

ARTICLE 11 –
GENERAL PROVISIONS

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Section 1100 Application

The regulations contained in this Article shall apply to all uses within the Borough of Mount Holly Springs.

Section 1101 Access Drive Requirements

A. Access drives are private drives which provide vehicular movement between a street and a tract of land containing any use other than a single-family dwelling unit or a farm. Access drives shall conform with the Borough of Mount Holly Springs Subdivision and Land Development Ordinance, and the following:

1. Except as specified elsewhere, the number of access drives intersecting with a street shall not exceed two (2) per lot. The Zoning Hearing Board may grant a variance for additional access points where required to meet exceptional circumstances and where frontage of unusual length exists.
2. A clear sight triangle in conformance with this Ordinance shall be provided for all access drives.
3. The edge(s) of all access drives shall be set back at least:
 - a. One hundred feet (100') from the intersection of any street right-of-way lines;
 - b. One hundred feet (100') from any other access drive located upon the same lot, measured from cartway edges; and
 - c. Fifteen feet (15') from any side and/or rear property lines; however, this setback requirement can be waived along one property line when a joint parking lot is shared by adjoining uses.
4. Access Drive Width. Access drives shall provide a twelve (12') foot-wide cartway for each lane of travel. However, in no case shall any access drive cartway be less than eighteen (18') feet wide. See table below:

No. of Lanes	Direction of Travel	Required Access Drive Width
1	one-way	18 feet
2	one or two way	24 feet
3 or more	one or two way	12 feet/ lane

Section 1102 Accessory Buildings or Structures

- A. An accessory building or structure shall not be erected, set, or placed in the required front yard of any Zoning District, with the exception of security guard stations, and outdoor lighting fixtures.
- B. An accessory building or structure may be erected, set, or placed inside rear or side yards provided that:
 1. The accessory building or structure shall be no closer than ten feet (10') to the nearest wall of the principal or main building. Any accessory building or structure erected, set or placed less than ten (10') feet from the principal or main building shall be attached to the principal or main building and shall be considered as part of that structure.

- 2. When an accessory building is erected on a corner lot, the accessory building shall be not less than the required front yard depth from the corner lot line.
- C. An accessory building or structure shall be included in the lot coverage.
- D. All accessory buildings and structures shall be erected, set or placed in accord with adopted Building Codes.
- E. See "Storage, Unenclosed Vehicles" for regulations applying to non-traditional storage units, including those commercially known as "pods" or enclosed "container" of a box trailer with or without wheels.

Section 1103 Antenna, Standard (includes amateur radio antenna)

- A. No standard antenna, including its supporting structure, shall have a total height exceeding fifteen feet (15') above the top of the principal building on the lot, except that an amateur radio antenna may have a maximum height above the average surrounding ground level of seventy feet (70').
- B. An antenna shall be properly anchored to resist high winds.

Section 1104 Buffer Regulations

- A. Any non-residential zone (V, G-C, I) adjoining land within a R-L, R-1, R-2 zoning district shall meet the following buffer yard type and width requirements, unless otherwise stipulated in this Ordinance. The buffer yard shall extend the entire length or width of the property line of the adjoining zone or lot.

Table 11-1: Buffer Yards

Buffer Yard Type	Non-Residential or Mixed Use District	Minimum Buffer Yard Width (feet)
1	V: Village*	15'
2	G-C: Commercial General	50'
3	I-Industrial	100'

*Applies only when the use in the Village District is other than a single family residence

- B. Buffer Yard Landscaping minimum shall be as follows:
 - Buffer Yard Type 1: One shade tree per 50 linear feet of buffer screen and One evergreen tree per 40 linear feet of buffer screen
 - Buffer Yard Type 2: One shade tree per 40 linear feet of buffer screen and One evergreen tree per 30 linear feet of buffer screen and One deciduous or evergreen shrub per 20 linear feet of buffer screen
 - Buffer Yard Type 3: One shade tree per 30 linear feet of buffer screen and One evergreen tree per 10 linear feet of buffer screen and One deciduous or evergreen shrub per 10 linear feet of buffer screen
- C. Any lot used for other than a single-family detached or semi-detached residence in a residential or village zone and abutting an existing or planned single-family detached or semi-detached residence shall meet the requirements for buffer yard type 1, unless otherwise stipulated in this Ordinance.

