/or Taxicab Terminals

- 458.A. Within the (I and E) Zones, mass transit and/or taxicab terminals are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 905.B. and specifically as follows:
- 458.B. The applicant shall submit a Traffic Impact Report in accordance with Section 425.9. of the SALDO;
- 458.C. The applicant shall present qualified expert evidence as to how the use will provide for the expected demand for needed, off-street parking spaces for the proposed use. In addition, the applicant shall present evidence of the ability to provide additional off-street parking spaces, if demand increases. The applicant shall also present credible evidence that the number of "oversized," off-street, parking spaces provided for public transportation vehicles will be adequate to accommodate the expected demand generated by patrons. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods;
- 458.D. The subject property shall have a minimum of two hundred feet (200') of contiguous road frontage along an arterial road;
- 458.E. The subject property shall be located no closer than two hundred feet (200') from any (R-1, R-2, R-3 and AQC) Zones and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus;
- 458.F. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least fifty feet (50') from any street right-of-way line;
- 458.G. Access driveways shall be a minimum of twenty-four feet (24'), and a maximum of thirty-five feet (35') wide. All access drives onto the same road shall be set back at least one hundred fifty feet (150') from one another, as measured from closest points of cartway edges;
- 458.H. Trash and recycling receptacles shall be provided amid off-street parking areas which shall be routinely emptied. Furthermore, a working plan for the regular cleanup of litter shall be furnished and continuously implemented by the applicant;
- 458.I. All vehicle service and/or repair activities shall be conducted within a completely-enclosed building. No outdoor storage of parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations, shall be permitted;

- 459.K. The maximum permitted height is sixty feet (60'), provided that for buildings exceeding thirty-five (35) feet in height, the minimum setback from each lot line is equal to the height of the structure;
- 459.L. No more than sixty percent (60%) of the subject property shall be covered with buildings, parking and loading areas and/or other impervious surfaces;
- 459.M. Each off-street parking lot shall provide at least twenty percent (20%) of the total parking spaces as those designed for the physically handicapped. Furthermore, such parking spaces shall be located throughout the campus in such a manner to be conveniently accessible to the buildings/uses for which they are required;
- 459.N. Only those uses which provide a harmonious, balanced mix of medical, residential, limited commercial and recreational uses, primarily serving campus residents, and public, quasi-public and medical services for the off-campus retirement-aged community will be permitted. Uses may include, but need not be limited to the following:
1. Dwelling, nursing homes, and congregate living facilities for the elderly or physically handicapped;
 2. Medical facilities including offices, laboratories, clinics, professional or paramedical training centers, and ambulatory care facilities;
 3. Commercial uses which are strictly related and subordinate to the residential/medical character of the campus and which directly serve the residents and employees of, or visitors to, the center. The uses should be chosen to reflect their local orientation to the immediate campus vicinity and should be of a size and scope so as not to interfere with existing or proposed retail uses located in the off-campus area; and,
 4. Recreational and social uses, such as athletic facilities, community centers, and assembly halls, limited to use only by campus residents, employees, or visitors; and,
- 459.O. The applicant must comply with all State requirements at all times.

Section 460 Methadone Treatment Facility

- 460.A. Within the (I) Zone, methadone treatment facilities are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 905.B. and specifically as follows:
- 460.B. An methadone treatment facilities shall not be permitted to be located within one thousand feet (1,000') of any other methadone treatment facilities;
- 460.C. No methadone treatment facilities shall be located within one thousand feet (1000') of any land within the (R-1, R-2, R-3 and AQC) Zones;
- 460.D. No methadone treatment facilities shall be located within one thousand feet (1000') of any parcel of land which contains any one or more of the following specified land uses:
1. Amusement park;
 2. Camp (for minors' activity);
 3. Child care facility;
 4. Church or other similar religious facility;
 5. Community center;

6. Museum;
7. Park;
8. Playground;
9. School; or
10. Other lands where minors congregate.

460.E. The distance between any two methadone treatment facilities shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each establishment. The distance between any methadone treatment facilities and any land use specified above shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior property line of the adult-related use to the closest point on the property line of said land use.

Section 461 Mining, Quarrying and Related Processing Facilities

461.A. Within the (I) Zone, mining, quarrying and related processing facilities are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 905.B. and specifically as follows:

461.B. General - Operations:

1. shall not substantially injure or detract from the lawful existing or permitted use of neighboring properties;
2. shall not adversely affect any public or private water supply source;
3. shall not adversely affect the logical, efficient and economical extensions of public services, facilities and utilities throughout the Township;
4. shall not create any significant damage to the health, safety or welfare of the Township and its residents and property owners;
5. shall not result in the land area subject to mining being placed in a condition which will prevent the use of that land for economically and ecologically productive uses upon completion of the mining operation; and,
6. must demonstrate compliance with all applicable State regulations at all times.

