

**ARTICLE III
DISTRICT REGULATIONS**

SECTION 301 DISTRICTS AND BOUNDARIES

- A. Warriors Mark Township is divided among the following Zoning Districts:
- VILLAGE (V)**
RESIDENTIAL (R)
RURAL RESIDENTIAL (RR)
AGRICULTURE AND RESOURCE PROTECTION (A)
COMMERCIAL (C)
INDUSTRIAL/COMMERCIAL (IC)
- B. Zone boundaries shall be shown upon the map entitled “Zoning Map of Warriors Mark Township,” which is a part of, and attached to, this Ordinance.
- C. Where uncertainty exists as to district boundaries, the following rules apply:
1. Boundaries that approximately follow municipality limits shall be construed as following municipality limits.
 2. Boundaries that approximately follow platted lot lines shall be construed as following such lot lines.
 3. Boundaries that approximately follow the center lines of streets, highways or alleys shall be construed to follow such center lines.
 4. Boundaries that approximately follow the center lines of streams, rivers or other bodies of water shall be construed to follow such center lines.
 5. Boundaries that follow railroad lines shall be construed to be midway between the main tracks.
 6. Boundaries which do not follow roads, property lines or physical features may run a specified distance parallel to said features.
 7. If uncertainty exists as to the boundary of any District shown on the Official Zoning Map, the Zoning Hearing Board shall determine the location of such boundary.

SECTION 302 USE REGULATIONS

- A. Uses Permitted

The uses permitted in the Zones established by this Ordinance, and the permitted extent of these uses, are as shown below. The uses listed as permitted in each Zone are the only uses permitted in that Zone. Unless otherwise noted, the use and bulk regulations are the requirements for each use.

B. Uses Not Provided For

Any use not specifically allowed elsewhere in this Ordinance shall be allowed by Special Exception in the Zone or Zones where similar uses are permitted or allowed by Special Exception, provided that it meets the requirements for a Special Exception and such requirements as may be determined by the Zoning Hearing Board and does not constitute a public nuisance.

SECTION 303 VILLAGE DISTRICT (V)

PURPOSE

The Village District provides a unique area for compact residential use along with commercial and public activities. The Village District is located within already-populated areas and is served by public water. The intent of the Village District is to preserve the existing Warriors Mark Village setting and character. Compact residential and commercial development is encouraged, each connected for pedestrian movement. The regulations for the Village District are designed to protect and maintain present village scale and characteristics and allow high quality future development that is compatible with traditional village living.

A. Permitted Uses

1. Single-family dwellings
2. Duplexes
3. Multifamily, if served by water and sewer, subject to Section 714
4. Home Occupation, subject to Section 710
5. Forestry
6. Group homes, subject to Section 709
7. Government buildings
8. Accessory Use
9. Temporary Use

B. Special Exception Uses

1. Bed and Breakfast, subject to Section 705
2. Churches
3. Conversion Apartments, subject to Section 707
4. Daycare, subject to Section 708
5. Funeral homes
6. Personal services and studios occupying less than 3,000 square feet
7. Professional Offices occupying less than 3,000 square feet
8. Restaurants, if served by community water and occupying less than 3,000 square feet
9. Retail sales occupying less than 3,000 square feet
10. Mineral Extraction, subject to Section 715
11. Oil and Gas Facilities, subject to Section 717

C. Bulk Requirements

Utilized Public Utilities	Minimum Lot Area (See Section "D" below)	Minimum Lot Width	Maximum Building Coverage/ Impervious Coverage	Minimum Yard Setbacks			Maximum Permitted Height
				Front*	Side	Rear	
With Community Water	1 acre	100 feet	50%	5 feet	5 feet	5 feet	35 feet
Both Community Water and Sewer	1/2 acre	75 feet	70%	5 feet	5 feet	5 feet	35 feet

*Twenty-five (25) feet from the road centerline shall be the minimum distance regardless of the actual property line location. The average setback of the adjacent buildings may also be used provided that it exceeds 25 feet from the center line of the road.

D. Sewage Replacement Site for lots without community sewer:

1. A sewage replacement area shall be provided for all new lots regardless of lot size.

E. Required Utilities

If public water or public/community sewer is within one hundred fifty (150) feet of the parcel, the principle use on each Lot will be required to connect to such service.

F. Pedestrian Circulation

Sidewalks shall be provided for all new village development.

G. Parking

The parking shall be provided in accordance with Article IX of this Ordinance, and the following requirements:

1. Parking located at the side or front of commercial Buildings shall be screened from the sidewalk by low walls, fences or hedges.
2. Parking lots adjacent to each other shall have vehicular connections via an alley or internally.
3. Required parking spaces may be reduced if the developer can document that half of sales volume will originate from pedestrian rather than vehicle traffic.

