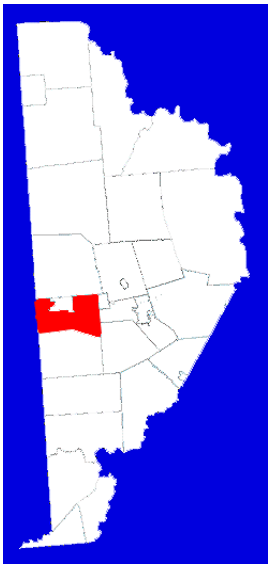
CANAAN TOWNSHIP

Wayne County, Pennsylvania

Comprehensive Plan



Adopted October 2, 2002

Prepared by:

Canaan Township Board of Supervisors
Canaan Township Planning Commission

Foreword

This Plan was prepared by the Canaan Township Planning Commission with the support of the Board of Supervisors. We were also assisted by the Wayne County Planning Commission, Shepstone Management Company and many individuals who took the time to attend meetings and offer comments.

This Comprehensive Plan is intended to offer a concise description of Canaan Township and its needs as of 2001. It is designed to provide a policy framework for the Township as it looks forward over the next decade. The Township is a relatively small but is also the site of several facilities with major impacts on the County and the region. Among the purposes of this Plan is taking a long range view of this activity as it affects Canaan Township and the surrounding region.

Canaan Township Planning Commission

Paul Yander - Chairman
Linda Harwitt - Secretary
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Michael Cavage - Member
Wendell Hunt - Member

Canaan Township Board of Supervisors

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1.0 Background Studies

1.1 Regional Relationships.

Canaan Township is located in the central western portion of Wayne County. It borders the Townships of Cherry Ridge, Clinton, South Canaan and Texas in Wayne County and Carbondale and Fell Townships in Lackawanna County. It also surrounds most of Waymart Borough and adjoins Prompton Borough in Wayne County.

Three State Highways (Routes 6, 296 and 3028 - the Owego Turnpike) link the Township to other portions of Wayne County and to the Lackawanna Valley area. Its proximity to the State Correctional Institution at Waymart and crossroads position midway between Carbondale and Honesdale have made it a connecting link between northern and southern Wayne County and the Lackawanna Valley urban area.

The availability of water and sewage treatment services from Waymart Borough's system, the Lackawanna Valley Industrial Highway (recently renamed the "Robert P. Casey Highway") terminating at nearby White's Crossing and the new Federal Prison on Canaan Road, a $130,000,000 project now under construction, suggest the role of the Waymart area in the development of the region will expand in the future.

1.2 Natural and Historic Features.

1.2.1 Geology

The terrain of the Township was formed by glaciers and is, therefore, characterized by both steep slopes and depressions. The glacial deposits of stone and debris contribute the great variety of soils present in the area and account for their often limited suitability for on-site sewage disposal. The primary geologic formation is the Devonian Catskill, which includes sandstones, shales, and conglomerates, the first of these being a good water producer.

1.2.2 Terrain

The greatest local relief in the Township is found along the western border and High Knob (elevation 2291) is located within Canaan along the Moosic Mountain ridges. The ridges form a half circle coming from the western border and curving in a southeasterly direction. These steep slopes created a barrier to road construction causing Route 6 to be constructed around the ledges.

Topography is, of course, always an important element in determining suitability for road construction, recreation and building construction, because of the increased potential for soil erosion where land is developed. The Township has a number of steep slope areas, also found mostly along the Moosic Mountain ridges.

1.2.3 Water Resources

The major water body within the Township is Lake Ladore (which is also partly within Waymart Borough). The Township is located mostly within the Lackawaxen River and Middle Creek watershed's, the latter eventually joining the former before winding its way to the Delaware River. Both streams and various tributaries are classified as a "high quality" (as are most other streams in Wayne County) and the Lackawaxen is part of a major stormwater management planning area for which the Township has adopted implementing regulations. A small portion of the Township also drains into the Lackawanna River basin where similar standards are in effect.

1.2.4 Soils

An analysis of soil conditions is found in the Township's recently completed Official Wastewater Facilities Plan. It includes a Soil Suitability Map which indicates that less than 50% of the Township is suitable for on lot sewage systems. Generally, the better soils are located in the eastern and southern portions of the Township. Fortunately, many of the poorer soils are located in the general area where the Waymart Municipal Authority collection and treatment system can be employed to

remedy malfunctions or accommodate new development. This is essentially what is taking place with the new Federal Prison as the Borough system is expanded and upgraded to serve this facility and the State Correctional Institution (replacing a separate older system on that property).

1.2.5 Vegetation and Wildlife

The Township is heavily forested and additional reforestation plantings have been accomplished by at least one major lumber company with holdings in the Township. There are a number of timber harvesting operations throughout the area and numerous hunting clubs that depend on these forested areas for wildlife habitat. The wide variety of deciduous trees constitutes a recreational asset for the entire county and is of no small aesthetic value to local facilities such as the Salvation Army and Spojnia Manor.

1.2.6 Wetlands

There are significant areas of wetlands in the Township, the most important of which are located between Canaan Road and Route 296 south of the Owego Turnpike (Route 3028). There are additional wetlands located in and around Waymart Borough and adjacent to some of the major water bodies in the Township, including the Farview reservoirs, Lake Ladore, Keen's Pond and Hoadley Pond. These are important aquifer recharge areas for water supply as well as open space assets to the Township.

1.2.7 Unique Natural Features

The Moosic Mountain includes several "barrens." These are unique natural areas recognized by the Nature Conservancy and the Department of Conservation and Natural Resources as special resources. These barrens are rare and sensitive lands that the Department indicates contain "fire-adapted plants like scrub oak and pitch pines and low-growing heaths such as huckleberries, blueberries, rhodora and other acid-loving plants that do well in the cold, windy environment."

Approximately 1,500 acres at the summit of Moosic Mountain along the Township border has been recently designated as the Panther Bluffs Sanctuary through the efforts of the Wildlands Conservancy. It includes a globally rare type of mesic heath barrens, some endangered species and various bog and wetland areas.

1.2.8 Historical Resources

Colonel Asa Stanton was the first settler in in the area. He came from New London, Connecticut, in 1790, and built a log cabin which became a stopping place for travelers. He also built the first sawmill in this section of the county, at what is known as Lake Ladore, in 1805.

Captain Matthias Keen, another early settler, came to Canaan in 1815. He first lived on Orchard Hill, and made a dam at the mouth of Keen's Pond, then called "Canoe Pond," and built a frame for a gristmill. He also erected the first carding-machine in the region and a wool-picker was attached.

Canaan was one of the original Wayne County townships established in 1798. Waymart Borough was taken from the northwestern corner of the Township in 1851.

Public roads were laid out early, including from Keen's Pond to Canaan. The Belmont and Easton Turnpike Company was chartered in 1812. This Turnpike for a number of years had immense travel and is now generally known as Belmont Street in and around the Borough. Prior to the completion of the Gravity Railroad, these early roads provided a relatively easy means of moving people and goods and led to the development of the hamlet that became Waymart Borough.

During the early 1800's the Lackawanna Valley anthracite coal industry developed under the leadership of William and Maurice Wurts, who were hauling the product to New York City.

In 1826 they decided to build a railroad over the Moosic Mountains to

their Delaware and Hudson Canal facility which terminated in Honesdale. Beginning at an elevation of 1,200 feet at Carbondale, the "Gravity" rose to an elevation of 1,907 feet at Dix's Gap (Farview) through a series of five planes. The road then descended the east side of the Moosic Mountains by three planes to an elevation of 985 feet at Honesdale. Stationary steam engines were located at the summit of each of the first five planes in order to pull the coal cars uphill.

From the opening of the Gravity Railroad in 1829 up to 1863, the Delaware and Hudson Canal Company piled the coal at Waymart that was run from their mines after the close of the canal navigation in the fall. As high as 100,000 tons were stored there, then reloaded and run to the canal at Honesdale in the spring. It is thought that Waymart received its name from the Weigh-Mart of the Gravity Railroad. This operation gave employment to a large number of men.

With the inauguration of passenger service in 1877 from Honesdale to Carbondale, this portion of the line quickly gained fame because of its novel construction and scenic beauty. In 1857 a Gravity Railroad Depot was built to accommodate freight and passenger service. The depot was sold to the Borough of Waymart and is now the only Gravity Depot remaining today.

The Gravity continued until 1899 when it was replaced by steam locomotives and changed Waymart from a farming to a railroad town. Business was in its prime during the Gravity and steam days. Lake Ladore became a tourist attraction during this era with a great grove scattered with refreshment stands, summer kitchens, swings, seats, and facilities for a boat and canoe launch. Farview developed into a popular tourist and picnic spot.

Historic resources that contribute to the character of the Township are found in the railroad structures that remain (e.g. the stone bridge at Keen's Pond), the original Farview Hospital buildings and the magnificent Carousel building at Camp Ladore, among others.

1.3 Existing Land Use

Canaan Township is the seventeenth largest municipality in Wayne County with 12,504 acres or 2.6% of the total land area. The following table and chart provide a breakdown of land use within the Township from 1980 to 2000, by acreage and percentages in each class.

Table 1.3.1 - Existing Land Use, 1980 to 2000

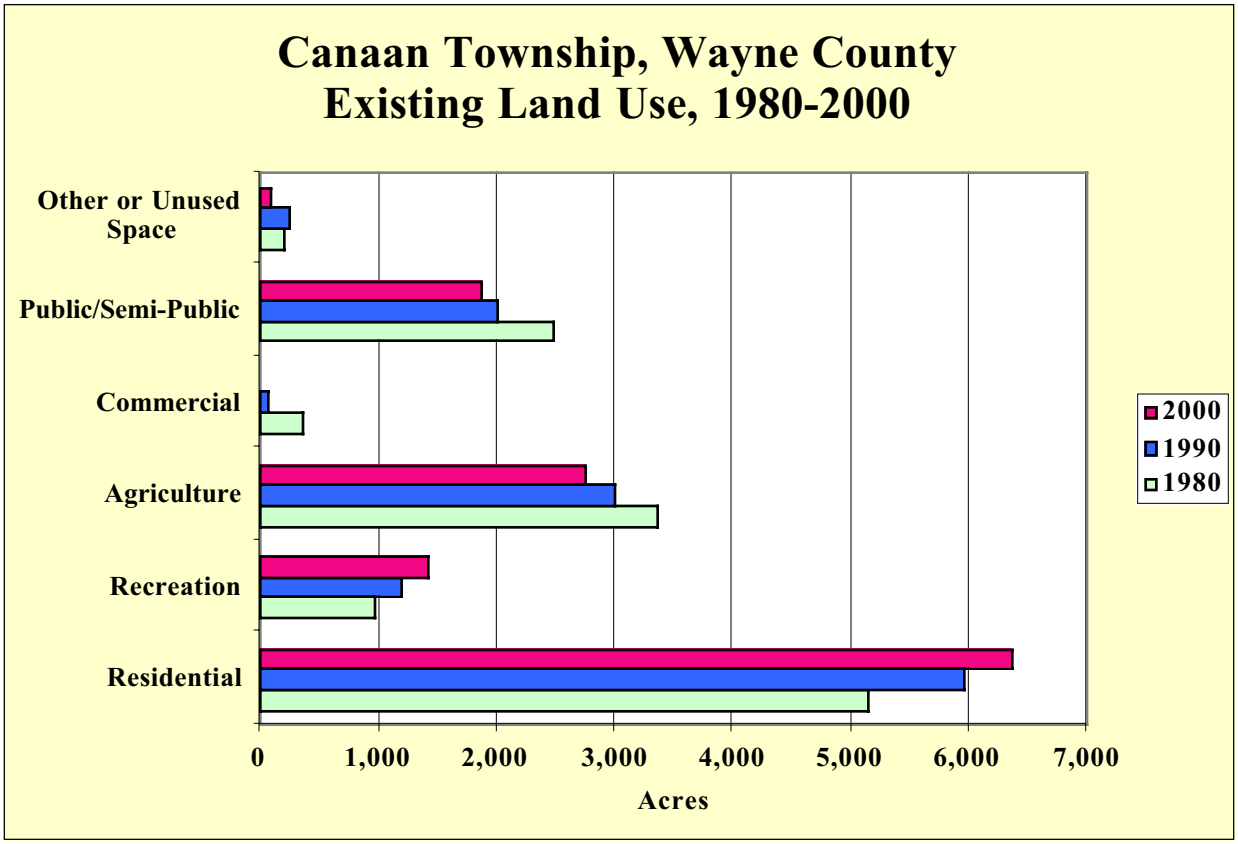
	1980	1990	2000	%
Residential	5,143	5,968	6,363	51.0%
Agriculture	3,355	2,989	2,742	22.0%
Public/Semi-Public	2,484	2,014	1,853	14.9%
Recreation	961	1,199	1,413	11.3%
Commercial	349	55	18	0.1%
Other or Unused Space	180	247	83	0.7%
Totals	**12,472**	**12,472**	**12,472**	**100.0%**

Residential land use grew the most in absolute terms over the last 20 years, gaining some 1,220 acres and expanding by 23.7%. Most of that growth, however, took place in the 1980's.

Recreation had the second largest gain in acreage in Canaan Township but grew the most in relative terms. It grew by 452 acres or 47% over the two decades and most of this occurred during the 1990's.

Agriculture experienced a decline with a lost of 613 acres over the period from 1980 to 2000, an 18.3% drop. Public and semi-public space declined by a similar amount (631 acres) as the Commonwealth sold off some Farview properties but the recent acquisition of some of those for the Federal Prison will reverse the trend. Commercial and other land uses represent very small acreages and have been declining overall.

Single-family dwellings were the largest land use subcategory under residential land use in 2000 with 3,509 acres. Other residential uses included seasonal dwellings occupying 349 acres, multi-family units situated on 5 acres and miscellaneous housing totaling 387 acres. Vacant lots accounted for 361 acres and vacant acreage represented 1,757 acres. Residential land uses in total equaled 51% of Township land area. Some 2,819 acres or 44% of the Township's residential land was owned by nonresidents.



Dairy and other operating farms represented 1,131 acres in 1990 but now account for 801 acres. Non-operating farms include 369 acres with vacant agriculture land representing 649 acres and forest reserves and tree farms providing for 480 acres. Other agricultural land use acreage totaled 444 acres. Total agriculture land covered 22% of the Township.

Recreational land use was split between mountain cabins at 1,070 acres and camps, camp sites and resorts providing the remaining 344 acres. These uses represented

11% of the land in the Township.

Commercial land uses, comprising only 0.1% of the Township, were limited to a few enterprises with the largest subcategory being motel/hotel uses at 7 acres.

Public and semi-public use included 1,283 acres controlled by the Commonwealth of Pennsylvania (Farview), 253 acres of Salvation Army property and 317 acres of other public or tax-exempt land, encompassing, altogether, 15% of the land area of Canaan Township. Altogether, some 7,816 acres or 63% of the land area was owned by residents of Wayne County in 2000.