- D. In the V zoning district, where a lot used for non-residential or multi-family uses abutting another lot of similar use, no buffer yard or screening is required.
- E. All buffer yards shall meet the following requirements.
1. No buffer yard or part thereof shall be used for parking, storage, loading and unloading.
 2. Buffer yards may coincide within any required building setback requirements.
 3. Buffer yards may be crossed by access roads, service drives or easements with a maximum width of thirty-five (35') feet, provided that the centerline of road, drive or easement crosses the lot line and buffer yard at not less than seventy-five (75°) degrees; however, no turning or maneuvering of vehicles shall be permitted in the buffer area.
 4. Buffer yards shall extend for the entire width of the property line adjoining the residential property or district.
 5. All screening materials and landscaping shall not encroach upon the adjoining property line at full maturity.
- F. No buffer yard shall be required for any non-residential use separated from a residential use by a public street.
- G. Characteristics of Buffer Yards
1. The buffer yard shall be a landscaped area free of structures, dumpsters, commercial or industrial storage or display, manufacturing or processing activity, materials, loading and unloading areas or vehicle parking or display. Signs shall be permitted in a buffer yard fronting a street. Buffer yards shall primarily include evergreen plants, in addition to any required shade trees.
 2. As a special exception use, the applicant may prove to the satisfaction of the Zoning Hearing Board that an alternative method of screening will satisfactorily avoid conflicts between uses and provide an attractive appearance. For example, the Borough Council may approve a decorative brick wall to be placed between a loading area and an abutting street.
- H. Plant Screen
1. Each buffer yard shall include a planting screen of trees or shrubs extending the length of the lot line.
 2. Each planting screen shall meet the following requirements:
 - a. Plant materials needed to form the visual screen shall have a minimum height when planted of 3 feet. An initial height of 2 feet may be used where a parking area is intended to be visible from a street for security purposes. The trees may be clustered or spaced unevenly. Where street trees are approved and provided in the right-of-way, or healthy existing trees will be preserved, those trees may serve in place of this tree requirement.
 - b. Plants needed to form the visual screen shall be of such species, spacing and size as can reasonably be expected to produce within 5 years a mostly solid year-round visual screen at least 6 feet in height.

- c. The plant screen shall be placed so that the plants will not obstruct a street or sidewalk.
- d. The plant visual screen shall be interrupted only at: (a) approved points of approximately perpendicular vehicle or pedestrian ingress and egress to the lot (b) locations necessary to comply with safe sight distance requirements, and (c) locations needed to meet other specific State, the Borough of Mount Holly Springs and utility requirements.
- e. American Arborvitae and similar weak-stem plants shall not be used to meet the buffer yard requirements. If more than 20 evergreen plants are proposed, no more than 50 percent shall be of one species.
- f. Where space allows, evergreen trees should be planted at diagonal off-sets so that there is room for future growth of the trees.
- g. The plant screen shall be maintained in a healthy condition. Any landscaping that dies or is severely damaged shall be replaced by the current property owner as soon as is practical considering growing seasons, within a maximum of 150 days.

I. Plant Species

- 1. The Pennsylvania Department of Conservation and Natural Resources has released a list of Invasive Plant Species. These plant species are prohibited for use to satisfy any ordinance requirement. A complete listing of prohibited plants is included in Appendix A. (for more information, see also, "Invasive Plants in Pennsylvania" www.dcnr.state.pa.us)
- 2. www.plantnative.org has released a list of tree species that are native to Pennsylvania, New York and Northern New Jersey. These plant species are recommended by the Borough of Mount Holly Springs for use to satisfy any ordinance requirement. A complete listing of recommended native plants is included in Appendix A.

J. Fences

- 1. Any fence in a buffer yard shall be placed on the inside of any required plant screening.
- 2. As a condition of any variance or special exception approval, the Zoning Hearing Board may require the installation of a fence in addition to a buffer yard. As a condition of any land development approval the Borough Council may require the installation of a fence in addition to a buffer yard.

Section 1105 Bus Shelters

- A. A bus shelter shall be allowed in all zoning district to provide refuge for mass transit riders from adverse weather conditions.
- B. Only the following signs shall be permitted:
 - 1. One two-sided sign with a maximum sign area of 8 square feet, which shall only be internally illuminated in the (G-C), (I) or (V) Zoning Districts.
 - 2. Non-illuminated signs identifying the name of the transit provider, route schedules and maps.

3. In the (G-C) Zoning district a 30 square foot, internally illuminated sign shall be permitted if it is located outside of the public street right-of-way and if the sign is not within 150 feet of a residential district. A 30 square foot, internally illuminated sign may also be permitted in other locations if special exception approval is obtained, with the sole standard for approval being whether the applicant has proved that the sign would be compatible with the adjacent uses.
- C. The location of a bus shelter shall not interfere with pedestrian traffic along a sidewalk.
 - D. A bus shelter is not permitted within a clear-sight triangle.
 - E. A legally binding commitment by a responsible entity to properly maintain the bus shelter and to remove the shelter if it is not needed in the future or if it falls into disrepair is required.
 - F. Shelters shall be durably constructed and have a roof. For security and safety purposes, the majority of the side and rear walls of the shelter shall be constructed of a clear, shatter resistant material.
 - G. Any light bulbs or lighting elements shall not be directly visible from outside the shelter. Glare shall not be created.
 - H. A bus shelter shall not abut a single-family dwelling.