SECTION 304 RESIDENTIAL DISTRICT (R)

PURPOSE

This Zone is meant to accommodate the majority of future residential growth within the Township. This Zone coincides with water service and potential sewer service. The actual availability of these services is likely to occur at different times, in different areas of the Zone. As a result, permitted densities are linked to the availability of these public utilities.

A. Permitted Uses

1. Single-family dwellings
2. Duplex dwellings
3. Home Occupation, subject to Section 710
4. Agriculture and Forestry
5. Government buildings
6. Group homes, subject to Section 709
7. Forestry
8. Oil and Gas Development, subject to Section 717
9. Public parks, playgrounds and municipal buildings
10. Public and Private schools
11. Public uses and public utilities
12. Accessory Use
13. Temporary Use

B. Special Exception Uses

1. Daycare facilities, subject to Sections 708
2. Churches and cemeteries
3. Mineral Extraction, subject to Section 715

C. Bulk Requirements

Utilized Public Utilities	Minimum Lot Area (See Section "D" below)	Minimum Lot Width	Maximum Building Coverage/ Impervious Coverage	Minimum Yard Setbacks			Maximum Permitted Height
				Front	Sides	Rear *	
Individual Water and Sewer	43,560 sq. ft. or one acre	100 feet	25%	40 feet	15 feet	15 feet	35 feet
Public Water and/or Sewer	43,560 sq. ft. or 1 acre	100 feet	25%	40 feet	15 feet	15 feet	35 feet

*Side and rear setback for legal accessory uses shall be reduced to 10 feet.

D. Sewage Replacement Site for lots without community sewer:

1. A sewage replacement area shall be provided for all new Lots regardless of lot size.

SECTION 305 RURAL RESIDENTIAL DISTRICT (RR)

PURPOSE

The primary purpose of this Zone is to promote a continuation of the rural character of the area, characterized by a mixture of open space and sparsely developed residential uses. This Zone will continue these development trends, but will install additional protection for rural residences from the impacts of other uses. These areas are not likely to be served by public sewer or water facilities. Because of the character of these areas, some steep slopes are included. For this reason, specific lot design requirements have been imposed on steeply sloped development sites.

A. Permitted Uses

1. Agriculture and Forestry
2. Single-Family Detached Dwellings
3. Group Homes, subject to Section 709
4. Home Occupation, subject to Section 710
5. Bed and Breakfast, subject to Section 705
6. Government buildings
7. Public uses and public utilities
8. Churches and cemeteries
9. Public parks and playgrounds
10. Private club houses
11. Mineral Extraction, subject to 715
12. Oil and Gas Development, subject to Section 717
13. Accessory Use
14. Temporary Use

B. Special Exception Uses

1. Campgrounds, subject to 718
2. Kennel, subject to 720
3. Daycare facilities, subject to Sections 708

Maximum Number of Permitted Dwellings or Lots

For each tract of contiguous land in single ownership (parent tract) there may be one (1) Lot subdivided or one principal residence constructed for a single-family detached non-farm dwelling, according to the following schedule:

Parcel Size (in acres)		Number of lots or single dwellings permitted (in addition to an original house on parent tract)
At Least	Less Than	
5	10	2
10	15	3
15	20	4
20	25	5
25	30	6

30	35	7
35	40	8
40	45	9
45	50	10
50	55	11
55	60	12
60	65	13
65	70	14
70	75	15
75	80	16
80	85	17
85	90	18
90	95	19
95	100*	20

*For parent tracts in excess of 100 acres, one additional Dwelling or Lot per five acres shall be permitted.

Upon subdivision of allowable lots, the resulting parent tract shall not be further subdivided
Maximum lot size shall be five acres.

C. Bulk Requirements

The following table prescribes Lot size, coverage and minimum yard requirements for uses within this Zone. In addition, because the purpose of this Zone is to retain the rural character, a maximum Lot size is also applicable. Proposed Lots not meeting the permitted Lot size requirement shall be considered only under procedures for a Special Exception. However, a Special Exception shall not be required for an agricultural Lot of any size provided that the Lot is deed restricted for agricultural use.

Use	Minimum Lot Size	Maximum Lot Size	Maximum Building Coverage	Minimum Yard Setbacks			Maximum Height
				Front	Side	Rear	
All Permitted Uses *	1 acre	5 acre	33%	40 feet	15 feet	15 feet	35 feet

*Lot areas with slopes of 25% or more shall not be developed.