461.C. Site Plan Requirements - As a part of each application, the applicant shall submit those materials required by Section 7.(b) of the Noncoal Surface Mining Conservation and Reclamation Act (Act No. 1984-219) which shall include, at a minimum, an accurately-surveyed site plan on a scale no less than 1:2400 (1 inch equals 200 feet), showing the location of the subject property or properties to be affected by the operation. The surveyed site plan shall be certified by a registered professional engineer or a registered professional land surveyor, with assistance from experts in related fields, and shall include the following:

1. The boundaries of the proposed land affected, together with the drainage area above and below the subject property;
2. The location and names of all streams, roads, railroads, and utility lines on or immediately adjacent to the subject property and within one thousand feet (1,000') of the outer perimeter of the subject property;

3. The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment;
 4. The establishment of a transfer and storage business; and,
 5. Any use that is noxious or offensive because of odors, dust, noise, fumes, or vibrations;
- 462.I. The mini-warehouses will be surrounded by a six foot (6') to eight foot (8') high fence; and,
- 462.J. All outdoor lights shall be shielded to direct light and glare only onto the site and may be of sufficient intensity to discourage vandalism and theft. Said lighting and glare shall be deflected, shaded and focused away from all adjoining property. The applicant shall demonstrate compliance with Section 310 of this Ordinance.

Section 463 Nightclubs

- 463.A. Within the (C) Zone, nightclubs are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 804.C.2. and specifically as follows:
- 463.B. No part of the subject property shall be located within two hundred feet (200') of any land within the (R-1, R-2, R-3 and AQC) Zones;
- 463.C. The applicant shall furnish evidence that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation;
- 463.D. The applicant shall demonstrate compliance with Sections 310 and 312 of this Ordinance;
- 463.E. The applicant shall furnish evidence as to how the use will be controlled as to not constitute a nuisance due to loitering outside the building; and,
- 463.F. A working plan for the cleanup and recycling of litter shall be furnished and implemented by the applicant.

Section 464 Noncommercial Keeping of Livestock

- 464.A. Within the (SMC, A, OSR and R-1) Zones, the noncommercial keeping of livestock, as defined herein, is permitted by right as an accessory use to a principal residence subject to the following requirements:
- 464.B. Minimum Lot Area – All uses shall comply with the minimum lot area requirements within each respective Zone; however, in no case shall a lot contain less than one (1) acre for group 1 and 2 animals and two (2) acres for group 3 animals. Additionally, the following list specifies additional requirements by size of animals kept. The keeping of a combination of animal types (Group 1, 2 and 3) shall require an animal density equal to the ratio of the number of animals, by type. In no case shall a lot contain more than fifty (50) total animals:
1. GROUP 1 - Animals whose average adult weight is less than ten (10) pounds shall be permitted at an animal density of twelve (12) per acre, with a maximum number of fifty (50) animals;

7. Prohibit the consumption of alcoholic beverages within the area approved as the shooting range; and,
 8. Limit firing to the hours between one (1) hour after official sunrise and one (1) hour preceding official sunset, unless sufficient lighting is used, in accordance with Section 310 of this Ordinance, in which case all shooting shall cease by 11 p.m.;
- 467.C. A development plan shall identify the Safety Fan for each firing range. The Safety Fan shall include the area necessary to contain all projectiles, including direct fire and ricochet. The Safety Fan configuration shall be based upon qualified expert testimony regarding the trajectory of the bullet, and the design effectiveness of berms, overhead baffles, or other safety barriers to contain projectiles to the Safety Fan;
 - 467.D. The firing range, including the entire Safety Fan, shall be enclosed with a six foot (6') high, non-climbable fence to prevent unauthorized entry into the area. Range caution signs with eight inch (8") tall, red letters on a white background shall be posted at a maximum of one hundred foot (100') intervals around the range perimeter. Signs shall read "**SHOOTING RANGE AREA. KEEP OUT!**";
 - 467.E. Range flags shall be displayed during all shooting activities. Range flags shall be located in a manner visible from entrance drives, target areas, range floor, and the perimeter of the Safety Fan;
 - 467.F. All surfaces located within the Safety Fan, including the backstop, overhead baffles, berms, and range floor, shall be free of hardened surfaces, such as rocks or other ricochet-producing materials;
 - 467.G. All shooting range facilities, including buildings, parking, firing range, and Safety Fan shall be set back a minimum of one hundred feet (100') from the property line and street right-of-way;
 - 467.H. The applicant shall present credible evidence that the sounds of shooting comply with Section 312 of this Ordinance;
 - 467.I. Off-street parking facilities shall be provided with a ratio of one and one-half (1½) spaces per firing station, but not less than one (1) space for each four (4) seats; and,
 - 467.J. No part of a shooting range property shall be located within one-quarter (¼) mile of any land within a (R-1, R-2, R-3 and AQC) Zones.