1.4 Population and Economic Base.

1.4.1 Population Trends.

The U.S. Census indicates 1,916 people lived in Canaan Township in 2000, an increase of 51.2% over 1990. However, this mostly reflects growth in the institutional population at the State Correctional Institution (former Farview State Mental Hospital for the Criminally Insane) rather than gains in permanent population, as the table and chart below illustrate:

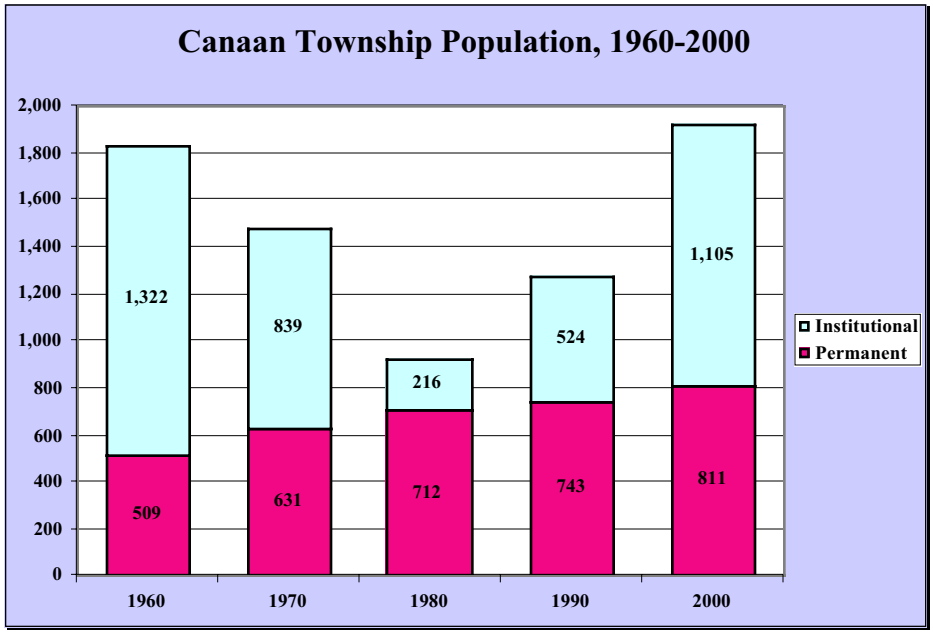


Table 1.4.1 - Population Trends

	1970	1980	1990	80-90 % Chg	2000	90-00 % Chg
Institutional	839	216	524	142.6%	1,105	110.9%
Permanent	631	712	743	4.4%	811	9.2%
Canaan Total	**1,470**	**928**	**1,267**	**36.5%**	**1,916**	**51.2%**
Cherry Ridge	890	1,362	1,600	17.5%	1,817	13.6%
Clinton	1,105	1,399	1,582	13.1%	1,926	21.7%
Prompton	224	249	238	-4.4%	243	2.1%
South Canaan	1,106	1,345	1,320	-1.9%	1,666	26.2%
Texas	2,003	2,250	2,570	14.2%	2,501	-2.7%
Waymart	1,122	1,248	1,337	7.1%	1,429	6.9%
Sub-Total	**6,450**	**7,853**	**8,647**	**10.1%**	**9,582**	**10.8%**
Carbondale (T)	974	1,032	907	-12.1%	1,008	11.1%
Fell	2,953	2,817	2,426	-13.9%	2,331	-3.9%
Sub-Total	**3,927**	**3,849**	**3,333**	**-13.4%**	**3,339**	**0.2%**
Wayne County	**29,581**	**35,237**	**39,944**	**13.4%**	**47,722**	**19.5%**

Source: 2000 Census.[1]

The 68 person gain in population in households represented a 9.2% increase between 1990 and 2000, less than half of the increasing County rate of growth (19.5%). The Canaan Township experience is roughly comparable to that of adjoining Carbondale Township in Lackawanna County (11.1% gain) and Cherry Ridge Township in Wayne County (13.6% increase). Growth is somewhat greater than Waymart Borough (6.9%) but considerably less than Clinton (21.7%) or South Canaan

1 The institutional population for 1970 is estimated, assuming the sex ratio for that year is comparable to the average sex ratio for 1980-2000.

(26.2%).[2] Neighboring Fell Township in Lackawanna County, Texas Township in Wayne County and Prompton Borough all had relatively stable populations.

Given this history and the recent rebound in the economies of adjacent New Jersey and New York State from which Canaan derives its growth, it is reasonable to expect the current trend to continue at about the same level. The Township's permanent population can be expected to grow to some 900 persons by 2010 if one extends this rate of growth forward. The institutional population should, however, at least double with the construction of the Federal Prison to perhaps 2,300 to 2,500 persons. There should also be some additional growth in permanent population as a result of staff relocations to the new prison, taking total population to as much as 3,500 persons.

Certainly growth will continue at some level and the Pocono area, of which Canaan Township is a somewhat remote part, has gained population at an overall rate that it is nothing short of phenomenal when compared against the pattern of the Commonwealth as a whole. The Poconos are, indeed, unlike the rest of Pennsylvania and quite different from the rest of the Northeast. They represent not only a vacation area, but also the advancing edge of the New York metropolitan area.

1.4.2 Age of Household Members.

Canaan Township's population distribution by age is very different from Wayne County as a whole due to the impact of the prison and it is very difficult to isolate those effects. As an example, the 149 persons over 65 years of age represented 7.8% of all Canaan Township residents compared with 17.5% for the County, but if one compares this cohort to the permanent population, assuming there are relatively few prisoners of this age, the ratio is 18.3%, suggesting the Township is actually very similar to the County in its age structure.

2 Waymart Borough's population has grown primarily as a result of new senior housing, assisted living and nursing home residents along South and Belmont Streets. The Borough included 169 persons living in group quarters in 2000, up from only 48 in 1990. Absent this new activity, the Borough population would have actually decreased by 29 persons between 1990 and 2000.

Likewise, the population under 25 years of age (279 persons) accounts for 14.5% of the total population but 34.4% of the permanent population, reasonably close to the 30.1% for the County as a whole. Significantly, the prison population has grown in both numbers and age, with a higher proportion of inmates in the 45-54 years age category.

Table 1.4.2 - Canaan Township
Population by Age, 2000

	Canaan Township				Wayne County	
Age Cohort	**1990**	**%**	**2000**	**%**	**2000**	**%**
0-24 Years	369	29.1%	279	14.5%	14,365	30.1%
25-44 Years	573	45.2%	928	48.4%	12,805	26.8%
45-54 Years	127	10.0%	365	19.1%	6,889	14.4%
55-64 Years	95	7.5%	195	10.1%	5,311	11.1%
65-74 Years	62	4.9%	101	5.3%	4,547	9.5%
75+ Years	41	3.2%	48	2.5%	3,805	8.0%
Median Age	**32.5 Years**		**40.2 Years**		**40.8 Years**	

1.4.3 Population by Sex.

The male gender makes up the overwhelming majority of the population in Canaan Township with 79.5% (1,523 persons) in 2000 as compared to 20.5% (393 persons) for the females. When the prison population is deducted, however, the ratio is 418 males (51.5%) to 393 females (48.5%).

1.4.4 Income.

Census data gathered in 2000 indicates per capita income for Canaan Township was only $15,460 compared to $16,977 for the County as a whole, again reflecting the prison population. Median household income in the Township, moreover, was $37,614 compared to only $34,082 Countywide, a substantial variation indicating that Township households

are significantly wealthier than those of the County as a whole. This is also true of family households and may reflect the presence of prison staff residing in the Township who enjoy higher incomes.

Table 1.4.3 - Canaan Township Incomes, 1990

	Canaan Township	Wayne County
Per Capita	$15,460	$16,977
Median Household	$37,614	$34,082
Median Family	$41,750	$40,589

1.4.5 Employment Status.

Canaan Township had 419 employed persons over 16 years of age in 2000 and 198 or 47.3% of these persons were females. The unemployment rate as a whole was only 1.1% in 1989 and for females it was only 2.0%.

There were 44 females, with children under 6 years of age, in the labor force. These persons generally do not enter the labor force without jobs and need to maintain them to support families. Moreover, they are employed mostly in year-round positions which do not experience seasonal layoffs. Unemployment, therefore, is low by definition.

1.4.6 Employment by Occupation.

The table below provides a breakdown of the employed Township population aged 16 years or more in 1990 by occupation.

Table 1.4.4 - Canaan Township
Employment by Occupation, 2000

Industry	Employed Persons 16+
Managerial, Professional & Related	23.4%
Production, Transportation & Material Handling	22.4%
Sales and Office	21.7%
Service Occupations	18.4%
Construction, Extraction & Maintenance	11.2%
Farming and Forestry	2.9%

The large share of managers and professionals reflects the presence of the State Correctional Institution in the Township.

Agriculture has considerably more importance than its job numbers might indicate because of the number of self-employed owner-operators involved in farming. Also, agriculture produces much higher economic multipliers for the community than other industries, generating far greater impact overall than jobs alone indicate. Farmers typically purchase most of their goods and services from within a 20-25 mile range of the farm, while their product is marketed outside the region. This export of product and import of dollars puts them on the high side of multiplier scales according to a Cornell University study.[3]

1.4.7 Place of Employment.

The majority of jobs are outside the Township. The average travel time to work in 2000 was only 19.3 minutes, however. The proximity of Canaan to Carbondale and Scranton areas contributes to this. The economic future of the Township is linked to that urban area to a large extent, particularly with the completion of the Robert P. Casey Highway.

3 A report entitled "Economic Multipliers and the New York State Economy," (Policy Issues in Rural Land Use, Cornell Cooperative Extension, December 1996) indicates dairy production, for example, enjoys a 2.29 income multiplier compared to 1.66 for construction, 1.48 for services, 1.41 for manufacturing and 1.40 for retail and wholesale trade.

2.0 Community Development Goals and Objectives

Community goals are the foundation upon which a comprehensive plan is built and those listed below were developed from workshop discussions with local officials. These goals, viewed in the context of Township characteristics described above, lead to the specific objectives and plans that follow.

2.1 Maintain Canaan Township's character as a rural and agricultural community.

2.1.1 Through the use of land use regulations, direct development toward areas of the Township that possess adequate services and good access (e.g. adjacent to Waymart Borough and Steene) and away from areas difficult to develop because of natural limitations.

2.1.2 Develop and enforce regulations to control the proliferation of signs and billboards.

2.1.3 Employ zoning standards to improve and protect community appearances.

2.1.4 Complement the Township's designation of an Agricultural Security Area with appropriate zoning protection for agriculture.

2.2 Promote the Township's public health, safety and general welfare, minimizing and, if possible, preventing the loss of health, life, or property due to fire, floods, or other natural disasters.

2.2.1 Control common-law nuisances attributable to noise from barking dogs or industrial operations, odors, and unsightly uses (farming under best management practices excepted).

2.2.2 Strictly enforce the Federal Flood Plain Program.

2.2.3 Incorporate industry and basic health and safety standards particular to various land uses in supplementary zoning regulations.

2.2.4 Coordinate disaster preparedness planning with the operators of the

Federal and State prisons and other large institutions such as the Salvation Army, establishing on-going working relationships with these entities through regular meetings and creating on-going working relationships with local emergency service providers in Waymart, Prompton, Seelyville, Lake Ariel and Browndale.

2.3 Preserve existing historical and natural landmarks and geographic land formations.

2.3.1 Pursue the identification of historic buildings or other areas of cultural value by working with state agencies and funds and encouraging participation by knowledgeable local persons and groups.

2.3.2 Encourage the adaptive reuse and rehabilitation of these sites, where economically feasible, through regulatory and other positive incentives.

2.4 Minimize existing and future pollution of Township land, water and air.

2.4.1 Maintain an up-to-date sewage facilities plan and encourage the upgrade of existing on-lot systems wherever possible, particularly older systems, through the use of a Sewage Facilities Ordinance.

2.4.2 Require developers to address stormwater and erosion sedimentation concerns through incorporation of planning criteria in land use regulations and strictly enforce the regulations applicable to the Lackawaxen and Lackawanna River watersheds.

2.4.3 Explore the potential for a joint recycling program with Waymart Borough.

2.5 Provide for coordination of policies, plans, or programs of various levels of government within the Township to accommodate the needs of the Township citizenry.

2.5.1 Maintain a working relationship with County, regional and other organizations which can help the Township in meeting various needs.

2.5.2 Work with adjacent municipalities such as Waymart Borough to coordinate and spread the cost of mandated activities.

2.5.3 If the Township should be unable to use existing community facilities for municipal purposes and require more space of its own, then study the costs and benefits of developing a shared municipal meeting and secure record storage facility, establishing a capital budget line item for this purpose and applying for State financial assistance if such a solution is cost-effective.

2.6 Provide and improve public services where required, such as fire protection, highway maintenance, and similar services.

2.6.1 Identify other capital improvements needed by residents and to accommodate desirable development including but not limited to emergency services, recreation facilities, library services, roads, etc. and budget for them on a long-term basis.

2.6.2 Seek community facilities grant and loan funds, working with Waymart Borough where appropriate to enhance the financial leverage of each, to supplement local revenues and hasten the provision of essential improvements.

2.6.3 Encourage community use of public school and private non-profit facilities for recreation, using the Robert Wilson School and Wayne Woodlands Manor library as models, working with service groups such as the Lions Club to maximize the potential for shared use and cooperation.

2.6.4 Work with the Federal Prison project managers to attempt to secure the donation or loan, following completion of construction, of excess properties for municipal purposes.

2.7 Improve the road system and control water runoff in close coordination with land owners.

2.7.1 Develop a highway improvement and maintenance plan and a highway capital improvements program, to be coordinated with PennDOT

activities, giving priority to paving of roads close to streams as the Township is now doing.

2.7.2 Maintain an up-to-date road ordinance setting standards for new road construction as well as roads to be dedicated to the Township.

2.7.3 Identify accident-prone areas, document these and pursue measures to remedy any problems found.

2.7.4 Control street encroachments and access to Township highways with a new Street Encroachment Ordinance.

2.7.5 Control the creation of new driving hazards by applying access, parking, setback, and road standards to evaluate new subdivisions, commercial developments or other projects.

2.7.6 Establish a cooperative program with PennDOT to address safety issues on Route 296 and other State routes.

2.7.7 Incorporate Lackawaxen and Lackawanna River watershed stormwater regulations into zoning and subdivision procedures.

2.8 Ensure that varying land uses will complement one another and ensure the primary goal of a rural and agricultural community.

2.8.1 Provide for commercial and industrial development giving consideration to land capability, proximity to the transportation network, and compatibility with adjoining uses, particularly the State Correctional Institution and new Federal Prison.

2.8.2 Evaluate land use regulations with a view toward making affordable housing more readily achievable through use of positive incentives and streamlining of procedures but without compromising density standards.

2.8.3 Provide for all types of housing, such as multi-family and manufactured housing, using appropriate land use regulations to ensure such housing is built to standards which preserve rural character.

2.8.4 Maintain a low density environment (one dwelling unit per two acres average) within the Township's designated Agricultural Security Area.

2.9 Acquire and use the most current information about geology, hydrology, topography, and soils to help determine the type and location of future land development.

2.9.1 Structure land use regulations and zoning to limit development in areas of steep slopes, poor soils, and other limiting factors which are not mitigated by the provisions of central sewage services or other similar factors.

2.9.2 Use the Township's Subdivision and Land Development Ordinance to require larger lot sizes on land with high water table, steep slopes or other unique natural features that may require a larger land area to accommodate on lot sewage disposal system.

2.10 Preserve the natural environment and Township open space.

2.10.1 Encourage practices such as the conservation subdivision option in the Township's Subdivision and Land Development Ordinance and planned unit development to preserve as much open space as much as possible and take advantage of existing services.

2.10.2 Apply land use regulations that require developers to preserve as much open space and forest cover as possible in the layout of new projects, demanding landscape buffering of adjoining residences.

2.10.3 Apply land use regulations that require developers to provide recreation areas and open spaces in conjunction with new projects.

3.0 Canaan Township Plans

3.1 Natural and Historic Resources Plan.

3.1.1 Types of Resources That Should Be Protected.

The following specific types of natural and historic resources should be protected to the maximum extent practical in the course of Canaan Township's development:

a) Lands in active agricultural or managed forest use.

b) Important scenic views, particularly along Routes 6 and 296.

c) Steep slopes, wetlands, streams and waterways.

d) The Moosic Mountain mesic heath barrens.

3.1.2 Methods of Protection.

The following are recommended methods of protecting natural and historic resources within Canaan Township:

a) The Township should use its land use regulations to reinforce its Agricultural Security Area designation. The designation must be renewed every 7 years and farm participation should be encouraged as a means of highlighting the interests of the farm community.

Farming is an essential enterprise and an important industry that enhances the economic base, natural environment and quality of life in the Township. The Township should encourage agriculture and foster understanding by all residents of the necessary day to day operations involved in farming so as to encourage cooperation with those practices.

It is, therefore, also recommended that the Township Zoning Ordinance (see Section 3.2 for this recommendation) permit the continuation of agricultural practices, protect the existence and operation of farms and encourage the initiation and expansion of farms and agri-businesses. The Zoning Ordinance should limit the circumstances under which farming may be deemed to be nuisance and allow agricultural practices necessary for the business of farming to be undertaken free of unwarranted interference or restriction.