D. Sewage Replacement Site for lots without community Sewer:

1. A sewage replacement area shall be provided for all new Lots regardless of Lot size.
2. Agricultural use only Lots in excess of 10 acres shall be exempt from the sewage testing requirements.

SECTION 306 AGRICULTURE AND RESOURCE PROTECTION DISTRICT (A)

PURPOSE

The primary purpose of this Zone is to enhance the viability of Agriculture, thereby enabling the continuation of farming as a primary land use in the Township. Much of the land in this Zone presently supports agricultural activities. Non-farmer landowners in this Zone often lease their land to support other farming operations. Prime agricultural soils represent a resource that should be protected. Consequently, residential uses are limited. Where development is permitted, open space in the Zone should be retained in larger contiguous parcels for the convenience of the farmer. Residential Lots themselves should be small in size and consolidated to enhance farming efficiency.

A second purpose of this Zone is to preserve the adjacent rural open space that exists as woodlots, wildlife habitat and sloped areas. Forestry products and logging are important industries in the area. Not used for traditional agriculture, woodland habitat nevertheless can shield productive farming operations from development. Like many farms, these areas are often enrolled in the Clean and Green Program, signaling intent to keep the land in an undeveloped state. Where such special non-farming land exists, the Environmental Overlay provisions of Article IV shall apply.

A. Permitted Uses

1. Agriculture, subject to Section 712
2. Agriculture retail
3. Farm Occupations
4. Churches and cemeteries
5. Game preserve, wildlife sanctuary
6. Forestry
7. Mineral Extraction, subject to Section 715
8. Hunting clubs
9. Home Occupation, subject to Section 710
10. Single-Family Detached Dwelling, subject to Item D below
11. Government buildings
12. Public uses and public utilities
13. Public parks and playgrounds
14. Oil and Gas Development, subject to Section 717
15. Accessory Use
16. Temporary Use

B. Special Exception Use

1. Bed and Breakfast, subject to Section 705
2. Kennel, subject to Section 720
3. Industrial Uses, subject to Section 711

C. Conditional Use

1. Communication towers, subject to Section 706, and permitted only above 1550 feet in elevation.

D. Requirements for Residential Development in Agriculture/Resource Protection District

1. Parent Tract and Date of Ownership

All plans for Subdivision or Land Development in the Agriculture Zone shall show the boundaries of the parent tract as they existed as of the adoption date of this Ordinance.

2. Least Productive Land

Residential development shall be located so as to utilize the least agriculturally productive land and to minimize interference with adjacent agricultural production. Land may be considered for residential or other non-agricultural use only if:

- a) The land cannot feasibly be farmed due to existing features of the site such as rock outcroppings, surface rock that inhibits plowing, heavily wooded areas or slopes in excess of fifteen percent (15%); or
- b) The land is not “prime agricultural land” as defined by the U.S.D.A. (See Article II)
- c) Proposed Lots are contiguous to each other. Non-contiguous lots may be considered for approval only under procedures for Conditional Use.

3. The maximum number of permitted Dwellings or Lots shall be determined as follows:

Parcel Size:	Number of lots or single dwellings permitted (in addition to an original house on parent tract)
Less than 20 acres	1
20 - 39 acres	2
40 - 59 acres	3
60 - 79 acres	4
80 - 99 acres	5
100+ acres	5 plus 1 additional lot or unit for each additional twenty (20) acres.

*The permitted number of Lots above applies to lands existing in single ownership as of the adoption date of this Ordinance.

4. Residential Lot Size

- a) Minimum Lot Size: 1.5 acre
- b) Unless otherwise permitted, proposed Lots not meeting the permitted Lot size shall be considered only under procedures for a Conditional Use. However, a Conditional Use shall not be required for an agricultural Lot of any size provided that the Lot is deed restricted for agricultural use or open space.
- c) Residential Lots with agricultural use (farm properties) shall be a minimum of 10 acres in size.

5. Restriction of Parent Tract Re-subdivision
 - a) Upon subdivision of allowable Lots, the resulting parent tract shall not be further subdivided.
 - b) The deed for the parent tract containing the residual open space shall include a restrictive covenant that shall be approved by the Township Solicitor restricting the land to permanent open space or agricultural and setting forth the perpetual maintenance of same.

E. Bulk Requirements

Use	Minimum Lot Size	Maximum Lot Size	Maximum Building Coverage	Minimum Yard Setbacks			Maximum Height
				Front	Side	Rear	
Residential Lots	1.5 acres	2.5 acres	10%	40 feet	25 feet	25 feet	35 feet, except that farm buildings shall have no height limit
Agricultural Lots	10 acres	No limit	25%	40 feet	30 feet	30 feet	

F. Non-conforming Lots of Record

1. Any Non-conforming Lot in the Agricultural Zone may become conforming by its addition to adjacent land used for agricultural purposes.