Section 1106 Clear Sight Triangle

- A. In a Clear Sight Triangle no walk, fence, sign or other structure shall be erected or altered, and no hedge, tree, shrub or other growth shall be maintained or permitted between 3' and 8' above the street grade which may cause danger to traffic on a street or public road by obscuring the view.
- B. Where two streets intersect, a clear sight triangle shall be required. Each of the two shorter legs of the triangle shall be measured from 30 feet back from the point of intersection of the street cartways (disregarding the curbed radius at the corner). These two legs shall be connected by a third longer leg.
- C. See the definition of "Alley," which is distinguished from a "Street."
- D. Where a street intersects with an alley, a clear sight triangle shall be established with one leg of the triangle 15 feet long along the edge of the right-of-way of the street and one leg of the triangle 10 feet long along the centerline of the alley, with the 2 legs connected by a third longer leg.
- E. Where 2 alleys intersect, a clear sight triangle shall be established with each leg of the triangle 10 feet long along the centerline of each alley, and with the 2 legs connected by a third longer leg.
- F. Driveways and access drives shall be located and constructed so that a clear-sight triangle is provided. Two (2) apexes of the triangle shall be located in both directions along the street centerline, seventy five feet (75') from a point where the centerline of a driveway or access drive and street intersect. The vertex of the triangle shall be located along the centerline of the driveway or access drive, on the site and fifteen feet (15') from the property / street right-of-way line.

Section 1107 Compost

The placement of compost as an accessory residential use is permitted, subject to all accessory use setbacks. Only waste materials from the residential site shall be deposited within the compost, and in no case shall meat, or meat by-products, dairy products or bones be composted. All compost shall be properly maintained so as not to become a nuisance to nearby properties.

Section 1108 Driveway Requirements

- A. Driveways shall include private drives serving individual farms and single-family dwellings, as well as shared driveways serving two dwellings. Driveways shall meet the following standards:
1. No more than two (2) driveway connections per lot shall be permitted.
 2. Driveways may not exceed 24 feet at the right-of-way line, excluding driveway radii.
 3. Driveways and parking areas shall not be less the following distances from the edge of the cartway of any street intersection:
 - a. Baltimore Avenue (North and South) forty feet (40’).
 - b. Mill Street forty feet (40’).
 - c. Pine Street (East and West) forty feet (40’).
 - d. All other streets shall not be less than twenty feet (20’) from the edge of cartway of any street intersection.
 4. Driveways and parking areas shall not be less than five feet (5’) from a fire hydrant, nor less than five feet (5’) from adjoining lot lines, unless a shared driveway is proposed.
 5. A driveway shall not exceed a slope of eight percent (8%) within twenty-five feet of the street right-of-way lines no fifteen percent (15%) overall.
 6. Where a drive enters through a bank cut, the shoulders of the cut may not exceed 50% in slope within 25 feet of the point the drive intersects the right-of-way.
 7. At the street right-of-way, a driveway providing access to a single car garage, a double car garage, or a parking area shall be limited to a width of twenty (20’) feet. On uncurbed streets a radius of no less than five feet (5’) and no greater than fifteen feet (15’) is permitted on both sides of the driveway in addition to the twenty foot (20’) driveway width.
 8. Any driveway intersecting with a State-owned road shall require the obtainment of a Highway Occupancy Permit from the Pennsylvania Department of Transportation.
 9. Driveways shall not interfere with normal traffic movement nor be constructed in a manner to be inconsistent with the design, maintenance and drainage of the street. When required to maintain drainage, a pipe no less than fifteen inches (15”) in diameter shall be installed.
 10. A driveway location shall be delineated on all plans / permits, as applicable.
 11. Shared driveways may be used to provide required vehicular access between two (2) single-family detached dwellings and a street. Shared driveways shall not exceed one thousand feet (1,000’) in length.
 12. Driveways shall be located so as to provide adequate sight distance at intersections with streets. Such sight distances shall be as specified in the Borough of Mount Holly Springs Subdivision and Land Development Ordinance, but no less than a minimum of two hundred feet (200’) in each direction.

13. A clear sight triangle in conformance with this Ordinance shall be provided for driveways.

Section 1109 Dumpster Screening and Location

- A. Solid waste dumpster shall be screened on all sides that face a residentially zoned property or land use. Such screening shall consist of decorative masonry walls, solid weather-resistant wood fencing of a similar appearance (such as white vinyl vertical planks). Primarily evergreen plantings are also encouraged in addition to the fence or wall. The fence or wall shall include a self-latching door or gate.
- B. Setback from Dwellings. An outdoor solid waste container with a capacity of over 25 cubic feet shall be kept the maximum distance that is feasible from any abutting dwelling, provided that the container is not in the minimum front yard setback area. In any case, an outdoor solid waste container shall be kept a minimum of 15 feet from an abutting dwelling. A solid waste dumpster shall not be located in a front, side or rear setback yard or a required buffer yard.
- C. All waste containers shall be completely enclosed, and the lid shall be kept in place. The locations of all dumpsters shall be shown on all site plans and land development plans submitted to the Borough of Mount Holly Springs.
- D. This section shall not apply to dumpsters temporarily placed during actual construction or demolition on the premises, or for recycling containers that do not involve garbage (see also Section 1125).