The Zoning Ordinance should specifically reinforce the Agricultural Security Area by stating that, farmers, as well as those employed, retained, or otherwise authorized to act on behalf of farmers, may lawfully engage in sound agricultural practices within the Township's Agricultural Security Areas at all times as are reasonably necessary to conduct the business of agriculture. Agricultural practices conducted on farmland should be exempted from being declared public or private nuisances if such agricultural practices are:

(1) Reasonable and necessary to the particular farm or farm operation,

(2) Conducted in a manner which is not negligent or reckless,

(3) Conducted in conformity with generally accepted and sound agricultural practices,

(4) Conducted in conformity with all local, state, and federal laws and regulations,

(5) Conducted in a manner which does not constitute a threat to public health and safety or cause injury to health or safety of any person, and

The Board of Supervisors should also, in acting upon any Conditional Use applications within or adjacent to Canaan

Township's approved Agricultural Security Area, attach such conditions as may be required to protect the integrity of the Agricultural Security Area and achieve the purposes connected with their formal designation by the Township.

b) The Zoning Ordinance should also include Conditional Use review criteria regarding building design and location to help protect scenic views. These should require that major new structures be suitable for the use intended and compatible with natural and man-made surroundings. New buildings, for example, should generally be placed along the edges and not in the middle of open fields. They should also be sited so as to not protrude above treetops or the crestlines of hills seen from public places and busy highways. Building color, materials and design should be adapted to surroundings as opposed to adaptation of the site to the building or the building to an arbitrary national franchise concept.

Trees, shrubs and other landscaping should be used to buffer or soften a use in terms of visual or other impacts on adjoining property owners. Impacts on other Township residents and visitors, on whom the local economy often depends, should also be considered. Existing landscape features such as stone walls, hedgerows, tree borders and individual large trees should be retained for this purpose and removal should be limited to the area of building or driveway construction unless additional sight-distance is required.

Sites of telecommunications towers and similar structures should afford the opportunity to construct the lowest height towers possible, taking into consideration all lands available within a reasonable distance including those which may lie within adjoining municipalities. Existing trees on such sites that serve to provide a natural buffer should be preserved unless absolutely required to be removed for purposes of access or safety. Applicants should be required to provide visual depictions or studies to indicate how the communications facility will appear once constructed in relation to the surrounding natural

environment and from the perspective of adjacent or nearby residents as well as travelers.

c) The Township Subdivision and Land Development and Zoning Ordinances should, in addition, include development standards and Conditional Use review criteria regarding steep slopes, wetlands, unique environmental resources and historic sites. Care should be taken with all land developments to preserve natural features such as trees, water courses, views, and historical features that will add attractiveness and value to the remainder of the land. Where a land development is proposed on a site that has a slope of more than 15% the Township should reserve the right to require larger lot sizes than the minimum standards. Section 125-12.G of the proposed Zoning Ordinance (Appendix A) pertaining to waterfront yards is also important.

These resources should also be identified on subdivision, land development and conditional use site plans. Conservation subdivision techniques should be encouraged as a means of creatively incorporating these resources into site plans. The crossing of steep slopes with roads and driveways should be minimized and building which does take place on slopes should be multistoried with entrances at different levels as opposed to regrading the site flat.

3.2 Land Use Plan.

3.2.1 Land Use Development Trends.

Canaan Township's land use patterns have changed relatively little over the last 20 years excepting as to the following trends:

- Loss of some active farmland.
- Scattered new commercial development along Route 6.
- Establishment of a few new uses such as cellular communications towers.
- Reconstruction of the Farview facility as a new State Correctional Institution with associated impacts on jobs and other economic activity.
- Development of the Salvation Army facilities on South Street.
- Development of a moderate income Habitat for Humanity project on the T-467 (Szostowski Road) known as "Canaan Meadows."

The new Federal Prison now under construction is resulting in some major changes, however. Highway and sewer infrastructure are both being affected. Additional residential and commercial growth can be expected in the future as a result of this $130,000,000 public investment.

3.2.2. Existing Land Use Controls.

There are a few land use controls now in place to guide development within the Township, but they are limited. The following are the existing regulations governing land use:

- **Junkyard Ordinance**

  Adopted in 1969, this ordinance defines junkyards so as to include

accumulation of 2 or more unlicensed vehicles and requires licenses of such facilities as well as setbacks. It also provides for screening. The ordinance needs updating, however.

- **Building Permit/Floodplain Development Ordinance**

  This ordinance requires building permits for new construction and limits development in floodplain areas pursuant to the requirements of the National Flood Insurance Program. There are no other building standards in the ordinance.

- **Stormwater Management Ordinance**

  This ordinance follows the model recommended for the Lackawaxen River watershed in establishing complex and comprehensive standards relating to stormwater management. The Board of Supervisors also applies the same ordinance to the Lackawanna River watershed portion of the Township.

- **Planning Commission Ordinance**

  This 1999 ordinance creates the Township Planning Commission and mandates that it prepare a comprehensive plan and a zoning ordinance for consideration by the Canaan Township Board of Supervisors. It is also authorized, upon request or designation by the Township Board of Supervisors, to exercise such other powers and duties as are enumerated in § 209.1 of the Pennsylvania Municipalities Planning Code, including administration of subdivision and land development regulations of the Township.

- **Dog Ordinance**

  This 2000 ordinance provides for the control of nuisances and the restraining of dogs from running at large within the Township limits. It makes it unlawful to keep more than six (6) dogs of six (6) months of age or more on any property, regardless of the number of owners, unless there is minimum of 10,000 square feet

of lot area per dog and a license has been obtained from Canaan Township to operate a kennel. It also requires that kennels be located a minimum of three-hundred (300) feet from any adjoining property line and authorizes the Supervisors to impose special setbacks, buffers and other measures to limit noise, odor, water pollution and other impacts on adjacent properties.

- **Subdivision and Land Development Ordinance**

  The Township enacted its first Subdivision and Land Development Ordinance in 2000. It was, until then, one of relatively few communities in Wayne County to lack local regulations, having relied instead upon the County Planning Commission and Department to handle this function. The Ordinance establishes procedures and standards applicable to subdivision of land and land development in Canaan Township. Land development includes the improvement of parcels of land for various residential and non-residential purposes. The new Ordinance is comprehensive and includes standards for conservation subdivisions, multi-family development, mobile home parks, recreational vehicle parks, commercial and industrial development, telecommunications structures and various other activities.

3.2.3 Future Land Use.

Future land use within the Township is likely to be strongly influenced by Route 6 and Route 296 traffic as well as the new Federal Prison on Canaan Road and associated infrastructure improvements (primarily the sewage treatment facility changes). Some expansion of Waymart north, south and east can be expected and some additional growth in and around Steene and Prompton will also probably occur. Few, if any, other areas of the Township warrant or would support commercial and industrial development except on an isolated scattered basis.

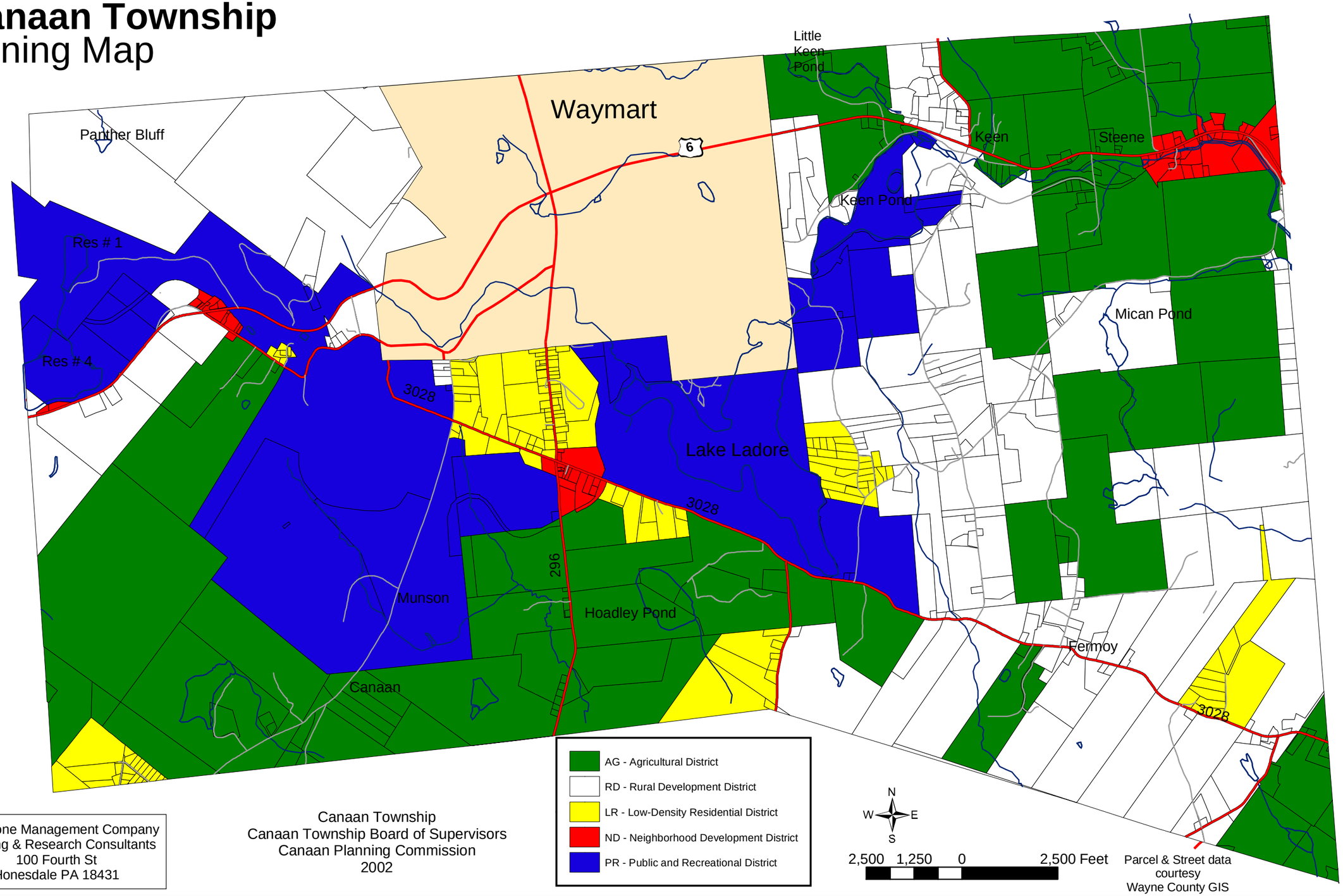
The types of industrial uses likely to be attracted to the Township are generally unobtrusive. A tool and die shop is an example and, because

these uses employ relatively small numbers of people (typically 10-30 persons) and take place inside enclosed structures, they could be located anywhere in the Township with little impact.

Residential development is most likely to spread out from Waymart and take place on a scattered basis throughout the Township. It appears there is interest in expanding some of the mobile home park areas, but large-lot subdivision activity is likely to continue throughout the Township.

The Township's land use challenges are most likely to come from dealing with the impacts of this slow but steady residential growth and specific commercial uses proposed on Routes 6 and 296 at locations where traffic conditions may present a hazard and the impact on rural character will be most pronounced. Accordingly, the Proposed Land Use Plan must provide flexibility to accommodate development in a number of areas but in a manner which allows the Township to exercise reasonable control to deal with the impacts of that development. Zoning districting should follow the Proposed Land Use Plan following and district regulations should provide for extensive use of the conditional use technique as a means of providing, simultaneously, for both flexibility and control.

Canaan Township
Zoning Map



Shepstone Management Company
Planning & Research Consultants
100 Fourth St
Honesdale PA 18431

Canaan Township
Canaan Township Board of Supervisors
Canaan Planning Commission
2002

Parcel & Street data courtesy Wayne County GIS

3.2.4 Proposed Zoning Ordinance.

Overall, the Township's land use regulations are lacking in several respects and, accordingly, the Planning Commission has drafted a Zoning Ordinance that would correct these deficiencies. It is recommended for adoption. The Ordinance should also incorporate and update junkyard regulations, kennel standards and several aspects of the Subdivision and Land Development Ordinance.

The proposed ordinance, attached hereto as an Appendix, consists of a Zoning Map dividing the Township into several districts or zones and a set of regulations governing certain uses of lands within those districts. The Ordinance itself involves a statement of purposes linked to this Plan, definitions of the key terms used in the Ordinance and various forms of regulations.

These include a set of allowable uses, some of which are permitted as a matter of right and others which are permitted only after review by local authorities. The allowable uses are detailed for each district on a "Schedule of District Regulations" contained in Article III. Also contained on the Schedule are listings of development standards (e.g. minimum lot size, minimum height, yard requirements, etc.) that apply to each district. Article III also details how Conditional Uses work.

There are, in addition to the use regulations and general development standards, supplementary standards applicable to certain specific uses and some aspects of all uses. These include parking regulations, and special restrictions on various uses. Those labeled "General Supplementary Regulations" apply to all uses and may be found in Article IV of the Ordinance.

Those applicable only to specific uses, the "Supplementary Regulations Applicable to Specific Uses," may be found in Article V. These include standards for multi-family dwellings, mobile homes, recreational land developments, conservation subdivisions, kennels, adult oriented uses, Agricultural Security Areas, telecommunication structures and storage and warehouse uses.

The remainder of the Ordinance deals with procedures. Article VI details how non-conforming uses, structures and lots (those which are existing and do not meet the standards of the Ordinance) will be treated. Article VII provides for how various types of permit applications will be handled, and the functions of the Zoning Officer. The Zoning Hearing Board is also created to act as a local court in interpretation of the Ordinance. The procedures for its operation are also outlined in Article VII.

Continuing training of local officials in the application of this Zoning Ordinance is critical.

3.3 Housing Plan.

3.3.1 Number of Persons Per Household.

The U.S. Census Bureau indicates the average number of people living in each Canaan Township household was 2.62 persons in 2000, down slightly from 2.69 persons in 1990. This was, nevertheless, significantly higher than the County average of 2.50 persons in 2000.

3.3.2 Housing Growth.

The 2000 Census indicates Canaan Township had 369 housing units, an increase of 11 units from 1990, but 101 more than the 268 units found in 1980. This represented a gain of 37.7% over 1980 and, overall, there was an average increase of about 5 new housing units each year from 1980 through 2000. The twenty year span is appropriate for examining trends because the 1980's were unusually robust and the 1990's represented a real estate recession period.

3.3.3 Housing Values.

The Census count for 2000 revealed a median housing value of $102,400 for the Township. Countywide, the median was a very comparable $102,100 for these owner-occupied units.

3.3.4 Housing Tenure and Vacancy.

There were 309 occupied units in 2000. Some 272 were owner occupied and 37 were renter occupied. There were also 60 vacant units in the Township, 37 of which were utilized for seasonal, recreational or occasional occupancies. Some 10.0% of the housing stock, therefore, consists of second-homes. Assuming 3.3 persons per second home household, this represents a potential additional peak seasonal population of 122 persons.[4]

4 Previous studies in which project consultants have participated have indicated the average second-home household size in the Poconos (and Wayne County, in particular) is 3.1 to 3.3 persons.

3.3.5 Housing Type and Ownership.

Single family homes in 2000 accounted for 288 units and comprised 78.0% of the housing stock in Canaan Township. Mobile homes represented 63 units or 17.3% of the housing stock.

3.3.6 Contract Rents.

Rents within the Township were relatively low in 2000 compared to other areas of the County, the median Township rent having been $383 compared to a median rent of $81 Countywide.

3.3.7 Recommendations.

The Canaan Township area is already well served with low and moderate income housing opportunities. Habitat for Humanity is developing a single-family community, "Canaan Meadows," along the Szostowski Road. The Wayne County Housing Authority is located in Waymart Borough and operates a project known as "Gravity Planes" that offers subsidized rental housing for families. Finally, a private senior housing project known as "Laurel Place" is located on South Street in the Borough, across from the Wayne Memorial Health System's "Wayne Woodlands Manor" nursing home facility. Additional such housing is not needed.

The Township, nonetheless, needs to ensure that its land use regulations do not unnecessarily raise the cost of moderate income housing by requiring excessive lot sizes or adding too many regulatory oversight costs. This can be accomplished by encouraging the cost-effective Conservation Subdivision design recommended in the Land Use Plan.

The Township should continue, as well, to provide for mobile homes and multi-family dwellings as lower cost housing options. It should subject these types of housing to high quality standards, however. Regulations for this purpose are included in the Township's recently adopted Subdivision and Land Development Ordinance and, by reference, in the proposed Zoning Ordinance. It is proposed to provide for mobile home parks in the

RD Rural Development District and multi-family dwellings in the ND Neighborhood Development, LR Low Density Residential and PR Public Institutional and Recreational Districts.

The Township should, too, keep minimum lot sizes at reasonable levels to both reduce land costs and avoid unnecessarily increasing infrastructure expense. Avoiding excessive requirements with respect to curbing, sidewalks and large setbacks, is equally important.