G. Agriculture Retail and Farm Occupations

1. Farm-related commerce may involve any one of a wide range of uses, so long as it remains compatible with the active farm use.

H. Agricultural Nuisance Disclaimer

Owners, residents and other occupants in the Agricultural Zone may be subjected to inconvenience and discomfort arising from agricultural operations. These may include noise, odors, dust, the operation of machinery, and the storage and disposal of manure. Residents should be prepared to accept such inconveniences and discomfort and are hereby put on official notice that the “The Right to Farm Law” may bar them from obtaining a legal judgment against agricultural operations.

SECTION 307 COMMERCIAL DISTRICT (C)

PURPOSE

The purpose of this Zone is to provide standards for commercial uses and to provide a location for retail, office and service businesses which have minimal impact on the community.

A. Permitted Uses

1. Retail
2. Business Services
3. Personal Services
4. Convenience Stores
5. Offices
6. Financial Institution
7. Hotel or Motel
8. Commercial Recreation
9. Self Storage Facility
10. Dog and Pet Grooming
11. Auto-related businesses, subject to Section 704
12. Hospital or Medical Center (including doctors' offices)
13. Public Buildings and facilities
14. Agricultural Use, subject to Section 712
15. Oil and Gas Development, subject to Section 717
16. Forestry
17. Church or Place of Worship
18. Government Facilities
19. Accessory Use
20. Temporary Use

B. Special Exception Uses

1. Multi-family dwellings, subject to Section 714
2. Schools
3. Daycare facilities, subject to Sections 708
4. Car Wash, subject to Section 704
5. Manufactured Home Park, subject to Section 713
6. Mineral Extraction, subject to Section 715

C. Setback and Landscape Buffer

1. Each commercial Lot shall have a Building and operations setback of thirty (30) feet from all property lines adjacent to residential use.
2. Within the required setback area, a minimum twenty (20) foot wide buffer yard shall be established along property lines that abut residential property. This buffer shall be landscaped with evergreen and shade trees throughout.

D. Bulk Requirements

Use	Minimum Lot Size	Maximum Lot Size	Maximum Building Coverage	Minimum Yard Setbacks			Maximum Height
				Front	Side	Rear	
All Uses	1 acre	none	50%	30 feet	30 feet	30 feet	35 feet

SECTION 308 INDUSTRIAL/COMMERCIAL DISTRICT (IC)

PURPOSE

This Zone is intended to accommodate both industrial and commercial uses. Larger auto related commercial uses that are incompatible with the more compact village scale may be located here, for example. This location has appropriate industrial/commercial infrastructure such as nearby community water and sewer as well as good access to the regional highway network. Ample setback and landscape buffering regulations are provided in order to protect adjacent residential and agricultural uses from land use conflict.

A. Permitted Uses

1. Agriculture support business
2. Agricultural retail
3. Forestry
4. Public buildings and facilities
5. Warehousing and storage service
6. Caretaker or watchman dwelling
7. Oil and Gas Development, subject to Section 717
8. Mineral Extraction, subject to Section 715
9. Kennel, subject to Section 720
10. Government buildings
11. Public uses and public utilities
12. Agriculture
13. Single Family Residential
14. Industrial Uses
15. Commercial Use
16. Accessory Use
17. Temporary Use

B. Special Exception Uses

1. Manufacturing, processing and welding, subject to Section 711
2. Adult Commercial, subject to Section 721

C. Conditional Use

1. Communication towers, subject to Section 706

D. Setback and Landscape Buffer

1. Each commercial use shall have a minimum building setback of fifty (50) feet and each industrial use shall have a minimum building setback of fifty (50) feet from any property line.
2. Within the required setback area, a minimum twenty (20) foot buffer yard in accordance with Section 703 shall be established along the side and rear property lines. This buffer shall be planted with a dense screen of evergreen trees and shrubs.

3. Where the proposed industrial or commercial use abuts residential use, a separation shall be a minimum of one fifty (50) feet from any residential property.

E. Building Height

The height limit for any structure shall not exceed sixty-five (65) feet. The height limit for any structure, or part of a structure intended for office, factory floor, or other regulated human occupation shall not exceed forty (40) feet.

F. Impervious Surface Coverage

Not more than seventy (70) percent of the lot area (including roofs) may be covered by impervious surface. See the Township Stormwater Management Ordinance.

G. Waste Products

Storage of industrial waste materials shall not be permitted, except within an enclosed building.

H. Industrial Standards

1. All industrial operations shall be in compliance with applicable State and/or Federal regulations as required by the most recent regulations made available from those governmental bodies.