Section 1110 Fences and Walls

- A. Fences and walls shall be permitted by right in all Zoning Districts. Any fence or wall shall be durably constructed and well-maintained. Fences or walls that have deteriorated shall be replaced or removed.
- B. No fence, wall or hedge shall obstruct the clear-sight triangle requirements of this Ordinance.
- C. No fence, wall, or structure shall be permitted or erected in a public or private drainage, utility or access easement, unless otherwise required by this Ordinance or other Borough of Mount Holly Springs ordinance. Any such fence erected in violation of this section shall be removed or relocated at the owner's expense.
- D. It shall be unlawful to vary materially from the approved submitted plans and specifications unless such variations are submitted in an amended application to the Zoning Officer or other designated municipal official and approved by this official.
- E. Fences shall comply with the following:
 1. Any fence located in the required front yard in a residential district shall:
 - a. be an open-type of fence (such as picket, metal post, wrought iron or split rail).
 - b. not exceed forty-eight inches (48") in height, subject to (B) above.
 2. In a residential district on a corner lot at the intersection of two (2) streets, the maximum height of a fence shall be forty-eight inches (48") along the street from which the residence takes its address; the maximum in other yards shall be six feet (6'), all subject to (B) above.
 3. Brick may be used for posts or as a base for a fence, provided the maximum fence height is not exceeded.

4. A fence shall not be required to comply with minimum setbacks for accessory structures.
 5. Fences that are not within a residential district shall have a maximum height of eight feet (8'), subject to (B) above.
 6. A maximum height of twelve feet (12') shall be permitted where the applicant proves to the Zoning Officer that such taller height is necessary to protect public safety around a specific hazard, such as around an electric substation.
 7. Structural posts of a fence may extend above the height of the fence.
 8. All fence heights shall be measured from the average surrounding ground level.
 9. No fence shall be built within an existing street right-of-way.
 10. A fence may be built without a setback from a lot line, however a small setback is recommended to provide future maintenance of the fence.
 11. Barbed wire shall not be used as part of fences around dwellings.
 12. No fence shall be constructed out of fabric, junk, junk vehicles, appliances, tanks or barrels.
 13. If one side of a fence includes posts or supports, those posts or supports shall be placed on the interior of the fence, as opposed to facing onto a street or another lot.
 14. If a fence is finished only on one side, the finished side shall face outward away from the lot or parcel upon which it is located.
- F. Walls shall comply with the following:
1. Engineered retaining walls necessary to hold back slopes are exempted from the regulations of this Section and are permitted by right as needed in all zoning districts.
 2. Walls, except a retaining wall, in the minimum front yard in a residential district shall have a maximum height of forty-eight inches (48"). In a residential district on a corner lot at the intersection of two (2) streets, the maximum height of a wall shall be forty-eight inches (48") along the street from which the residence takes its address; the maximum in other yards shall be six feet (6'), all subject to (B) above.
 3. Walls that are structurally part of a building shall be regulated as part of that building.
 4. All wall heights shall be measured from the average surrounding ground level.

Section 1111 Frontage onto Improved Streets

- A. Frontage Required onto Improved Streets shall comply with the following:
1. Each proposed new lot and principal building shall directly abut one of the following: a) a public street, not including an "alley," b) a street proposed to be dedicated to the Borough of Mount Holly Springs by the subdivision plan which created such lot, or c) an existing (at date of adoption of this Ordinance) private street which meets all of the requirements of a public street. Approved access shall be in accordance with the Borough of Mount Holly Springs Subdivision and Land Development Ordinance.

2. Access to lots containing single-family dwellings shall be via driveways and access to lots containing other uses shall be via access drives.
3. The erection of a principal building on any lot which existed at the time of the enactment of this Ordinance and does not have frontage on a public right-of-way shall be permitted if the applicant provides proof of access to the property in the form of a legal document recorded at the County courthouse. If the existing document does not address access rights and maintenance responsibilities between the landowner and effected parties, or if no such document exists, a new document shall be recorded that does address these issues. In addition, the landowner shall enter into a binding legal agreement with the Borough of Mount Holly Springs prepared by the Borough of Mount Holly Springs Solicitor outlining the responsibility of each party as it pertains to the private right-of-way.

Section 1112 Garage and Yard Sales

- A. Within any zoning district, an owner, occupant, or both, may conduct up to four (4) garage or yard sales per year.
- B. No garage or yard sale shall be conducted for a period longer than three (3) consecutive days.
- C. Sales shall be limited to personal items.
- D. Only two (2) signs up to six (6) square feet shall be permitted off sale premises advertising the garage or yard sale, and shall be removed promptly upon the completion of the sale.
- E. In no case shall any aspect of the garage or yard sale be conducted in a street right-of-way, except that parking may occur where permitted.
- F. The conduct of a garage or yard sale beyond the extent herein represents a commercial business and requires appropriate zoning authorization.

Section 1113 Habitable Floor Area

Minimum residential dwelling and room sizes shall be in accordance with the 2015 International Property Maintenance Code or the latest version thereof.