3.4 Community Facilities Plan.

Canaan Township's population has been slowly growing and the Township is experiencing some significant new development with the construction of the new Federal Prison and the continuing upgrade of the State Correctional Institution. Providing its present and future residents with essential public services and facilities is the subject of this section. The following recommendations are offered for meeting these community facility and service needs:

3.4.1 Schools.

The educational needs of the Township are met by the Western Wayne School District. District facilities serving the Township include the Robert Wilson Elementary School on the south side of the Borough. Middle and High School students go to District facilities in Varden, in adjoining South Canaan Township. The Wilson School recreation facilities are heavily used by the community and the School is also used for Township meetings.

The School District and Township should continue to work together to maximize the utilization of school recreational facilities by keeping them open to general public use during those times when schools are not in session. The continued use of the school as the site for Township meetings is also highly cost-effective and appropriate.

3.4.2 Parks and Recreation.

The recreational facilities at the Wilson School are jointly owned and managed by Waymart Borough and the Western Wayne School District. They include 6.8 acres of land developed for baseball, soccer, tennis and other sports. The School facilities are also used for passive recreational activities such as walking. These facilities fall short of the recommended amounts of parkland under the National Recreation and Park Association's original standards for municipal and county facilities (8 acres per 1,000 persons population) but Township residents are also able to use Western Wayne High School facilities and Prompton State Park is relatively close.

The NRPA has also moved away from such simple formulas as a basis for evaluating adequacy of facilities, recommending more subjective approaches based on each community's unique needs. Therefore, there are no serious unmet needs in this regard.

3.4.3 Township Building.

Canaan Township has a maintenance building for its equipment, uses the Robert Wilson School for municipal meetings and the Township Secretary works from his home office. This is an arrangement that works very well except for record storage, a need that can and should be addressed by creating or renting a small storage area in an existing facility. A Township office is, to some degree, becoming less necessary as copies of permits and ordinances are able to be made available over the Internet. A comprehensive and professional website would do much to make Township government more accessible. This Plan and accompanying land use regulations are already being made available in this way. Office space can also be rented, if necessary.

If the Township should be unable to use existing facilities for such purposes or requires more space, then it is recommended that it study the costs and benefits of developing a shared municipal meeting and secure record storage facility with Waymart Borough, establishing a capital budget line item for this purpose and applying for State financial assistance. Such an approach should only be pursued if cost-effective, however. The existing arrangement is highly cost-effective and should be continued as long as feasible, as it maximizes the use of existing facilities. It may also be possible to secure the donation of one of the Federal Prison construction offices following completion of that project.

3.4.4 Emergency Services.

The Township is well-served with volunteer fire protection and ambulance services out of Waymart, South Canaan (Lake Ariel Fire Company) and Prompton as well as the Wayne County Office of Emergency Services. There do not appear to any serious physical needs in this regard at the present time but there is a serious problem nationwide in recruiting

volunteers for such emergency services and funding increasingly complex equipment. These problems may demand some increased public funding over the long-term. Some consideration should also be given to providing financial or other incentives to maintain volunteer levels and ensure the financial solvency of these organizations.

3.4.5 Sewage Facilities.

Canaan Township's Act 537 Plan has recently been updated to accommodate the expansion of the Waymart Borough wastewater treatment facility to serve the new Federal Prison and the State Correctional Institution (replacing an older system there). The construction is proceeding and some small additional areas of the Township will gain access to the system, primarily areas adjoining the Borough.

Township representation has been added to the Borough's Municipal Authority (system owner) and that organization is essentially now operating as a joint authority. The availability of sewer capacity will complement the Proposed Land Use Plan in encouraging further development around the Borough.

3.4.6 Library Service.

There are no public libraries in Canaan Township or adjoining communities, except for the small facility within the Wayne Woodlands Manor nursing home, which is open to the general public. The School District has extensive libraries. These do not serve the general public particularly well, however. It is recommended the Township support the library at Wayne Woodlands Manor.

3.4.7 Solid Wastes.

The Township relies upon private trash haulers who takes the solid wastes to approved landfill facilities outside the Township. There are no unmet needs in this regard.

3.4.8 Water Supplies.

Most of the Township is served by on-site wells with excellent groundwater supplies. Small portions of the Township are served by the Waymart Water Company. The Pennsylvania American Water Company's Brownell Water Purification Plant and water sources adjoin the Township. The Pennsylvania State Water Plan for the Upper Delaware River Subbasin addresses most of the Canaan Township area. It recommends residential water conservation programs and metering. Nothing recommended herein conflicts with the State Water Plan and, therefore, the two documents are generally consistent.

It is also hereby acknowledged that lawful activities such as the extraction of minerals may impact water supply sources and such activities are governed by Commonwealth of Pennsylvania statutes regarding mineral extraction that specify replacement and restoration of water supplies affected by such activities. It is further understood that commercial agricultural production may impact water supply sources.

3.4.9 Police Services.

Police services are not provided by the Township due to the extraordinarily high cost. Waymart Borough does offer service and the Township's needs are adequately met by the State Police.

3.5 Transportation Plan.

The capacity to move people and goods is instrumental in influencing land development. Canaan Township's growth has been heavily shaped by Routes 6, 296 and 3028. The Casey Highway will have major impacts on growth in the future. This plan addresses the needs of the Township with respect to this highway system and other modes of transportation.

3.5.1 Functional Road Classifications.

The following table identifies roads through the Township by the functions they must play in the future to achieve an efficient flow of traffic.

Canaan Township Functional Highway System		
ROAD CLASS	**FUNCTION**	**ROADS**
ARTERIAL	Carries medium-to-heavy volumes of traffic at moderately high speeds and provides access to major traffic generators	Route 6 Route 296 Route 3028
COLLECTOR	Provides connections between Arterials and Local Roads at comparatively slower speeds and carries moderate volumes of traffic	Carbondale Road Honesdale Road Route3018 Route 3026 Route 4001
LOCAL	Provides direct access to abutting properties and channels Local traffic to Collector Roads	All other existing roads

This Plan is designed to be integrated with local and state reconstruction programs as well as maintenance efforts to bring about a functional system. The County, it should be noted, can substantially influence Commonwealth Department of Transportation decisions regarding project priorities in the County. This Plan should be used as a basis, in turn, for influencing the County. The following actions are recommended:

a) **Standards for development need to incorporate reasonably large front setbacks that will accommodate future highway widenings.** This is particular true in the case of Routes 296 and 3028 and should be accomplished by allowing property owners to maintain relatively small rear setbacks as an offset, so as not to unnecessarily take away from the potential value of the parcels and creating a taking issue. Subdivision standards should also incorporate requirements to provide additional right-of-way where the existing right-of-way is likely to be too narrow for future road use. This should be done by reserving highway easements rather than fee simple dedications so as to preserve maximum flexibility. Again, property owners providing such easements should be given compensating adjustments in regards to other building standards to avoid taking issues.

b) **Route 296 is increasingly used as a north-south route through western Wayne County and needs various safety improvements such as wider shoulders while Route 3028 is an alternative to Route 6 for east-west traffic and needs both widening and straightening.** The Township needs to work with PennDOT in getting these projects into priority positions on the 12-year Transportation Improvement Program.

c) **Township roads will need to be continually upgraded to deal with growing populations and a capital improvements budget for this purpose should be used to plan and finance those improvements.** Not every road needs paving and the schedule can be long-term but there should be a long-term plan to increase the capacity of these highways with appropriate improvements. A

capital budget is the best way to accomplish this.

3.5.2 Other Observations and Recommendations.

a) There is little public transportation in the Township except that provided by the Wayne County Office of the Aging. However, this appears adequate for the foreseeable future.

b) Railroad freight service is not available to the Township but is available in both Honesdale and Carbondale.

c) Air service is available for smaller planes at the Cherry Ridge Airport. Air freight and commuter service is available at the Wilkes-Barre-Scranton International Airport.

3.6 Coordination with Regional and County Planning.

3.6.1 Coordination with Wayne County Comprehensive Plan

Wayne County, in 1995, completed a five-year comprehensive planning process. The Wayne County Comprehensive Plan includes a thorough demographic and economic analysis, a set of goals and a recommended program of actions to deal with the County's growth. The Plan recommends multi-based economic development, including tourism as well as industrial and commercial development. Zoning is recommended as a means of buffering the land uses and ensuring compatibility with residential development. Performance standards combined with flexible location criteria are recommended as planning tools.

The County Comprehensive Plan states that minimum lot sizes should typically be one acre and clustering should be used to preserve open space and lower development costs. Multi-family housing and mobile home park standards are also recommended and maintaining an adequate supply of affordable housing for existing residents is identified as a priority.

Another major priority identified is the creation of more and better paying jobs to raise the standard of living, while maintaining and improving property values. Conservation of natural resources, too, is recommended.

Route 3028, from Waymart to Hawley, is identified as a road that is evolving as a minor arterial highway. Routes 196/296 are, likewise, listed as a north/south arterial along western Wayne County. County recommended highway improvements include widening and realignment of Route 3028, studying of Route 6 for safety hazards and needs related to the new Casey Highway and correction of the dangerous curves and blind intersections along Routes 196/296 from Waymart to Hamlin.

This Canaan Township Comprehensive Plan is entirely consistent with these recommendations and they are further incorporated herein by reference.

3.6.2 Coordination with Regional Planning

The proposals of this Plan relate to existing and proposed development and plans

in contiguous portions of neighboring municipalities as follows:

- **Carbondale and Fell Townships, Lackawanna County, Pennsylvania**

  Canaan borders essentially unoccupied portions of Carbondale and Fell Townships along its western border on top of the Moosic Mountain. There is little or no opportunity for land use conflicts except as they may relate to special uses such as the proposed wind farm but these appear to be extremely limited and innocuous.

- **Clinton Township**

  Clinton Township is unzoned but presently working to develop some basic land use regulations. Most of the border is agricultural or forested and no particular conflicts occur although, again, the wind farm could be a shared use. In this case, there were some conflicts of a procedural nature over the extent to which the County standards used in Clinton Township were applicable. However, there are no substantive differences in land use policies.

- **Prompton Borough**

  Prompton Borough, too, is unzoned and has almost no development activity being very tiny in nature. The Canaan Township Proposed Land Use Plan, however, provides for extension of this small center toward Steene so there is no land use conflict.

- **Cherry Ridge Township**

  Cherry Ridge Township does have a zoning ordinance and the border area between the Townships is, again, mostly farm and forested in nature with both municipalities zoning the area in a rural or agricultural designation that is compatible between the two, assuming Canaan incorporates the Proposed Land Use Plan into a new Zoning Ordinance as recommended.

- **South Canaan Township**

  South Canaan Township, like Clinton, lacks any significant land use regulations except for the County Subdivision and Land Development Ordinance in effect there. The border area is farm and forested in nature and there are no inherent land use conflicts.

Given the above, the existing and proposed development of Canaan Township is generally consistent with the objectives and plans of the Wayne County Comprehensive Plan and compatible with the existing and proposed development and plans of contiguous municipalities.

4.0 Implementation Strategies.

This Comprehensive Plan should be consistently applied in Township policy decisions pertaining to land use, transportation, housing and community facilities. Major municipal actions should be reviewed for conformance with the Plan. It should also be reviewed periodically and updated to reflect new problems and concerns.

It will be beneficial to Canaan Township to develop informal partnerships with adjoining municipalities on planning and development matters. The Township will also be well-served by a close working relationship with the Wayne County Planning Department. Assistance from specialists in law, planning, engineering and other areas will continue to be required in implementing this Plan.

The Plan is itself an implementation tool. It provides policies for guiding the future development and preservation of Canaan Township and has certain legal authority under the Pennsylvania Municipalities Planning Code. With the adoption of the Plan no building activity can be undertaken by a public entity without there first being a review of the project by the Township Planning Commission for conformance with the Comprehensive Plan.

The zoning ordinance, however, will be the major tool for regulating the use of land in the Township and implementing this Plan. It may permit, prohibit, regulate, restrict, and determine any of the following:

- uses of land and bodies of water
- structure size, height, bulk, location, erection, construction, repair, maintenance, alteration, raising, removal and use
- density of population and development

The Zoning Ordinance, too, will need to be continually reviewed in the context of ensuring the ability of the Township to economically develop, accommodate needed services and produce housing affordable to local residents. Performance standards should be expanded upon when necessary to provide maximum flexibility to accommodate development while also protecting health and safety.

The following is a summary of major Comprehensive Plan recommendations:

Canaan Township Comprehensive Plan - Major Recommendations				
No.	**Recommendation**	**Priority**	**Resources Required**	**Responsibility**
1	The Township should, in the context of its land use regulations and infrastructure improvement decisions, reinforce its Agricultural Security Area designation and protect the rights of farmers to use sound agricultural practices. **(§3.1.2.a)**	Immediate	Technical Assistance in Ordinance Drafting	Supervisors & Planning Commission
2	The Zoning Ordinance should also include Conditional Use review criteria and buffer requirements regarding building design and location to help protect scenic views, including standards for telecommunications structures and similar uses. **(§3.1.2.b)**	Immediate	Technical Assistance in Ordinance Drafting	Supervisors & Planning Commission
3	The Township Subdivsion and Land Development and Zoning Ordinances should, in addition, include development standards and Conditional Use review criteria regarding steep slopes, wetlands, unique environmental resources and historic sites. **(§3.1.2.c)**	Immediate	Technical Assistance in Ordinance Drafting	Supervisors & Planning Commission
4	Adopt a Township Zoning Ordinance incorporating the above and dividing the Township several districts or zones with a set of regulations governing certain uses of lands within those districts. **(§3.2.4)**	Immediate	Technical Assistance in Ordinance Drafting	Supervisors & Planning Commission
5	Conduct training sessions for new elected officials and planning commission members. **(§3.2.4)**	Long-term	Techincal Assistance with Seminars	Supervisors & Planning Commission

Canaan Township Comprehensive Plan - Major Recommendations				
No.	**Recommendation**	**Priority**	**Resources Required**	**Responsibility**
6	Encourage use of Conservation Subdivision as a way of lowering housing costs and preserving open space. **(§3.3.7)**	Immediate	Technical Assistance in Ordinance Drafting	Supervisors & Planning Commission
7	Provide for mobile homes and multi-family dwellings as lower cost housing options, subject to high quality standards. **(§3.3.7)**	Immediate	Technical Assistance in Ordinance Drafting	Supervisors, Planning Commission
8	Work with the Western Wayne School District to maximize the utilization of school recreational facilities by opening them to general public use during those times when schools are not in session. **(§3.4.1)**	Immediate	Technical Assistance in Ordinance Drafting	Supervisors, Planning Commission & Western Wayne School District
9	Continue the highly cost-effective arrangement of using the Wilson School for Township meetings as long as feasible, as it maximizes the use of existing facilities. **(§3.4.3)**	Long-term	Meeting Space	Supervisors, Planning Commission & Western Wayne School District
10	Consider providing financial or other incentives to maintain volunteer levels and ensure the financial solvency of emergency services organizations. **(§3.4.5)**	Short-term	Annual Funding Allocation	Supervisors & Fire Companies
11	Support the Wayne Woodlands Manor Library. **(§3.4.6)**	Long-term	Maintenance Funding	Supervisors & Wayne Woodlands Manor

Canaan Township Comprehensive Plan - Major Recommendations				
No.	**Recommendation**	**Priority**	**Resources Required**	**Responsibility**
12	Establish setback standards along major highways to ensure ability to widen in the future. **(§3.5.1.a)**	Immediate	Technical Assistance in Ordinance Drafting	Supervisors, Planning Commission & PennDOT
13	Work with PennDOT to include upgrade of Routes 296 and 3028 on the PennDOT 12-Year Plan. **(§3.5.1.b)**	Long-term	Technical Assistance in Ordinance Drafting	Supervisors, Planning Commission and PennDOT
14	Use a capital improvements budget to plan and finance Township road improvements. **(§3.5.1.c)**	Long-term	PennDOT Transportation Enhancement Grants	Supervisors, Planning Commission and PennDOT

5.0 Assessment of Plan Impacts.

The various plans provided above are intended to complement and serve one another such that the transportation recommendations also facilitate the future land use recommendations, for example. It is further intended that the adoption of the measures recommended minimize any negative environmental, energy conservation, fiscal, economic development and social consequences on the community from future development. The environmental impacts associated with recommended actions were an integral part of the considerations in developing those recommendations and no further discussion is warranted.

6.0 Appendices.

The following are offered under separate cover as Comprehensive Plan Appendices:

A - Recommended Zoning Ordinance

B - Canaan Township Subdivision and Land Development Ordinance

Canaan Township

Wayne County, Pennsylvania

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Adopted:

August 9, 2000

Prepared by:

Canaan Township Board of Supervisors
Canaan Township Planning Commission

Also available at:

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Article I - General Provisions

§ 100-01. Title and Short Title.