Section 468 Parking Compounds

- 468.A. Within the (E) Zone, parking compounds are permitted by special exception, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 804.C.2. and specifically as follows:
- 468.B. The parking compound shall have an employee on duty at all times during operation of the use;
- 468.C. The parking compound shall be connected to the adjoining street via one or more access drives in accordance Section 301 of this Ordinance;
- 468.D. The parking compound shall be designed in accordance with Section 314 of this Ordinance;
- 468.E. The applicant shall demonstrate compliance with Section 310 of this Ordinance;

483.S. LOADING/SERVICE AREA REQUIREMENTS

1. Inconspicuous service areas shall be designed and located. This shall be provided through inconspicuous entrances and/or gate controlled access to service corridors, architecturally screened delivery docks, architectural enhancement to façade areas visible from either the streetscape side or off-street parking areas, and landscaping. Refuse dumpsters, utilities, and maintenance provisions shall be located within designated service corridors wherever possible.
2. Determination on amount and location of loading and service areas shall be per desires of the owner.
3. All loading and service areas shall be screened from adjoining roads and properties in accordance with Section 321.D. of this Ordinance.

Section 484 Truck or Motor Freight Terminals

- 484.A. Within the (I) Zone, truck or motor freight terminals are permitted by conditional use, provided that the applicant has met his/her burden of proof that the proposed use meets all applicable regulations contained within this Ordinance including but not limited to those general criteria contained within Section 905.B. and specifically as follows:
- 484.B. The applicant shall be required to submit qualified expert evidence of the methods that will be used to assure that the proposed use will not contribute materially to air pollution and will comply with all applicable Federal Environmental Protection Agency air quality standards. Test data must be furnished by applicant addressing Particulate Matter 2.5 (total weight of particles in the air that are less than 2.5 microns in size) levels taken within 30 days of application by a certified independent air testing firm during peak use periods of the day. - Terminals not in compliance with National Ambient Air Quality Standard (NAASQS) for PM 2.5, as established by EPA (15 micrograms per cubic meter averaged over an entire year and up to 66 micrograms for one 24 hour period), will furnish the Board of Supervisors a plan within 60 days for reducing PM 2 emissions to acceptable levels. Upon approval of that plan, the terminal will have 90 days to provide evidence that satisfactory PM 2 levels have been reached or it will be found in violation of this Ordinance. -Upon approval of conditional use terminal owners must provide PM 2.5 data on a quarterly basis as sampled by a certified independent air testing firm during peak use periods of the day at locations every 200 feet around the perimeter of the property and at a distance of 75 feet from the terminal building.
- 484.C. The applicant shall furnish a Traffic Impact Report, prepared by a professional traffic engineer, in accordance with Section 425.9. of the SALDO;
- 484.D. The subject property shall have a minimum of three hundred feet (300') of contiguous road frontage along and vehicular access onto an arterial and/or collector road as listed in Section 320 of this Ordinance;
- 484.E. The subject property shall be located no closer than five hundred feet (500') from any (OSR, R-1, R-2, R-3 and AQC) Zone and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus;
- 484.F. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least fifty feet (50') from any street right-of-way line. Unless the fuel pump islands are set back two hundred feet (200') from the street line, they shall be designed so that, when fueling, trucks must be parallel to street;