Section 1114 Height Regulations

- A. The height of any building may exceed the maximum permitted height by one foot for each additional foot by which the width of each yard exceeds the minimum yard regulation for the district in which the building is located. In no case shall the height of any building exceed 50 feet.
- B. Height regulations shall not apply to barns intended for farming operations, skylights, steeples of houses of worship, antennas, spires, belfries, windmills, cupolas, penthouses, or domes not used for human occupancy, nor to chimneys, ventilators, skylights, water tanks, bulkheads, utility poles or towers, silos, clock or bell towers, elevator shafts, mechanical equipment or other appurtenances usually required to be and customarily placed above roof level and not intended for human occupancy.
- C. No building shall be hereafter erected less than one (1) story in height.

Section 1115 Landscaping

- A. Any part of a commercial, industrial, institutional or apartment lot which is not used for structures, loading areas, parking spaces and aisles, sidewalks and designated storage areas shall be provided with an all-season, well-maintained vegetative groundcover, and shall be landscaped with trees and shrubs. Landscaped areas shall be kept free of debris, rubbish and noxious weeds.
- B. **Parking Area Landscaping**
1. One deciduous tree shall be required for every 10 new off-street parking spaces.
 2. If a lot will include 8 or more new parking spaces, landscaped areas shall be provided within the parking area. Otherwise, the trees may be planted around the parking area. No more than 20 off-street parking spaces shall be located in one contiguous cluster without being separated from other spaces by landscaping.
 3. Trees required by this section shall meet the following standards:
 - a. The trunk caliper (measured at a height of 6 inches (6") above the finished grade level) shall be a minimum of 2 inches or greater.
 - b. **Planting and Maintenance.** Required trees shall be:
 - (1) Planted with adequate unpaved surface around each for water and air, and
 - (2) Properly protected by curbs, curb stops, distance or other devices from damage from vehicles.
 - c. Trees shall be free of insect pests and diseases.
 - d. Trees shall be maintained in a healthy condition. Any tree which dies or is severely damaged shall be replaced by the current property owner as soon as is practical considering growing seasons, within a maximum of 150 days.
- C. **Street Trees.** As part of the construction of any new street or any new principal non-residential building or any new apartment building, street trees shall be required to be planted. An average of one street tree shall be planted for every 50 feet of street length. The street trees do not need to be planted at specific intervals, but may be moved to fit with utilities, driveways and other features.
1. The locations of the trees may or may not be within the street right-of-way, depending upon the circumstances of the site. If the trees are not located in the right-of-way, they shall be placed within the yard immediately adjacent to the right-of-way.
 2. New street trees shall not be required where existing healthy street trees will be preserved and will serve the same purpose.
- D. **Landscaping Maintenance.** All trees buffer yard and other landscaping required by this Ordinance shall be perpetually maintained by the property-owner. Any landscaping needed to meet an Ordinance requirement that dies, is removed, or is severely damaged shall be replaced by the current property-owner as soon as is practical considering growing seasons, within a maximum of 150 days.

Section 1116 Natural or Man-Made Lakes, Dams, Ponds and Impoundments

- A. All lakes, dams, ponds and impoundments shall be permitted in any zone, subject to the Borough of Mount Holly Springs Subdivision and Land Development Ordinance and all state and/or federal requirements.
- B. All lakes, dams, ponds and other impoundments shall be regularly maintained to prevent stagnation and to prevent a nuisance to adjacent properties. Floating debris shall be removed from all pipes and spillways. If the ponds, lakes, dams and impoundments have pipes and spillways, they shall be regularly cleaned.
- C. Ornamental Ponds and Wading Pools
 - 1. Ornamental ponds and wading pools shall comply with all accessory use setbacks.
 - 2. All such ponds or pools shall be maintained so as not to pose a nuisance by reason of odor, or the harboring of insect, vermin, or both.
 - 3. No such pond shall be used for the commercial hatching of fish or other species.

Section 1117 Number of Principal Uses and Principal Buildings Per Lot

- A. A lot in The V, GC or I district may include more than one permitted principal use per lot and/or more than one permitted principal building per lot, provided that every requirement is met for each use and each building. If differing dimensional requirements apply for different uses on the lot, then the most restrictive requirement shall apply.
 - 1. For example, if Use One requires a one acre lot area and Use Two on the same lot requires a 2 acre lot area, then the lot shall have a minimum lot area of 2 acres.
 - 2. The lot may include a condominium form of ownership of individual buildings, with a legally binding property-owner's association, if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Borough of Mount Holly Springs Solicitor, that there will be appropriate legal mechanisms in place and compliance with applicable State law.
- B. A lot within a residential district shall not include more than one principal use and shall not include more than one principal building unless specifically permitted by this Ordinance.
 - 1. A manufactured/mobile home park, condominium residential development or apartment development may include more than one principal building per lot, provided all other requirements of this Ordinance are met.
 - 2. A condominium form of ownership of individual dwelling units, with a legally binding homeowners or other association, may be established if the applicant proves to the satisfaction of the Zoning Officer, based upon review by the Borough of Mount Holly Springs Solicitor, that there will be appropriate legal mechanisms in place and compliance with applicable State law.