This is an Ordinance providing for the regulation of land developments and subdivisions within the Township of Canaan, Wayne County, Pennsylvania. It may be cited as the "Canaan Township Subdivision and Land Development Ordinance" or as the "Canaan Township Subdivision and Land Development Regulations."

§ 100-02. Authority.

This Ordinance is adopted under the authority provided Canaan Township by the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as amended.

§ 100-03. Purposes.

This Ordinance is adopted for the following purposes;

A. Protect and provide for the public health, safety, and general welfare of Canaan Township.

B. Guide the future growth and development of Canaan Township.

C. Provide for adequate light, air, and privacy; secure safety from fire, flood, stormwater and other danger; and prevent overcrowding of the land and undue congestion of population.

D. Protect the character and the social and economic stability of all parts of Canaan Township.

E. Protect and conserve the value of land, buildings and improvements throughout Canaan Township and minimize conflicts between land uses.

F. Guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, parks, playgrounds, recreation, and other public requirements and facilities.

G. Provide for safe and convenient circulation of people and goods throughout the Township, including pedestrian travel, and provide for the proper location and width of streets and building lines.

H. Establish reasonable standards of design and procedures for subdivisions and land developments in order to further the orderly layout of land, and to ensure proper legal description and monumenting of subdivisions and land developments.

I. Ensure that improvements for public facilities are available and will have a sufficient capacity to serve proposed subdivisions and land developments.

J. Implement Canaan's Township's Comprehensive Plan.

§ 100-04. Jurisdiction.

A. This Ordinance shall apply to all subdivisions of land and land developments made on or after the effective date of the Ordinance and not yet recorded, including mobile home parks, recreational land developments and other land developments as defined herein.

B. This Ordinance shall have only limited application to; 1) lot improvements, and 2) subdivisions of land created for non-building purposes such as hunting or agricultural use where a restrictive covenant or similar legal instrument ensures such land will not be further developed or improved for commercial, institutional or residential use in the future without first securing the additional approval of Canaan Township pertaining to required sewage planning. Such subdivisions shall be subject only to the approval of the Canaan Township Planning Commission. Applications, however, shall contain the basic plat specifications as required for minor subdivision applications, excepting those items determined not to be

applicable due to the nature of the submission.

§ 100-05. Constitutional Construction.

A. The provisions of these regulations in their interpretation and application shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

B. These regulations are not intended to interfere with, abrogate, or annul any other Ordinance rule or regulation statute or provision of law. Where any of the provisions of these regulations impose restrictions different than any other Ordinance rule or regulations or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

C. If any part or provision of these regulations is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part or provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances. The Township Board of Supervisors hereby declares that it would have enacted the remainder of these regulations even without such part or provision or application.

§ 100-06. Waivers and Modifications.

A. The Township Board of Supervisors shall have the power to authorize waivers and modifications of these regulations.

B. Applications for such waivers and modifications shall be submitted in writing by the subdivider at the time the subdivision or land development plan is filed, except in cases where a waiver or modification is proved necessary at a later date by construction conditions. The application shall state fully the grounds on which it is based and all the facts relied upon by the subdivider or developer.

C. The Township Board of Supervisors may, by resolution, authorize a waiver or modification of these regulations when, in its opinion, undue hardship will result from strict compliance therewith, subject, however, to the provisions of the Pennsylvania Municipalities Planning Code and the following:

(1) Waiver or modification applications shall, in those instances where either the applicant so requests, or the Township determines a waiver or modification could have an impact on adjoining properties, be subjected to a public hearing pursuant to public notice. The person applying for a waiver or modification shall in such cases pay to the Township Secretary, in advance, such sum as provided for by resolution of the Township Board of Supervisors setting forth fees.

(2) Any resolution of the Township Board of Supervisors authorizing a waiver or modification of these regulations shall state in it the reasons on which the Board of Supervisors bases its finding that unreasonable hardship will result from strict compliance with these regulations.

D. In authorizing a waiver or modification, the Township Board of Supervisors may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of these regulations. Modifications may be granted where the following conditions occur;

(1) There is no reasonable possibility, because of unique physical circumstances, of developing the property in strict conformity with the provisions of these regulations.

(2) The above hardship would be unique and not shared by other properties in the immediate vicinity.

(3) The waiver would not change the character of the area and would preserve the purpose and intent of these regulations.

§ 100-07. Appeals.

In any case when the Township Board of Supervisors disapproves a subdivision plan, any person aggrieved thereby may appeal the decision pursuant to the Pennsylvania Municipalities Planning Code.

§ 100-08. Violations and Remedies.

Any person, partnership, or corporation who or which violates the provisions of this Ordinance shall be subject to the full range of enforcement and preventative remedies provided to the Township under the Pennsylvania Municipalities Planning Code. This shall include, but not be limited to, payment of a judgment of not more than $500 plus all court costs and reasonable municipal attorney fees. Each day that a violation continues shall constitute a separate violation. The description by metes and bounds, or the lack thereof, in an instrument of transfer or other documents used in the process of selling or transferring shall not exempt the seller or transferor of rights to develop land from such penalties or from the remedies therein provided. The Township Board of Supervisors may also initiate and maintain civil action:

A. To obtain a writ of injunction against the subdivider who attempts the improper sale, lease, or conveyance of land.

B. To set aside and invalidate any conveyance of land made prior to recording of any subdivision.

Nothing herein shall prevent the Township from taking such other action as may be necessary to prevent or remedy any violation or to restrain it from following the requirements of the aforementioned Code.

§ 100-09. Amendments.

The Supervisors may, after public hearing, amend these regulations pursuant to the Pennsylvania Municipalities Planning Code. These regulations shall also be considered amended whenever any provision of the aforementioned Code is itself amended to require or authorize actions different from those specified herein.

§ 100-10. Municipal Liability.

The approval of a subdivision and/or land development plat, or of any improvement installed, shall not constitute a representation, guarantee, or warranty of any nature by the municipality or any official, employee, or appointee thereof, of the safety of any land, improvement, property or use from any cause whatsoever, and shall create no liability upon, or a cause of action against the municipality or such official, employee or appointee for any damage that may result pursuant thereto.

§ 100-11. Enactment and Effective Date.

BE IT ENACTED, into law this ninth day of August, 2000 to be effective five (5) days following.

SEAL

James LaBar
Canaan Township Secretary

Lewis Henshaw, Chairman
Canaan Township Supervisors

James LaBar
Supervisor

Chester O'Connell
Supervisor

Article II - Definitions

§ 100-12. General.

As used in these Regulations, words in the singular include the plural and those in the plural include the singular. The words "shall" and "will" for the purpose of these Regulations are defined as mandatory.

For the purpose of these Regulations, the following terms shall be considered interchangeable:

A. The words Ordinance and regulation(s).

B. The terms Township and Canaan Township

C. The terms subdivider and developer.

Unless otherwise expressly stated, the following definitions shall, for the purpose of these Regulations, have the meaning herein indicated. Any pertinent word or term not a part of this listing shall be construed to have its legal definition.

§ 100-13. Glossary of Terms.

The following is a list of specific terms, found elsewhere in the Ordinance, along with definitions of their intended meaning:

Alley - A permanent service way providing a secondary means of access to abutting lands.

All-Weather Surface - The surfacing of a street, parking area, access or walkway to a mud-free or otherwise permanently passable condition during all seasons of the year and under adverse weather conditions. Macadam, gravel, crushed stone or other state-approved surfaces will all suffice to meet this test but the depth and installation of the material shall be subject to the review of the Township Engineer and Roadmaster as well as approval by the Township Board of Supervisors. Pennsylvania Department of Transportation specifications shall also be applicable.

Applicant - A landowner or developer, as hereinafter defined, who has filed an application for development, including his heirs, successors and assigns.

Berm or Shoulder - That portion of a roadway between the outer edge of the traveled way or pavement and the point of intersection of the slope lines at the outer edge of the roadway, for the accommodation of stopped vehicles and for lateral support.

Block - A tract of land or a lot or group of lots bounded by streets, public parks, railroad rights-of-way, watercourses, bodies of water, boundary lines of the Township, or by any combination of the above.

Building - A structure formed of any combination of materials designed, intended or arranged for the housing, shelter, enclosure or structural support of persons, animals, or property of any kind. A multi-family building divided by unpierced masonry walls extending from the ground to the underside of the roof shall not be deemed to be more than one (1) building for the purpose of this Ordinance.

Campsite - A lot within a recreational land development used for tent camping or as a site for recreational vehicles; or a tract of land otherwise offered by the developer or operator through sale, lease, rent, membership or other means, for camping purposes. Campsites in transient developments may be clustered and not necessarily specifically defined, however, provided the gross density does not exceed that permitted herein.

Clear Sight Triangle - An area of unobstructed vision at a street intersection(s), defined by lines of sight between points at a given distance from the intersecting street centerlines.

Commercial, Industrial and Other Non-residential Land Development - Improvement of a property for any

purpose other than residential development (dwellings) or recreational land development (as defined herein), that is not exempted by Section 100-38 hereof.

Commonwealth - The Commonwealth of Pennsylvania and any of its Departments or agencies.

Common Open Space - A parcel or parcels of land or an area of water, or a combination of land and water, within or part of a development site and designed and intended for the use or enjoyment of residents of the development. It does not include streets, off-street parking areas and areas set aside for utility placement, rights-of-way or similar public facilities.

Common Property - All of the land and improvements part of a subdivision or land development which is to be jointly owned and maintained by the lot owners, lessees and/or members of the development and identified as such by the subdivider on any plan offered to the Township for approval.

Conditional Approval - A special approval of a subdivision or land development granted by Board of Supervisors with conditions attached thereto.

Conservation Subdivision (Cluster Development) - A form of development for single-family residential subdivisions that permits a reduction in lot area and other development standards, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant extra land is devoted to open space.

County - The County of Wayne, Commonwealth of Pennsylvania, and its Planning Department.

Cul-de-sac - A minor street providing a single access to a group of lots with a turn-about area at the end of such street.

DEP - The Pennsylvania Department of Environmental Protection.

Developer - The owner, or authorized agent of the owner; including but not limited to, any individual, partnership or corporation that undertakes a subdivision or land development or any of the activities covered by this Ordinance, particularly the preparation of a subdivision plan showing the layout of the land and the public improvements involved therein. The term "developer" is intended to include the term "subdivider," even though the personnel involved in successive stages of this project may vary.

Driveway - A defined private access from an individual lot to a public or approved private right-of-way.

Dwelling - A building arranged, intended, designed, or used, as the living quarters for one or more families living independently of each other upon the premises. The term "dwelling" shall not be deemed to include hotel, motel, rooming house or tourist home.

A. Single-Family: A building arranged, designed and intended, for and occupied exclusively by, one family.

B. Two-Family: A building arranged, designed and intended for and occupied by two families living independently.

C. Multi-family: A building arranged, designed and intended for and occupied by three (3) or more families living independently and having no cooking or sanitary facilities in common with any other dwelling unit; including apartment houses, apartment hotels, flats and garden apartments.

Easement - A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public or private purpose, and within which the lessee or owner of the property shall not erect any permanent structure, but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

Filing Date - The date of the regular meeting of the Planning Commission next following the date an application for preliminary or final approval of a subdivision or land development is received by the Planning Commission

Secretary. If said next regular meeting occurs more than thirty days following its receipt, the filing date shall be the thirtieth day following its receipt by the Secretary. Submissions lacking information required by this Ordinance as shall be determined by the Planning Commission will not be considered filed.

Frontage - That side of a lot abutting on a street or way excepting that portion of the perimeter that is designated as the side lot line of a corner lot.

Land Development - either of the following activities:

A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

(1) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

(2) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

B. A subdivision of land.

Excepted are the following activities; (1) conversions of single-family dwellings into two-family dwellings and (2) buildings accessory and subordinate to existing principal buildings on the same lot.

Lot - A designated parcel or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

A. Lot Area - The area of land contained within the limits of the property lines bounding that lot, including any area within a highway right-of-way.

B. Lot Width, Average - The average of the widths of a lot at the building setback line and the rear lot line.

Lot Improvement - A division of land that:

A. Involves the addition of land to an existing parcel so as to:

(1) Improve ability of that parcel to comply with setback or other building standards; or

(2) Increase suitability of the parcel for building development; or

(3) Add to the availability of open space; or

(4) Resolve a boundary line dispute for which subdivision approval is otherwise required; and

B. Does not substantially reduce the ability of the lot, from which the lot improvement parcel is taken, to comply with the applicable standards of this Ordinance; and

C. Includes a map and deed restriction to the effect the improvement parcel will never be considered a separate building lot apart from the tract to which it is being added; and

D. Complies in other respects with criteria established by the Pennsylvania Department of Environmental Protection pertaining to sewage planning for "non-building lot subdivisions" in the case of such subdivisions.

Major Improvements - Streets, recreational facilities, off-site sewage facilities; off-site water facilities, stormwater management facilities and similar facilities intended to render a property usable for intended

developments.

Major Subdivision or Land Development - See Section 100-15 introduction for a definition of this term.

Minor Subdivision or Land Development - See Section 100-14 introduction for a definition of this term.

Mobile Home - A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. The term Mobile Home shall not include recreational vehicles or any unit of less than forty feet in length or ten feet in width.

Mobile Home Lot - A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home. The mobile home lot in a mobile home park may be either owned by the occupant of the mobile home or leased from the mobile home park owner.

Mobile Home Park - A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

Mobile Home Site - That part of an individual lot which has been reserved for the placement of the mobile home, appertaining structures or additions.

Modification - A relief of the requirements of one or more provisions of this Ordinance if the literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of the ordinance is observed.

Official Wastewater Facilities Plan - A comprehensive plan for the provision of adequate sewage systems, adopted by a municipality or municipalities possessing authority or jurisdiction over the provision of such systems, and submitted to and approved by the State Department of Environmental Protection, as provided by the Pennsylvania Sewage Facilities Act and Chapter 71, Rules and Regulations, promulgated thereunder.

Off-site Sewage - A sewage system designed to serve more than one dwelling unit or building; not including the use of a single disposal system for two dwellings on the same parcel of land.

Off-site Water - A water supply system designed to serve more than one dwelling unit or building; not including the use of a single well for two dwellings in the same lot.

On-site Sewage - Any sewage system designed to treat sewage by subsurface means within the boundaries of an individual lot.

On-site Water - Any water supply system designed to provide water by means of a well within the boundaries of the lot being served.

Parcel - An area of land resulting from the division of a tract of land for the purposes of transfer of ownership, use or improvement.

Pavement - Improvement of the traveled portion of a roadway with a hard, solid surface material conforming to the standards of the Canaan Township Road Ordinance or Pennsylvania Department of Transportation specifications, as the case may be.

Performance or Completion Guarantee - A surety bond, certified check or other security meeting the requirements of Act 247 (Pennsylvania Municipalities Planning Code), and the terms of which are satisfactory to the Township Solicitor, guaranteeing the subdivider will install all required or planned improvements.

Person - Any individual, firm, trust, partnership, public or private association or corporation, or other entity.

Plan or Plat - A map or chart indicating the subdivision or re-subdivision of land, which in its various stages of preparation can include the following:

A. Sketch Plan - An informal plan, identified as such with the title "Sketch Plan" on the map, indicating salient existing features of a tract and its surroundings and the general layout of the proposed subdivision, to be used as a basis for consideration by the Township.

B. Preliminary Plan - A complete plan prepared by a registered professional engineer, registered landscape architect, registered surveyor or other qualified individual, identified as such with the wording "Preliminary Plan" in the title, accurately showing proposed streets and lot layout and such other information as required by this Ordinance.

C. Final Plan - A complete and exact plan, identified as such with the wording "Final Plan" in the title, with professional engineer's or registered surveyor's seal affixed, and prepared for official recording.

Recreational Land Development - A campground or other area used for the regular parking of recreational vehicles or erection of tents for camping or recreational purposes on either a renumerative or non-renumerative basis.

Setback - A line, parallel to a property boundary or the edge of a highway right-of-way, which defines an area within which buildings and improvements (fences and utility lines excepted) are restricted.

Street - A highway, road or other vehicular way that serves as a designated public thoroughfare, is depicted on an approved subdivision or land development plat or is otherwise depicted or described in legal documents recorded in the office of the Wayne County Recorder of Deeds, including the following:

A. Major Street - An arterial street with signals or stops signs at important intersections that collects traffic from collector streets.