- 485.D. The subject property shall have a minimum of three hundred feet (300') of contiguous road frontage along an arterial and/or collector road as listed in Section 320 of this Ordinance;
- 485.E. The subject property shall be located no closer than five hundred feet (500') from any (OSR, R-1, R-2, R-3 and AQC) Zone and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus;
- 485.F. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least fifty feet (50') from any street right-of-way line. Unless the fuel pump islands are set back two hundred feet (200') from the street line, they shall be designed so that, when fueling, trucks must be parallel to street;
- 485.G. Access driveways shall be a minimum of twenty-eight feet (28'), and a maximum of thirty-five feet (35') wide. All access drives onto the same road shall be set back at least one hundred fifty feet (150') from one another, as measured from closest points of cartway edges;
- 485.H. Off-street parking shall be provided at a rate equal to that required for each of the respective uses comprising the truck stop according to the schedule contained within Section 314.V. of this Ordinance. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods;
- 485.I. All vehicle service and/or repair activities shall be conducted within a completely- enclosed building. Outdoor storage of parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations must be screened from adjoining roads and properties;
- 485.J. The outdoor storage of unlicensed and/or un-inspected vehicles is prohibited;
- 485.K. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within thirty (30) days after arrival;
- 485.L. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system and any other use of the property will not violate Section 312 of this Ordinance;
- 485.M. The applicant shall demonstrate compliance with Section 310 of this Ordinance; and,
- 485.N. The applicant must furnish evidence as to how the use will be controlled so as to not constitute a nuisance due to noise or loitering outside the arcade;
- 485.O. A working plan for the cleanup of litter shall be furnished and implemented by the applicant and,
- 485.P. The applicant shall furnish evidence that the storage and disposal of materials and wastes will be accomplished in a manner that complies with all applicable State and Federal regulations.

Section 486 Two-Family Conversions

- 486.A. Within the (R-3) Zone, a detached single-family dwelling that existed on the effective date of this Ordinance, and contained (at that time) at least three thousand (3,000) square feet, may be converted by right into two (2) dwelling units, subject to the following:
- 486.B. The applicant shall furnish evidence that an approved system of water supply and sewage disposal will be utilized;
- 486.C. No extensions or modifications to the external appearance of the building (except fire escapes) which would alter its residential character, shall be permitted;

furnished by applicant addressing Particulate Matter 2.5 (total weight of particles in the air that are less than 2.5 microns in size) levels taken within 30 days of application by a certified independent air testing firm during peak use periods of the day. Warehouses not in compliance with National Ambient Air Quality Standard (NAASQS) for PM 2.5, as established by EPA (15 micrograms per cubic meter averaged over an entire year and up to 66 micrograms for one 24 hour period), will furnish the Board of Supervisors a plan within 60 days for reducing PM 2 emissions to acceptable levels. Upon approval of that plan, the terminal will have 90 days to provide evidence that satisfactory PM 2 levels have been reached or it will be found in violation of this Ordinance. Upon approval of conditional use, warehouse owners must provide PM 2.5 data on a quarterly basis as sampled by a certified independent air testing firm during peak use periods of the day at locations every 200 feet around the perimeter of the warehouse and at a distance of 75 feet from the warehouse building.

- 488.D. Any warehouse where four or more diesel operated trucks periodically congregate will have in place an anti-idling policy, with a maximum idling time per truck of 10 minutes.
- 488.E. The use shall provide sufficiently-long stacking lanes and on-site loading/unloading areas, so that trucks waiting to be loaded / unloaded will not back up onto public roads. No parking or loading/unloading shall be permitted on or along any public road; and,
- 488.F. Vehicular access shall be so arranged as to minimize danger and congestion along adjoining roads and to avoid the creation of nuisances to nearby properties. Access drives used by trucks shall only intersect with arterial roads as listed in Section 320 of this Ordinance.
- 488.G. The subject property shall be located no closer than five hundred feet (500') from any (OSR, R-1, R-2, R-3 and AQC) Zone and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus;
- 488.H. All structures (including, but not limited to, air compressors, fuel pump islands, kiosks) shall be set back at least fifty feet (50') from any street right-of-way line. Unless the fuel pump islands are set back two hundred feet (200') from the street line, they shall be designed so that, when fueling, trucks must be parallel to street;
- 488.I. Access driveways shall be a minimum of twenty-eight feet (28'), and a maximum of thirty-five feet (35') wide. All access drives onto the same road shall be set back at least one hundred fifty feet (150') from one another, as measured from closest points of cartway edges;
- 488.J. Any gates or other barriers used at the entrance to parking areas shall be set back and arranged to prevent vehicle backups onto adjoining roads during peak arrival periods;
- 488.K. All vehicle service and/or repair activities shall be conducted within a completely- enclosed building. Outdoor storage of parts, equipment, lubricants, fuels, or other materials used or discarded in any service or repair operations must be screened from adjoining roads and properties;
- 488.L. The outdoor storage of unlicensed and/or un-inspected vehicles is prohibited;
- 488.M. The demolition or junking of vehicles and machinery is prohibited. Demolished vehicles and/or parts thereof shall be removed within thirty (30) days after arrival;
- 488.N. Any exterior public address system shall be designed and operated so that the audible levels of any messages conveyed over the system and any other use of the property will not violate Section 312 of this Ordinance;
- 488.O. The applicant shall demonstrate compliance with Section 310 of this Ordinance;