Section 1118 Performance Standards for all Uses

All uses shall be subject to and comply with the following regulations, or as amended, where applicable.

- A. Noise Pollution and Vibration: "Rules and Regulations" of the Pennsylvania Department of Environmental Protection.

- B. Air Pollution. Airborne Emissions and Odor: "Rules and Regulations" of the Pennsylvania Department of Environmental Protection.
- C. Water Pollution: The Clean Streams Law, June 22, 1937 P.L. 1987, 35 P.S. 691, or as amended.
- D. Mine Reclamation and Open Pit Setback: Pennsylvania Act 147, the "Surface Mining Conservation and Reclamation Act" of 1971, or as amended.
- E. Glare and Heat: "Rules and Regulations" of the Pennsylvania Department of Environmental Protection.
- F. No use or operations shall be permitted which creates a public nuisance or hazard to adjoining property by reason of fire, explosion, radiation or other similar cause.
- G. Outdoor Lighting: Where light fixtures are installed to provide exterior illumination, excluding overhead street lighting and warning, emergency, or traffic signals, the following restrictions shall apply. These standards will only apply to non-residential and multi-family uses abutting residential uses.
 - 1. All outdoor lighting, whether or not required by this Ordinance, shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as contained in the IESNA Lighting Handbook.
 - 2. All future amendments to the recommended practices of the IESNA shall be made a part of the Ordinance without further action by the Borough Council.
 - 3. Street lighting fixtures, when required for safety considerations, may be controlled by photocells for dusk to dawn operation.
 - 4. The lighting from any luminary shall be shaded, shielded, or directed to prevent direct light from being distributed onto adjacent properties and/or surrounding areas. Unshielded lighting is not permitted, except for temporary holiday lighting.
 - 5. Lighting shall be designed so that glare or direct illumination does not exceed one 1 foot candle beyond the property line on which the lighting originates.
 - 6. Lighting on private, residential, commercial, industrial, municipal, recreational or institutional property; shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse (disabling glare).
 - 7. Pole-mounted lamps shall be placed directly above the area to be illuminated and shielded at the top and sides; or positioned near the perimeter of a property and aimed toward the area requiring illumination, subject to applicable yard setback provisions.
 - 8. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of mounting height, wattage, aiming angle, fixture placement, etc.
 - 9. The installation or erection of any lighting, which may be confused with warning signals, emergency signals, or traffic signals, shall not be permitted.
 - 10. Lighting of parking lots shall be in accordance with this Ordinance.

11. Maintenance: Lighting fixtures shall be maintained so as to always meet the requirements of this Ordinance.
12. Nonconforming Lighting: Any lighting fixture existing on the effective date of this Ordinance which does not conform with the requirements of this Ordinance shall be considered a lawful, nonconforming lighting fixture. A nonconforming lighting fixture shall be made to comply with the requirements of this Ordinance when such fixture is replaced or relocated.

Section 1119 Pets, Keeping Of

- A. Keeping of pets is permitted by right in all zoning districts.
- B. No use shall involve the keeping of animals or fowl in such a manner or of such types of animals that it creates a health hazard or a public safety hazard. The owner of the animals shall be responsible for collecting and properly disposing of all fecal matter from pets. No exotic wildlife shall be kept outdoors in a residential district.
- C. It shall be unlawful on a residential property to maintain any "exotic wildlife" as defined by the Pennsylvania Game & Wildlife Code, whether or not an exotic wildlife possession permit has been issued.

Section 1120 Prohibited Uses

The following uses are prohibited in all districts within the Borough of Mount Holly Springs.

- A. Dumps and dumping of any kind, other than solid waste landfill and composting, unless by the authority of or under the supervision of the Borough of Mount Holly Springs.

Section 1121 Recreation Courts, Rinks and other Athletic Facilities

- A. All recreation courts, rinks, and other athletic facilities shall be arranged or fenced so as to prevent safety hazards upon nearby roads, properties or both. All recreation courts, rinks and other athletic facilities, excluding fences, shall be set back at least twenty (20) feet from any adjoining lot lines and shall include an open mesh permanent fence ten feet (10') in height behind each baseline. Such fence shall extend parallel to said baseline at least ten feet (10') beyond the playing surface unless the entire facility is enclosed. Any lighting fixtures shall be arranged so as not to cast directly on adjoining property, roads, or both.

Section 1122 Sale of Personal Vehicles

- A. In any zone, a landowner or occupant may display a maximum of two (2) personal passenger or recreational vehicles for sale at any time. Such displays shall be for a maximum of sixty (60) days not more than twice a calendar year. Two signs a maximum of six (6) square feet each may be displayed per vehicle. All vehicle sale activities shall be in accordance with applicable state regulations.