B. Collector Street - A street which collects traffic from minor streets and delivers it to major streets.

C. Minor Street - A street which offers access to abutting properties and has little or no through traffic.

D. Interior or Marginal Access Street - A street intended to provide access to lots bordering a public right-of-way to which access has been limited or prohibited, and generally running parallel to such right-of-way.

E. Alley - A service way providing a secondary means of access to abutting properties and not intended for general traffic circulation.

Subdivision - The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or divisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Supervisors, Board of - The Canaan Township Board of Supervisors.

Surveyor - A registered land surveyor licensed by the Commonwealth of Pennsylvania.

Township - Canaan Township, Wayne County, Pennsylvania.

Township Engineer - A Professional Engineer licensed as such by the Commonwealth and appointed or hired on a consulting basis to provide engineering advice to the Township.

Trip-end - The starting point or destination associated with any trip by vehicle. All trips have both a beginning

and ending trip-end (two trip-ends).

Waiver - A relief of one or more procedural requirements of this Ordinance if the requirements pertaining to the same are not applicable because of peculiar conditions pertaining to the application or land in question, provided that such modifications will not be contrary to the public interest and that the purpose and intent of the ordinance is observed.

Watercourse - A discernible, definable natural course or channel along which water is conveyed ultimately to streams and/or rivers at lower elevations. A watercourse may originate from a lake or underground spring(s) and be permanent in nature, or originate from temporary sources such as runoff from rain or melting snow.

Article III - Plan Submission and Review Requirements

§ 100-14. Procedures and Requirements for Minor Land Developments and Subdivisions.

A minor subdivision or land development is one containing not more than ten lots, or a cumulative development on a lot-by-lot basis for a total of ten lots, of any original tract of land of record (i.e., not previously subdivided or developed subsequent to the effective date of this Ordinance, by the owner or the owner's duly appointed agent) where no new streets or other major improvements such as sewer and water extensions are required. Use of the land in the case of minor subdivisions is limited to a single-family or two-family dwelling (provided that any creation of a two-family dwelling shall, nonetheless, be considered a subdivision). Minor subdivisions shall otherwise meet the definition of a "Supplement to the Township Official Plan" as provided for in Chapter 71 of the Regulations of the Pennsylvania Department of Environmental Protection.

The following procedures and requirements shall apply to minor subdivisions and land developments only (See Definitions). All other subdivisions and re-subdivisions, regardless of the total number of lots involved, shall be processed as major subdivisions according to the procedures and requirements specified in Sections 100-15 to 100-19 of this Ordinance. Minor subdivisions shall not be subject to these particular requirements, but shall comply with the remainder of this Ordinance.

A. Any person proposing to create a minor subdivision shall submit along with plans required in Sub-section B below, eight (8) copies of an application for minor subdivision approval. This application shall include:

(1) The name, address and telephone number of the property owner of record and those of the subdivider, if different.

(2) The name and number of the road where the proposed subdivision is to be located.

(3) The name, address and telephone number of the Registered Professional Land Surveyor preparing the subdivision plans.

(4) The type of water supply proposed.

(5) The type of sewer system proposed and permit number, if granted. Should an existing system be proposed for a new use of greater intensity than the previous use, a Professional Engineer or Certified Pennsylvania Sewage Enforcement Officer shall have first determined such system is adequate to accommodate the additional wastewater flow and documents to this effect shall be submitted.

(6) Fee or receipt for the same from the Township Secretary.

(7) Existing and proposed uses of the property.

B. This plan shall be prepared by a Registered Professional Land Surveyor in the case of a subdivision or by a Professional Engineer, Registered Landscape Architect or other qualified individual in the case of other land developments, with his address provided, and shall show all the lots proposed to be created. The subdivider shall submit eight (8) copies of the Final Plan bearing the original seal and signature of the Surveyor and required supplementary data for the proposed subdivision. The Final Plan and supplementary data shall meet the following requirements:

(1) The map shall when possible be drawn at a size compatible with Wayne County tax maps and shall be not less than 11" X 17" nor more than 24" X 36" in size.

(2) The names of all current abutting property owners (including those across the street), with current deed references and tax map numbers for these as well as the property being subdivided, and the size of any remaining acreages in the tract from which lots are being taken shall be shown.

(3) The map shall include a title block with the name of the municipality and County and name of the

existing owner of record. The North Point, graphic scale, preparation date and all revision dates shall also be indicated. A signature approval block shall be provided along with a blank area beneath sufficient in size to record any conditions of approval as shall be specified by the Township.

(4) Soil types found on the site shall be shown unless the lots involved are lot improvements or contain existing sewage systems. Soil Conservation Service Classifications shall be used. Floodplain boundaries shall also be depicted where applicable.

(5) All existing streets shall be identified by their official posted names and numbers and right-of-ways depicted. Existing buildings, utility lines sewage systems and other significant natural or man-made features shall also be depicted along with any other existing or proposed easements and rights -of-way.

(6) Proposed lot or parcel lines shall include accurate bearings and be drawn to scale and dimensions given in feet and hundredths of a foot. Lot areas shall be shown in acres or square feet and lot corners shall be depicted as set in the field. The map shall depict the proposed subdivision as a part of the contiguous holdings of the subdivider, and show adjacent lots already taken from the parcel.

(7) A Planning Module for Land Development (or such other comparable documentation as may be required by the Pennsylvania Department of Environmental Protection), along with a soils evaluation by the test pit method and/or other required supplemental data shall be reviewed by the Township Sewage Enforcement Officer and submitted in a form suitable for adoption by the Township as a supplement to the Township Official Wastewater Facilities Plan.

(8) A permit from either Canaan Township or the Pennsylvania Department of Transportation, as the case may be, for a street encroachment or highway occupancy permit. The Township, however, may waive this requirement where no immediate plans exist to improve the property, provided a notice has been placed on the plat that such permits are required.

(9) A location map inset at a scale of 1" = 2000' shall be provided.

(10) Building setback lines shall be depicted geographically or listed.

(11) A copy of the proposed deeds relating to any lot improvement.

C. The Plan shall include all the items identified in Section 100-14 above and shall be submitted at least 10 days prior to a regular meeting of the Township Planning Commission to the Township Secretary who shall note receipt of the application and collect any fees due. The Secretary shall forward copies to the Township Planning Commission for action and the Township code enforcement officer(s) and other officials (e.g. Township Engineer) as may be appropriate, for analysis of compatibility with this and other Canaan Township Ordinances. Checks shall be made payable to the Canaan Township Board of Supervisors. Notwithstanding these requirements, however, the Planning Commission may, for review purposes, accept or reject any application brought before it less than 10 days of its meeting.

The Township shall also, at the time of official receipt of the application package, forward a copy to the Wayne County Planning Department for a review and report together with a fee sufficient to cover the costs of the review, which fee shall be paid by the applicant. Checks shall be made payable to the Wayne County Planning Department.

Upon receipt of the County Planning Department's review comments, the Township Planning Commission shall be authorized to grant final approval to; 1) any lot improvement, or 2) any non-building subdivision pursuant to § 100-04(B) hereof; without the necessity of securing approval from the Board of Supervisors.

Otherwise, the Township Planning Commission, and any other officials requested to review the application shall prepare a report on it for the Township Board of Supervisors no later than thirty 30 days following receipt of the same, unless the application is determined to be incomplete and is not accepted for filing. Incomplete applications shall be returned to applicants by the Planning Commission with or without the

other review agencies' advice, and shall be accompanied by a written explanation of the items which are missing.

All reviewing agencies shall make recommendations to the Board of Supervisors, which recommendations shall be in letter form or noted on the plats submitted.

The Supervisors shall act no later than ninety (90) days following the filing date.

The Supervisors shall concurrently act on the proposed supplement to the Official Wastewater Facilities Plan and shall communicate their decision in writing to the applicant within fifteen (15) days following the action [within ninety (90) days following the filing date], setting forth any reasons for disapproval if that should be their decision.

§ 100-15. Procedures and Requirements for Major Land Developments and Subdivisions.

A major subdivision or land development is one that is not a minor subdivision (see Section 100-14), recreational subdivision or land development, mobile home park, multi-family dwelling project. Any subdivision that involves the utilization of off-site sewage disposal systems or water supplies, the construction of any streets, or the utilization of conservation subdivision techniques shall also be considered a major subdivision, regardless of the number of lots or other considerations.

A. A Sketch Plan may be submitted to the Township by the owner of any land to be subdivided or developed, for the purpose of classification and preliminary discussion of the proposed subdivision or land development. No action will be taken by the Township with respect to a Sketch Plan and no discussions concerning the same shall later be construed to have implied approval of any sort.

B. Sketch planning shall be mandatory for all major subdivisions involving more than ten (10) housing units or residential lots and for all land developments. Two (2) such plans shall be prepared by the developer - one depicting a conventional layout according to the standards of Section 100-24 herein and the other illustrating a conservation subdivision design as provided in Section 100-37. The Planning Commission shall use the former, and professional advice at its disposal, to determine net density possible with conventional development and use this figure as a basis for determining net density for the conservation subdivision development. Should the developer then opt to pursue such a conservation subdivision or the Township Planning Commission require the use of this technique pursuant to Section 100-37, the Board of Supervisors may adjust the development standards contained herein to allow such development without necessitating a formal waiver or modification request.

C. Eight (8) copies of a Preliminary Plan shall be required for all proposed major subdivisions and land developments. The Preliminary Plan shall be accompanied by an application as provided in Section 100-14.A hereof for minor subdivisions and also include all the items identified in Section 100-17 below. It shall be submitted at least 10 days prior to a regular meeting of the Township Planning Commission to the Township Secretary who shall note receipt of the Preliminary Plan and collect any fees due. Copies shall be distributed in the manner provided for minor subdivisions. Checks shall be made payable to the Canaan Township Board of Supervisors. Notwithstanding these requirements, however, the Planning Commission may, for review purposes, accept or reject any application brought before it less than 10 days of its meeting.

The Township Engineer and planning commission shall review the Preliminary Plan to ascertain whether it complies with the requirements of this Ordinance. It may request the subdivider to submit additional information, make certain corrections or changes, or advise the Township Secretary to return the Plan as incomplete and, therefore, not acceptable for filing.

The Township shall also, at the time of official receipt of the Preliminary Plan, forward a copy to the Wayne County Planning Department for a review and report together with a fee sufficient to cover the costs of the review, which fee shall be paid by the applicant. Checks shall be made payable to the Wayne County Planning Department.

The review agencies (other than the Wayne County Planning Department) shall, no later than forty-five (45) days following the filing date, make its recommendation for approval or disapproval and submit a report to the Board of Supervisors. The Board of Supervisors shall make its decision regarding the Preliminary Plan within thirty (30) days of its receipt of the reports and communicate that decision in writing to the applicant within fifteen (15) days, (90 days total from the filing date) setting forth any reasons for disapproval, should that be the decision.

The Board shall concurrently make its decision with respect to the Planning Module for Land Development to revise or supplement its Official Plan and, if approval is granted, said revision or supplement will promptly be forwarded to DEP. Preliminary approval shall be conditional upon DEP acceptance of the proposed revision and shall be considered null and void in the absence of such acceptance unless the Board of Supervisors has determined the legal limit of time for DEP action has expired giving the applicant a deemed approval. The approval shall expire, in any event, after six (6) months unless some form of DEP approval has been obtained.

After receiving approval of a Preliminary Plan, (or when conditions are removed), the subdivider shall install or guarantee installation of the improvements required by this Ordinance and commence the preparation of Final Plans. In the absence of actual installation of improvements, the subdivider may otherwise guarantee them according to the requirements of § 100-18.

D. Final Plan Procedures.

Following the installation and inspection of improvements or preparation of satisfactory guarantees for their installation and maintenance, the subdivider may submit Final Plans to the Township, which shall be processed in the same manner as Preliminary Plans. Final Plans may be submitted in stages. However, no Preliminary Plan (or portions of such Plan) shall remain valid for development of Final Plans after a period of five years from Preliminary Approval if any of the applicable standards of this Ordinance have been modified and no extension of approval has been granted. Moreover, no Final Plans shall be accepted for any subdivision or land development for which DEP has not approved the necessary revision to the Official Wastewater Facilities Plan.

Following approval of the Final Plan by the Board of Supervisors the subdivider shall, within ninety (90) days, officially record the Final Plan in the Office of the Wayne County Recorder of Deeds. Failure to do so will render the plan void and the subdivider shall resubmit the Plan for approval including any filing fees required.

§ 100-16. Sketch Plans.

Sketch Plans for Major Land Developments and Subdivisions should be at a scale sufficient to show the entire tract on one sheet, and should show or include the following:

A. The location of that portion which is to be subdivided in relation to the entire tract.

B. All existing structures, wooded areas, wetlands, rivers, streams and lakes within the portion to be subdivided.

C. The name of the owner and of all adjoining property owners as disclosed by the most recent deed or tax records.

D. All streets or roads, streams, water, sewage and gas and power lines within 500 feet of the subdivision.

E. The tentative layout of the remainder of the tract owned by the subdivider.

F. North Point, graphic scale, date and name/address of subdivider and landowner.

G. A location map with sufficient information to enable the locating of the property.

§ 100-17. Preliminary Plan Requirements.

Preliminary Plans for Major Land Developments and Subdivisions shall be prepared by a Registered Professional Land Surveyor or other professional as permitted herein with the term "Preliminary Plan" indicated in the title block on all sheets and original seals and signatures appearing on each sheet connected with the submission. They shall be clearly and legibly drawn at a scale compatible with Wayne County tax maps. Maps shall be not less than 11" X 17" nor more than 24" X 36" in size and should, when possible, show the entire tract to be divided.

The Plans and accompanying supplementary data shall contain the following information:

A. Proposed name of the subdivision. This name, to be provided in a "Preliminary Plan" title block shall not duplicate in spelling or pronunciation any recorded subdivision within Wayne County. The name and address of the present landowner as well as subdivider (if different) shall also be provided.

B. Location by municipality and County (to be placed in the title block). The plan shall also include current deed book references and tax map numbers for affected parcels and a 1" = 2000' location map.

C. The map shall include a title block with the name of the municipality and County and name of the existing owner of record. The North Point, graphic scale, preparation date and all revision dates shall also be indicated. A signature approval block shall be provided along with a blank area beneath sufficient in size to record any conditions of approval as shall be specified by the Township.

D. Boundaries of total tract and area, in square feet (or acres) contained within it.

E. Locations, names and widths of rights-of-way of all streets, widths of utility rights-of-way and other easements, parks and public grounds and permanent buildings and other significant physical features in, or adjacent to, the subdivision which will have an effect on the design, and all common open space easements.

F. Approximate locations of existing and proposed sewage systems, sanitary sewer lines, public water mains, storm sewers, electric power and transmission lines, gas lines, and all other items above or below ground with size, direction of flow and pressure details as may be appropriate or required by the Township Engineer.

G. Names of current owners of abutting properties (including those across the street) with deed book references, and lines showing where they intersect.

H. Existing contours at intervals of at least every twenty feet. U.S.G.S. maps may suffice for the basis of this item. The Township reserves the right to request greater detail when the scope or nature of the development demands the same.

I. Proposed layout of streets, alleys and other public rights-of-way, including widths and proposed names which shall not duplicate existing names by spelling or pronunciation. The street proposals shall be accompanied by a submission of plans as required by the Township Road and Highway Occupancy Ordinances and § 100-30 hereof, including profiles, cross-sections, and preliminary designs for bridges and culverts.

J. The proposed layout, numbering and approximate dimensions and area of lots (in square feet or acres) along with the types of dwellings proposed on each lot and remaining acreage.

K. Parcels to be dedicated to the public, or reserved for their use, or to be reserved by covenant for residents, shall be shown and marked as such.

L. Building setback lines shall be indicated. Where lots are located on a curve, or side lines are not parallel, the width at the building line shall also be shown.

M. All drainage easements shall be shown and marked as such.

N. Approximate final grades in areas of cut or fill shall be shown.

O. Proposed uses for all lots shall be indicated.

P. Proposed covenants and restrictions along with any other documents associated with the formation of a Property Owners Association (POA), if any. Such documents shall, at a minimum, require that all property owners be members and pay dues assessed thereby. They shall also address the responsibilities of lot purchasers for management of common property.

Q. Evidence of water supply. In cases where no public water supply is planned as part of the subdivision, the subdivider shall supply acceptable evidence of the availability of other potable water source. This evidence may be in the form of logs from test wells by the subdivider, or logs from existing wells established by professional well drillers.

R. The subdivider shall present a letter from each utility company servicing the area indicating that the utility company is aware of and will provide service to the proposed subdivision.

S. Erosion and sedimentation plan prepared in consultation with the Wayne County Conservation District (where required) with evidence of that agency's approval also provided.

T. Storm water management plan prepared in compliance with Section 100-29 of this Ordinance.

U. Planning Module for Land Development, along with all information required in order to approve as a revision or supplement to the Official Plan.

V. Copies of permits from either Canaan Township or the Pennsylvania Department of Transportation, as the case may be, for street encroachment or highway occupancy. The Township, however, may waive this requirement where no immediate plans exist to improve the property, provided a notice has been placed on the plat that such permits are required. Notwithstanding any exceptions granted, such permits shall be obtained prior to starting construction or guaranteeing any road construction required.

W. Floodplain and wetland boundaries from official maps of the same generated by the Federal government, if applicable, and evidence of compliance with Township, Commonwealth and Federal requirements pertaining to such areas. The Township Planning Commission may also require more detailed studies for purposes of identifying the boundaries of such areas where Federal mapping is of insufficient detail.

X. Other prominent natural or man-made features such as stone walls and ledges shall be indicated.

§ 100-18. Requirements for Guarantee of Improvements.

A. After approval of the Preliminary Plan, the subdivider, in a manner consistent with the Pennsylvania Municipalities Planning Code, shall provide for the installation of the required improvements (those physical additions and changes which may be necessary to provide usable and desirable lots). Before requesting Final Plan approval the subdivider must:

(1) Install all the improvements approved on the Preliminary Plan and required in Article IV at the standards required, or

(2) File with the Secretary of the Township a performance guarantee to insure installation and construction of all required improvements at the standards required. Such guarantee shall meet with the approval of the Township Solicitor as to form and procedure.

The subdivider shall meet with the Township Engineer to develop a schedule, so that at the time each improvement is to be installed and upon its completion, adequate inspections can be made.

B. This Section is designed to be consistent with Section 509 through Section 511 of the Pennsylvania Municipalities Planning Code and the Township hereby incorporates all authorities and requirements contained therein as part of this Ordinance.

(1) Posting - The performance guarantee must be approved by the Board with the advice of the Township Solicitor and Engineer, and must:

(a) Be a corporate surety bond, certified check, or other security, provided the same is satisfactory to the Board and consistent with the requirements of the Pennsylvania Municipalities Planning Code.

(b) Be payable to Canaan Township.

(c) Be in an amount sufficient to complete the improvements in compliance with these and other Township regulations plus expected cost increases as provided in the Municipalities Planning Code.

(d) In the case of cash or its equivalent, be held in an escrow fund in the name of the municipality.

(e) Specify a satisfactory completion date for improvements which shall not be more than one (1) year from the date of the Final Approval. Provisions may also be made, pursuant to the aforementioned Code, for completion of improvements in phases or over a longer period, in cases of large developments.

(2) Return - When the improvements have been completed and approved for conformity with these and other Township regulations by the Township Engineer or other qualified individual designated by the Township and accepted by the Township Board of Supervisors, the guarantee shall be released and returned pursuant to Section 510 of the Pennsylvania Municipalities Planning Code. When any of the required improvements have been completed and approved or materials for the same have been secured on-site, a portion of the security commensurate with the cost of these improvements, may be released and returned.

(3) Default - In the event of default, the obligor and surety shall be liable thereon to the Township for the cost of the improvements or parts thereof not installed. If proceeds of such bond, or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by said security, the governing body of the municipality may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security, and not for any other municipal purpose.

C. Prior to the certification of any improvements or release of any guarantee, the subdivider shall pay all inspection and related costs (for professional services, meetings, advertisements and expenses) associated with the improvements or guarantees. These costs will be assessed as a special fee apart from the regular fees provided for in Section 100-20 of these Regulations. Said payment shall be made to the Township.

D. Where improvements are being dedicated to the Township, the subdivider shall comply with the applicable requirements of any other Township Ordinances governing dedication of improvements and submit a maintenance bond or other approved performance guarantee to guarantee maintenance and repair of those improvements for eighteen months from the date of dedication. The maintenance bond shall generally be a maximum of 15% of the costs of improvements, subject to approval of the Board of Supervisors.

§ 100-19. Final Plan Requirements.

Final Plans for Major Land Developments and Subdivisions shall be prepared by a Registered Professional Land Surveyor or other professionals as provided herein. The term "Final Plan" shall be indicated in the title block on all sheets and original seals and signatures appearing on each sheet connected with the submission. The plans shall be prepared on one or more sheets of a uniform size no less than 11" x 17" and no greater than 24" x 36" and otherwise coinciding with requirements of the Wayne County Recorder of Deeds. Final Plan attachments and exhibits shall be numbered and labeled in accordance with the requirements of this Section and any "subdivision checklists" developed by the Township. The Final Plan shall include, in addition to the information required for the Preliminary Plan submission, the following:

A. Exact locations, widths and names of all streets and all crosswalks within the subdivision or land development.

B. Complete curve data for all curves included in the Plan.

C. Exact descriptions of all easements being provided for services or utilities in the subdivision or land development, and any limitations placed on the use of such easements.

D. Accurate outlines of any lots or areas to be reserved or dedicated for common use by residents of the subdivision or land development, or for general public use, with the purpose indicated thereon.

E. Front building lines, shown graphically with dimensions.

F. A final version of all restrictions and covenants, if any, the developer intends to place in the deeds to the lots in the subdivision or land development. If no such restrictions or covenants are to be imposed, a statement to that effect shall be included.

G. The total tract boundary lines of the area being subdivided, with accurate distances to hundredths of a foot and bearings to one minute. These boundaries shall be determined by accurate survey in the field; provided, however, that the boundary(s) adjoining additional unplatted land of the subdivider (for example, between separately submitted Final Plan sections) are not required to be based upon field survey, and may be calculated. The location of all permanent boundary line (perimeter) markers shall be indicated, along with a statement of the total area of the property being subdivided. In addition, the surveyor shall certify the placement of permanent lot markers for all lots proposed for final approval.

H. The Final Plan shall contain a certificate signed by the project engineer indicating that all improvements have either been installed and approved by the proper officials or agencies, or that a guarantee in an amount satisfactory to the Township Engineer and sufficient to ensure their installation has been submitted to the Township.

I. Complete final construction (as built) plans and profiles of installed or proposed public sanitary sewage disposal systems and storm drains, with grades and pipe sizes, unless private septic tanks are to be used. Also, complete final construction plans of installed or proposed public water distribution systems showing pipe sizes and locations off valves and fire hydrants, if any, shall be provided unless private wells are to be used.

J. Complete final construction (as built) plans for all other improvements proposed on the Final Plan .

K. Evidence in writing of actual arrangements made with utility companies or agencies for supplying each lot in the subdivision.

L. A key map for the purpose of locating the site to be subdivided, at a scale of not less than 2,000 feet to one inch, showing the relation of the property to adjoining property and to all streets, roads and municipal boundaries existing within 4,000 feet or any part of the property proposed to be subdivided. U.S.G.S. quadrangle maps may suffice as a base for such a key map.

M. **A signature approval block along with a blank area beneath sufficient in size to record any conditions of approval as shall be specified by the Township. This shall appear on every sheet of the set of plans.**

N. **A statement that Erosion and Sedimentation and Storm Water Management Plans, as required, have been prepared and, where appropriate, approved by the Wayne County Conservation District. Stormwater management plans shall also require the specific approval of the Township Engineer.**

O. **Copies of street encroachment or highway occupancy permits (to be secured prior to any actual road construction) if preliminary approval was conditioned on obtaining the such permits.**

Each Final Plan submission shall, in addition to the items required above, include new submissions of Preliminary Plan data in any instance where there has been a change in the plans or the circumstances surrounding them.

§ 100-20. Fees.

At the time an Application for subdivision approval is filed, a fee shall be paid to the Township by the subdivider; such fee to be determined from a schedule of fees as adopted by the Board of Supervisors by resolution. These shall include reasonable professional review fees as may be required by the Township based on need for the same.

§ 100-21. Right of Entry.

The Township Board of Supervisors, the Township Planning Commission and other designated Township officials with responsibilities for administration of this Ordinance, shall, upon request, be granted reasonable right of entry to any property, that is the subject of an application made hereunder, for purposes of gathering information to determine compliance with these provisions. Refusal to provide for such right of entry shall be cause to deny any application.

Article IV - Design Standards

§ 100-22. Application.

The design standards and requirements set forth in this Article shall be observed as minimums by the developer in the design of each subdivision or land development within Canaan Township. The Township may require more restrictive standards where necessary to protect health, safety and welfare of the public, and where circumstances unique to the property so dictate.

§ 100-23. General Site Requirements.

Those areas which are subject to such hazards of life, health, or property as may arise from fire, flood or noise, or are considered to be uninhabitable for other reasons, may not be developed for building purposes unless the hazards have been eliminated or the plans show adequate safeguards correcting the hazards.

The Township, in determining and evaluating potential hazards, shall rely upon information contained in its Wastewater Facilities Plan, its Comprehensive Plan or any regional and County plans in which it has participated, including stormwater and solid wastes management plans. It shall also use historical records, soil evaluations, engineering studies, expert opinions, established standards used by licensed insurance companies or in professional practice, and Federal, State, or local policies as may be applicable.

All portions of a tract being developed or subdivided shall be taken up in lots, streets, designated open spaces, or other proposed uses, so that remnants and land-locked areas shall not be created. All land developments shall also be planned with consideration of impacts on adjacent properties and neighborhoods, including traffic, stormwater drainage, off-street parking, noise, odors, vibrations, landscaping and aesthetics, nuisance activities and other impacts.

Care shall be taken with all land developments to preserve natural features such as trees, water courses, views, and historical features which will add attractiveness and value to the remainder of the land. Where a land development is proposed on a site that has a slope of more than 15% the Township may require larger lot sizes than the minimum standards set forth herein.

Damming, filling, relocating or other interference with the natural flow of surface water along any surface water drainage channel or natural water course shall not be permitted except with the approval of the Township and, where appropriate, the Pennsylvania Department of Environmental Protection.

Wherever possible, lot lines shall follow municipal and county boundary lines rather than cross them, and reserve strips controlling access to lots, public rights-of-way, public lands or adjacent private lands are prohibited.

§ 100-24. Blocks and Lots.

A. Blocks shall ordinarily not exceed 1,200 feet in length.

B. Pedestrian interior walks may be required, where necessary to assist circulation or provide access to community facilities. Such crosswalks shall have a width of not less than 10 feet and be all-weather-surfaced for not less than 4 feet in width.

C. Blocks shall be of sufficient width to permit two tiers of lots of appropriate depth, except where an interior street parallels a major street, or where it backs up to a railroad, creek, or other natural barrier.

D. Where a subdivision adjoins a major state highway (one which is designated and marked for two lanes or more and carries at least 100 vehicles per day), the greater dimension of the block shall front along said highway, and interior or marginal access streets may be required to minimize the number of points of access. Such streets may be required whenever topographic conditions, traffic density or lack of proper sight distance dictate for reasons of health and safety. Any subdivision of five lots or more with frontages averaging less than 300 feet along the highway shall be subject to this requirement, if the Township Board

of Supervisors determines, after inspection, that such is necessary for the above stated reasons.

E. Cul-de-sac streets, permanently designed as such, shall not exceed twelve-hundred (1,200) feet in length and shall furnish access to not more than 12 dwelling units. Cul-de-sac streets shall have, at the closed end, a turn-around with the right-of-way having minimum outside diameter of not less than 100 feet and shall be paved to a diameter of not less than 70 feet. Drainage of cul-de-sacs shall preferably be toward the open end.

F. All side lines of lots shall be at approximate right angles to straight street lines and approximately radial to curved street lines, except where a variation to this rule will provide a safer or more practical layout.

G. Double frontage lots shall ordinarily not be platted, except as specifically provided herein. In that event, a planting strip of at least 20 feet in width may be required along the back of the lot.

H. If remnants of land exist after subdividing, they shall be incorporated in existing or proposed lots, unless designated as common area.

I. Corner lots shall have an average width of at least 100 feet. Either of the two sides of a corner lot may be designated as the front, provided the rear yard shall always be opposite the frontage so designated.

J. All lots shall front on a public or private street (existing or proposed) and the right-of-way of the principal access to any subdivision shall be a minimum of fifty (50) feet in width. No subdivision will be approved where the width of the existing right-of-way is less than 50 feet unless the subdivider is able to secure such additional right-of-way as may be required to achieve this width. However, the Township may, to reduce the number of entrances to the public highway and encourage development in and around existing hamlets and villages, grant waivers and modifications from this and other street requirements of this Ordinance to accommodate flag lots and others accessed by private driveways. The standards applicable to such driveways may be found in § 100-30(Q) of this Ordinance.

K. Dimension standards applicable to all new lots follow:

Utilities Available	Minimum Lot Area	Minimum Average Lot Width	Minimum Lot Frontage	Minimum Front Setback	Minimum Rear/Side Setback*
Off-site water and sewage	21,780 s.f. or 0.50 acre	100 feet	50 feet	35 feet	20 feet
Either off-site water or off-site sewage	43,560 s.f. or 1.00 acre	125 feet	50 feet	35 feet	20 feet
On-site water and sewage	43,560 s.f. or 1.00 acre	150 feet	50 feet	50 feet	20 feet

* No structures demanding building permits and no driveway improvements shall be allowed within this area unless shared by property owners.

L. Monuments or other permanent markers shall be placed at perimeter corners and the corner of each street, and permanent markers set at the corner of each lot, consistent with surveyors' professional practice, to permanently and accurately define the metes and bounds of the block and lots created.

§ 100-25. Common Open Space.

Such portion of the development as may be required by the Township Zoning Ordinance, but not less than 10% of the gross area of any major subdivision or land development, exclusive of lakes or ponds, shall be designated as common open space for the enjoyment of the residents of that subdivision and the general community, except where such area would be less than one acre. Such areas shall be suitable for any intended recreational uses.

This requirement may be waived in instances where less than 25 lots are involved. Sites so designated shall not be deemed to be dedicated to or accepted by the Township unless and until it has taken formal action with regard to the same. The subdivider and the Township may also agree to otherwise provide recreational land for the use of residents pursuant to the the Township's Comprehensive Plan.

§ 100-26. Water Supply.

Where a public water supply is available within 1,000 feet of a proposed subdivision or land development of twenty (20) lots or more, the Township Board of Supervisors may require the subdivider to construct a system of water mains, tied to such system and provide a connection for each lot. Regardless of this requirement, all subdivisions and land developments shall be served with an adequate water supply.

Plans and specifications for off-site water systems (i.e. extension of an existing system or a proposed new facility) shall be prepared by a professional Engineer and shall conform to accepted engineering practices. The system shall be designed to furnish adequate main sizes and , where necessary, fire hydrants located to meet the specifications of the Association of Fire Underwriters and the applicable Fire Department. Suitable agreements shall also be established for the design, specifications, construction, ownership and maintenance of such distribution system.

The applicant must demonstrate ability to provide a minimum of 150 gallons of water per capita per day (GPCD) and/or 400 gallons per day (GPD) for each residential dwelling unit to be serviced. Service to industrial or commercial establishments shall meet standards established by the American Water Works Association or insurance industry underwriting standards.

New off-site water supply wells shall be sited, drilled, and tested under the direct supervision of a Registered Professional Engineer or a professional groundwater geologist. Tests shall include analyses of impacts on neighboring wells. Wells shall be so located that no potential pollution sources can exist within a 100 foot radius. The well shall also be located on a reserved parcel.

§ 100-27. Sewage Disposal.

When a public sewage disposal system is located within 1,000 feet of a proposed subdivision or land development of twenty (20) lots or more, the Township Board of Supervisors may require the subdivider to provide a system of collection lines to connect to said system. Regardless of this requirement, all subdivision and land developments shall be provided with an adequate sewage disposal system(s).

All lots shall contain suitable areas for on-lot sewage disposal systems or be served by an approved off-site sewage disposal system. Plans and specifications, including a Planning Module for Land Development complete with all appropriate components as required by the Pennsylvania Department of Environmental Protection (to revise or supplement the Township Official Plan), shall be submitted with all preliminary subdivision or land development plans (final plans in the case of Minor Subdivisions). Following preliminary plan approval, the Township will submit copies of the module and necessary documentation to the Commonwealth for review. Commonwealth approval of the module and the Township's revision or supplement to its Official Plan shall be required prior to final approval.

Off-site sewage disposal systems are required for all residential lots and non-residential developments where the Township SEO (Sewage Enforcement Officer) or DEP determine that on-site soil conditions are unsuitable for on-lot subsurface sewage disposal systems.