Section 1123 Seasonal Sidewalk Displays

- A. Seasonal sidewalk displays shall comply with the following provisions:
 1. The location of outdoor seasonal sidewalk displays shall be limited to sidewalks, under canopies, or other areas immediately in front of the building's store front. The stacking and/or display of such items shall be arranged to provide clear pedestrian access (sidewalk or other area) in accordance with the Americans with Disabilities Act.

2. In no case shall the location of such sidewalk display areas occur within any area used for vehicular circulation, loading or emergency vehicle access (e.g., fire lanes);
3. In no case shall such sidewalk display area exceed fifty percent (50%) of the lineal store-front dimension;
4. No signage, except as authorized by this Ordinance, shall be permitted; and
5. Intended sidewalk display areas shall be located upon any permits and/or plans required by the Borough of Mount Holly Springs.

Section 1124 Storage and Display (Outside)

- A. In all zones, no outdoor storage of any material shall be permitted in the required front yard.
- B. Outside storage and display shall not occupy an existing or future street right-of-way, buffer yard, sidewalk or other area intended or designed for pedestrian use, or required parking area.
- C. No outside storage or display shall occur on areas with a slope in excess of 25% or within the 100 year floodway.
- D. Outside storage and display shall be screened in accordance with this Ordinance.
- E. Any outside storage of more than eight (8) tires shall only be permitted as part of a Borough of Mount Holly Springs approved junkyard.
- F. If approved as a Junkyard, any outside storage of tires shall involve stacks with a maximum height of 15 feet and shall cover a maximum of 400 square feet. Each stack of tires shall be located a minimum of seventy five feet (75') from all lot lines.

Section 1125 Storage, Temporary

- A. The temporary storage of portable dumpsters and bulk materials, including , but not limited to stone, mulch, firewood, and building materials within the public right-of-way shall be permitted for a period not to exceed 48 hours.

Section 1126 Storage, Unenclosed Vehicles

- A. Motor vehicles with either registration or inspection stickers which are more than sixty (60) days beyond their expiration dates shall not be parked or stored in any zone outside of a completely enclosed building.
- B. The requirements of this section shall not be applicable to farm implements and other farm vehicles not normally used as a means of conveyance on public streets.
- C. Nothing in this section shall be interpreted to prevent the unenclosed storage of motor vehicles without current, valid license plates and current valid inspection stickers if such storage is performed in conjunction with the legal operation of a motor vehicle sales establishment, a motor vehicle service or repair establishment, or a junkyard.
- D. Within the G-C, R-1, R-2, R-L or V zones, the unenclosed storage of recreation vehicles, campers, travel trailers, commercial trucks, boats and trailers is permitted only according to the following requirements:

1. The temporary parking of one recreation vehicle, camper, travel trailer, commercial truck, boat or trailer for a period not to exceed 48 hours is permitted on a paved or gravel surface in any yard, so long as the vehicle is set back no less than ten feet (10') from any street right-of-way, and five feet (5') from adjoining property lines.
 2. The storage maximum of two (2) recreation vehicles registered to the landowner or tenant of a property shall be permitted. A maximum of two (2) vehicles, so long as the unit is set back no less than ten feet (10') from any street right-of-way and five feet (5') from adjoining property lines, subject to the following requirements:
 - a. No vehicle shall be stored in front of the building setback line. On vacant lots, the vehicle must be stored behind the required front yard setback line, as specified for principal uses.
 - b. All vehicles shall maintain required licensure and shall prevent the leakage of fuels, lubricant, or both, onto the ground.
 3. The storage or parking of one (1) commercial truck upon any residential lot is permitted.
 4. The parking or storage of any trailer other than those accessory to a principal residential use is prohibited.
- E. The use of non-traditional storage units, including those commercially known as "pods" or enclosed "container" of a box trailer with or without wheels, shall be permitted on a temporary basis subject to the following:
1. Units shall be permitted for a maximum period of 60 consecutive days in any one calendar year. This period may be extended upon written request to the Zoning Officer for a period not exceeding 180 days.
 2. The enclosed "container" of a box trailer with wheels may be used for temporary construction storage for the period for which a valid building permit has been issued. Such units shall be licensed and located in accordance with the required accessory use setback of the zoning district in which the property is located.
 3. The "container" of a box trailer, with or without wheels, shall not be used for permanent storage in any zoning district.
- F. The only overnight parking of trucks and busses that shall be allowed in a residential zoning district shall be for the maximum of two (2) vehicles and which shall only be allowed if such vehicle(s) is used by residents of the dwelling to travel to and from work.

Section 1127 Swimming Pools

- A. Every outdoor swimming pool, excluding kiddie pool, must conform to all applicable municipal and state codes and shall be subject to the following regulations.
1. No swimming pool shall be constructed in the required front yard.
 2. Swimming pool setback shall be a minimum of ten (10') feet from the property line to waters edge and seven (7') feet from impervious surface or support structure to property line.

3. Water may not be discharged from a swimming pool directly onto adjacent properties or rights-of-way.
4. Pools shall not be located over an on-lot septic system drain field or drainage, utility, or access easement.
5. No permanent pool structure shall be permitted without an operable filtration system, bromine or some other antibacterial agent.
6. All swimming pools shall be completely enclosed with fencing at least four feet (4') in height. Such fence or wall shall be erected before any pool is filled with water.

Section 1128 Waste and Sewage Disposal

All methods and plans for the on-lot disposal of sewage or wastes shall be designed in accordance with all applicable regulations pertaining to the treatment and disposal of sewage and wastes. A certificate or statement of adequacy from the Municipal Sewage Enforcement Officer or the Pennsylvania Department of Environmental Protection as applicable shall be prerequisite to the issuance of a building permit.

Section 1129 Waste Handling Requirements

- A. All commercial, industrial and health-care related uses shall be required to provide detailed information regarding materials and waste handling, including:
 1. Listing of all materials to be both used or produced on the site;
 2. Listing of all wastes generated on the site; and
 3. Evidence shall be provided indicating that the disposal of all materials and wastes shall be accomplished in a manner that complies with state and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within the state which have been contracted to dispose of the materials and wastes used or generated on-site or some other legal means of disposal. The zoning permit for this use shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the use change in the future, such that the materials used or wastes generated changes significantly either by type or amount, the owner shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section.

Section 1130 Yard Adjustment Regulations

- A. Yards shall be provided in accordance with the provisions of this Ordinance and shall be planted with grass, seed, sod, ground cover, mulch or other pervious decorative or vegetative cover excepting in cases where walks, access drives, off-street parking lots, patios and other types of surfaces are permitted by this Ordinance.
 1. No lot, structure or use shall be created or developed in such a way that it would result in another lot, building or use not being able to meet the requirements of this Ordinance. This includes, but is not limited to: setback areas, non-impervious areas and off-street parking areas.
 2. Emergency Access. All principal buildings shall have adequate provisions for access by emergency vehicles and fire ladders in order to reach all sides of a building.

3. Where the street or streets (or private road) right-of-way upon which the lot abuts is less than fifty (50') feet in width, the required front yard shall be measured from a line parallel to and twenty-five (25') feet from the center line of the street (or private road).

B. Front Yards

1. Each lot shall have a front yard building setback as required in the district in which the lot is located.
2. Front Yard Setback Exception. In any district within a block containing a lot proposed for construction or expansion of a building, where 50 percent or more of the improved lots on such block frontage on one side of a street currently have front yards of less depth than is currently required for that district, and where the clear majority of such lots are already developed, the average of such existing front setbacks shall establish the minimum front yard depth for the remainder of the frontage.

C. Side Yards

1. On a lot, in a district where residential structures are permitted, held in single and separate ownership at the effective date of this Ordinance, with a lot width less than required for the zone district, side yards shall be provided according to the following requirements:
 - a. The minimum residential driveway setback shall be five feet (5') from the side lot line with the exception of shared driveways for single-family semi-detached units or single-family attached units in which case the driveway may extend over the common property line of the attached or semi-attached units. A maintenance agreement shall be required between property owners for the shared driveway.
 - b. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into any required yard.
 - c. A detached or attached garage or carport shall not be permitted within a required side yard setback.

D. Interior Yards

1. Open space between principal buildings of a dwelling group on a lot in single ownership shall be provided as follows, unless otherwise stipulated in this Ordinance for specific uses.
2. When parallel or obliquely aligned, buildings shall have fifty (50') feet between front or rear faces for one story in height, plus five (5') feet for each additional story.
3. Between end walls of buildings, a yard space of twenty-five (25') feet for each one-story building plus five (5') feet for each additional story shall be required.
4. Between end walls and front or rear faces of buildings thirty (30') feet for one story, plus five (5') feet for each additional story shall be required.
5. When two (2) adjacent buildings differ in the number of stories, the spacing shall be not less than one-half of the sum of the required distance between two (2) buildings of lower height, plus that between two buildings of the greater height.

6. The minimum distance separating multiple family buildings from non-residential uses shall be not less than seventy-five (75') feet between buildings.

E. Projection in Yards

1. Unenclosed patios, terraces, and porches, 3 feet (3') or less above ground level may extend into required side and rear setback areas, provided they are setback at least 3 feet (3') from a rear property line.
2. Cornices, eaves, sills or other similar architectural features, gutters, bay windows, chimneys, or similar structures, may project into the front, rear or side yard of a lot, not more than eighteen (18) inches.
3. Exterior stairways, fire escapes or other required means of egress, ground-mounted doors for basement access, window awnings, chase for heating pipes or other similar structures that do not include space usable by persons may extend or project into a required yard, except as may be required within a drainage or utility easement.
4. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into any yard.
5. Walks, and window wells, and such other structures customarily incidental to the main building may project into the front, side or rear yards of a lot providing the structure elevation shall be not more than twelve (12') inches above the yard grade.
6. Handicapped ramps and landings necessary to provide entrance to a building may be located within a required setback area. Handicapped ramps serving an existing building may extend into a street right-of-way where necessary, if granted written approval by the Zoning Officer.