Design standards, materials and specifications shall meet Pennsylvania Department of Environmental Protection requirements.

Where connection to an off-site sewage system is not required, on-site systems shall be provided in accordance with criteria set forth by the Pennsylvania Department of Environmental Protection. The Township Sewage Enforcement Officer's site and soils evaluation by the test pit method and favorable report is required prior to preliminary plan approval. The Sewage Enforcement Officer shall determine the number and location of test pits and soil percolation tests necessary to determine the general suitability of soils throughout the subdivision or

land development for on-lot subsurface sewage disposal.

Sanitary sewers shall be designed and constructed in strict accordance with Pennsylvania Department of Environmental Protection standards and Township standards.

Sanitary sewers shall not be used to carry storm water.

§ 100-28. Erosion and Sedimentation.

In the event that any developer shall intend to make land changes by grading, filling, excavating or the removal or destruction of the natural topsoil or vegetative covering thereon in accordance with a subdivision or land development plan submitted to the Township, the same shall only be approved and accomplished after the developer has submitted plans for erosion and sedimentation control measures to the Wayne Conservation District for review and approval and otherwise complied with Commonwealth regulations respecting such plans. A copy of this plan shall be provided to the Township along with evidence of its approval.

§ 100-29. Storm Water Management.

A Storm Water Management Plan meeting the requirements of Chapter 111 of Pennsylvania DEP Regulations and the Township's Lackawaxen River Watershed Stormwater Management Ordinance shall be provided for all subdivisions and land developments, including those within other watersheds. Such plan shall also be submitted to the Township Engineer and the Wayne Conservation District for review and comment on appropriate measures for meeting complying with the Pennsylvania Storm Water Management Law and associated Federal and State requirements.

§ 100-30. Street Requirements.

A. The arrangement, character, extent, width, grade and location of all streets shall conform to the provisions found herein. Every subdivision shall have access to a public right-of-way.

B. Design and Arrangement.

(1) In general, all streets shall be continuous and in alignment with existing streets and shall compose a convenient system to insure circulation of vehicular and pedestrian traffic, with the exception that minor streets shall be laid out including the use of loop streets and cul-de-sacs, so that their use by through traffic will be discouraged.

(2) Where a subdivision abuts or contains an existing or proposed major street, marginal access streets may be required, in order to protect residential areas from heavy traffic and also to provide separation between local and through traffic.

(3) Streets shall be logically related to the topography so as to produce usable lots and reasonable grades as required by this and other Township Ordinances.

(4) New half or partial streets will not be permitted. Wherever a tract to be subdivided borders an existing half or partial street, the remaining portion of the street shall be platted within such tract.

(5) Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as cul-de-sacs. Temporary cul-de-sacs shall be provided in the case of the former. Also, see § 100-24.E hereof.

(6) Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the extension of streets.

(7) Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at less than sixty (60) degrees. Intersections of more than two streets shall

be avoided. Where this proves impossible, such intersections shall be designed with care for safety, and suitable curbs, barriers, signs and other devices as may be required. Streets entering opposite sides of another street shall be laid out directly opposite one another or offset a minimum of one hundred -twenty-five feet (125').

(8) Street and driveway intersections with major streets shall not be so numerous, nor so close to each other, as to impede the flow of traffic.

(9) Clear sight triangles shall be provided at all street intersections. Within such triangles, no structure or vision-obstructing object other than utility poles, street lights, street signs, or traffic signs shall be permitted which obscures vision above the height of thirty-six (36) inches and below ten (10) feet measured from the centerline grade of intersecting streets. Such triangles shall be established from a distance of seventy-five (75) feet from the point of intersection of the centerlines.

(10) Whenever, in connection with a major subdivision, the principal access (whether public or private) to such subdivision, by virtue of bridge weight limits of less than twenty (20) tons or other comparable limitations, would restrict access to the property by emergency vehicles or school buses, the subdivider shall so indicate in writing on the final plats to be recorded and shall provide for notification to prospective lot buyers through deed covenant provisions which shall be approved by the Township Board of Supervisors as to form.

C. Alleys may be permitted in residential areas under special circumstances, but in no case shall an alley provide the only means of access to a lot. Alleys are required on the rear of all commercial and industrial lots, if no other provisions are made for adequate service access or for parking.

D. Street Grades

(1) Profiles: No street grade shall be less than 1/2 percent or exceed the following, with due allowances for reasonable vertical curves:

Major Traffic Streets	6% (up to 8% for 250 feet)
Collector Streets	8% (up to 10% for 250 feet)
Minor Streets	12% (up to 15% for 250 feet)

Streets shall have a grade not to exceed three (3) percent for a distance within fifty (50) feet of the street right-of-way line of any intersecting street.

(2) Cross Section: The gradients of streets shall be not less than 0.5% without curbs and gutters, and 0.3% with curbs and gutters. On streets where curbs, gutters, and sidewalks are not required, there shall be a shoulder, as provided in the Township Road Ordinance.

(3) Minimum Sight Distance (measured from a vehicle ten (10) feet back of the pavement edge):

Posted Speed (Classification)	Sight Distance to Left	Sight Distance to Right
55 mph (Major Streets)	845 feet	875 feet
45 mph (Major Streets)	635 feet	570 feet
35 mph (Collector Streets)	440 feet	350 feet
25 mph (Minor Streets)	250 feet	195 feet

E. Street and Alley Width

(1) The width of all major thoroughfares shall conform to the width designated on the Township's official map, if one shall exist.

(2) The minimum right-of-way widths for streets and alleys are as follows:

Major Streets	80 feet
Collector Streets	66 feet
Minor Streets	50 feet
Alley	25 feet
Crosswalks	10 feet

Where the proposed subdivision fronts on an existing public right-of-way of less than the required width as specified above, the subdivider shall provide additional right-of-way as may be required to conform with these standards. Where the proposed subdivision fronts on only side of such a road, the entire additional width required shall be provided on that side.

F. On all dead-end roads a turn-about area with a one hundred (100) foot diameter right-of-way and seventy (70) foot diameter traveled portion shall be provided.

G. The entire width of the travelway of each street in a proposed subdivision shall be graded and suitably prepared for installation of paving, drainage structures, curbs and gutters, in accordance with the appropriate standards for the class of street. The subgrade shall be free of sod, vegetative matter, or other similar material. Where poor subsurface drainage conditions exist, adequate drainage shall be installed. The subgrade construction shall conform to minimum standards of the Township Road Ordinance.

H. Pavement.

(1) The width of pavement required shall vary, depending upon the character of the development served and the amount of traffic expected to utilize the street. The following are minimum street pavement widths:

Type of Street	Minimum Shoulder Width	Minimum Clearance Beyond Shoulder	Minimum Pavement Width
Major Streets	6 feet	4 feet	24 ft (2 lanes)
Collector Streets	6 feet	4 feet	20 feet
Minor Streets	4 feet	N/A	20 feet

(2) The pavement shall be constructed in accordance with specifications and standards contained in the Township Road Ordinance.

I. Shoulders and Embankments.

(1) Street shoulders shall be constructed with materials approved by the Township Engineer and consistent with the requirements of the Township's Road Ordinance. The entire shoulder area shall be uniformly and thoroughly compacted by rolling and must be level with the top of the road paving, or as directed by the Township Engineer.

(2) Embankments at the sides of streets and cross-sections of drainage ditches shall not exceed a maximum slope of one and one-half (1.5) feet horizontally to one (1) foot vertically in a cut or fill section. In special cases, the Township Engineer may require more-rigid standards.

J. Curbs and Gutters.

(1) Curbs shall ordinarily be required for public safety purposes In the case of commercial developments and other instances where intensive uses exist or are anticipated along a major or collector street.

(2) Where curbs exist on abutting properties, their extension will ordinarily be required throughout the proposed subdivision.

(3) Curbs shall not be constructed where pavements are less than 20 feet in width, the public street is not paved or the lot fronts on a private street. Where curbs are not required, adequate gutters shall be graded and protected by seeding, or appropriate surfacing.

(4) Curbs may be of the wall type or may be combined with gutters built of concrete. Curbs, combined curbs and gutters, and graded gutters shall be constructed in accordance with standard engineering practice.

K. Walls, Slopes and Traffic Guards.

(1) Where the grade of the street is above or below the grade of the adjacent land, walls or slopes shall be constructed in a manner satisfactory to the Township, and shall be sufficient to support the street or the adjacent land, as the case may be.

(2) Where the adjoining embankment has a slope exceeding one and one-half (1.5) feet horizontally to one (1) foot vertically and the grade of the street is two (2) feet or more above the grade of the adjacent land, guards shall be built to protect travel, if required by the Township Engineer.

L. All streets, including cul-de-sacs and alleys, shall be constructed as shown on the Preliminary Plan approved by the Supervisors and in conformity with the Township Road Ordinance and the street requirements contained herein. Where such Ordinance does not provide a clear standard, the Township may rely upon the standards promulgated by the Pennsylvania Department of Transportation for local streets. These standards may also be modified wherever necessary to preserve shade, address aesthetic concerns or otherwise avoid unnecessary earth disturbance, provided the construction standards applicable to the road base are not modified and the full right-of-way is obtained as required.

M. Four-way street name signs of a design approved by the Board of Supervisors shall be installed at each street intersection by the subdivider at his own expense. Streets that are extensions of, or obviously in alignment with, existing streets shall bear the name of existing streets. Street names shall not be repeated within the Township and shall be subject to Township approval.

N. Street lighting is the responsibility of the applicant to provide, and the lot owners to maintain and operate. The Township Engineer will determine when and if street lighting is necessary, evaluating need on the basis of safety considerations and commonly accepted standards of lighting. Whether or not street lights are initially installed, the developer shall be responsible for providing utility easements for future street lighting installation, upon consultation with the public service utility company involved.

O. The subdivider shall preserve existing shade trees along any proposed street right-of-way unless their removal is clearly required for safety of construction and use.

P. Requirement for Road Occupancy and Other Permits.

(1) No driveway, street or drainage facility or structure shall be constructed or altered within a state right-of-way, and no drainage facility of the Pennsylvania Department of Transportation shall be altered or connected onto without first obtaining a permit from Penn DOT.

(2) No driveway, local road or drainage facility or structure shall be constructed or altered within a township right-of-way, and no drainage facility of Canaan Township shall be altered or connected onto without first obtaining a permit from the Canaan Township Supervisors.

Q. Private driveways may be used to access a maximum of three (3) single-family dwellings on a State highway or five (5) single-family dwellings on a Township highway. The following standards shall apply to private driveways:

(1) Individual driveways serving only one single-family dwelling, or two such dwellings in the case of shared driveways, shall not be subject to any of the street design or improvement requirements of this Ordinance or the Township Road Ordinance, provided that, in the case of two dwellings, the deed for each lot (a copy of which shall be submitted) shall contain appropriate restrictive covenants;

(a) setting forth the manner in which the costs of repairs, upgrade and maintenance shall be apportioned between the owners,

(b) restricting each parcel from further subdivision,

(c) providing for the maintenance of a minimum right-of-way of fifty (50) feet in width for said driveway, and

(d) documenting that the parties understand the driveway is the not the responsibility of the Township and that they have no recourse to the Township for repairs, upgrades or maintenance unless and until said driveway is brought completely up to then prevailing road dedication requirements of Canaan Township and is accepted by the Board of Supervisors.

(2) Standards of construction for other shared driveways servicing up to three (3) single-family dwellings on a State highway or five (5) single-family dwellings on a Township highway may be modified provided;

(a) the deed for each lot (a copy of which shall be submitted) shall contain appropriate restrictive covenants meeting the requirements of Sub-section (1) immediately above,

(b) the driveway shall meet the following minimum design standards:

Minimum Right-of-Way	50 feet
Minimum Pavement Width	16 feet
Minimum Shoulder Width	3 feet

(c) pavement shall consist of an all-weather surface,

(d) applicants proposing driveways of this nature shall not be required to submit detailed engineering data (e.g. profiles, grade analyses, etc.) in conjunction with the submission but driveways shall be subject to inspection by Township representatives to determine compliance with these standards.

R. All lots intended for single-family residential use shall be of sufficient size and design to allow for a minimum of two (2) off-street parking spaces per residence. The Township Planning Commission may require prospective sites for such parking areas or other improvements be designated on Final Subdivision Plans. Parking areas for other land developments shall be provided and depicted in accordance with the applicable standards for those developments (see Article VII).

Article V - Mobile Home Parks

§ 100-31. Design Standards and Other Requirements.

A. A mobile home park shall have a gross area of at least five (5) contiguous acres of land under the unified control of an owner/operator or a property owners association.

B. Mobile home parks shall not be located in any area subject to any hazard or nuisance, such as excessive noise, vibration, smoke, toxic matter, radiation, heat, odor or glare; nor shall they be located on any soils classified by the U.S.D.A. Natural Resource Conservation Conservation Service as having a seasonal high water table within twenty-four (24) inches of the surface or on any slope of 15% or greater.

C. The ground surface in all parts of every park shall be graded and equipped to drain all surface water in a safe, efficient manner. All stormwater facilities shall comply with the Township Stormwater Management Ordinance and otherwise be designed as required in Section 100-29 of this Ordinance. Stormwater management plans for achieving this objective shall be reviewed by the Wayne Conservation District and the Township Engineer.

D. All exposed ground surfaces shall be protected with a vegetative growth that is capable of preventing soil erosion and the emanation of dust during dry weather. The owner shall, within a reasonable period of time, insure that the above requirements have been satisfied.

E. Park Areas for Non-Residential Uses

(1) Mobile home parks shall be restricted to residential uses, except those uses that are required for the direct servicing and well-being of park residents and for the management and maintenance of the park.

(2) Nothing contained in this Section shall be deemed as prohibiting the sale of a mobile home located on a mobile home lot and connected to utilities.

(3) In all parks designed to accommodate ten (10) or more mobile homes, there shall be one or more recreation areas that are easily accessible to all park residents. The size of such recreation areas shall be not less than 10% of the total area of the mobile home park. Recreation areas shall be located so as to be free of traffic hazards, and should, where the topography permits, be centrally located.

F. Required Setbacks, Buffer Strips and Screening.

(1) All mobile homes shall be located at least seventy-five (75) feet from the right-of-way line of any public street or highway, and at least fifty (50) feet from any other park property boundary lines.

(2) There shall be a minimum distance of twenty (20) feet between an individual mobile home and the adjoining pavement of a park street, common parking area or other common areas and structures.

(3) All mobile home parks shall be required to provide screening, such as fencing or natural growth, along the property boundary line separating the park from adjacent uses. A planting or screening plan shall be approved by the Board of Supervisors.

(4) Accessory structures, including tool sheds, trash receptacles, patios, porches, garages and bike racks, may be erected within required setback and buffer areas, provided that a fire lane of at least ten (10) feet in width is maintained, clear of all obstacles, on each side of each mobile home lot. No structures of any kind may be erected within ten (10) feet of the mobile home lot line.

G. Erection and Placement of Mobile Homes.

(1) Mobile homes shall be separated from each other, and from other buildings and structures, by at

least thirty (30) feet.

(2) An enclosure of similar design and material to the mobile home itself shall be erected around the entire base of each mobile home. Enclosures shall be placed within one year of occupancy of the mobile home.

H. Park Street System.

(1) A safe and convenient vehicular access shall be provided from abutting public streets or roads.

(2) The entrance road connecting the park with a public street or highway shall have a pavement width of no less than twenty-four (24) feet and a right-of-way of no less than fifty (50) feet, and no parking shall be allowed on either side of the street. All mobile home lots shall be served by the entrance road or internal streets connected thereto, and none shall be served directly from the public street or highway.

(3) Surfaced roadways shall be of adequate width to accommodate anticipated traffic. The minimum pavement width shall be eighteen (18) feet. Dead-end (cul-de-sac) streets shall be provided with a paved turn-around having an outside diameter of no less than seventy (70) feet and shall not exceed 1,200 feet in length. All streets shall have a right-of-way of no less than fifty (50) feet. Rumble strips or other pavement warnings may be required at intersections.

(4) All parks shall be furnished with lighting units so spaced, and equipped with luminaries placed at such mounting heights, as will provide adequate levels of illumination for the safe movement of pedestrians and vehicles at night.

(5) All park streets shall adhere to the Pennsylvania Department of Transportation "Guidelines for Design of Local Roads and Streets." For purposes of evaluation under these guidelines, park streets shall be considered local access urban highways.

(6) There shall generally be at least two points of ingress and/or egress in each mobile home park but no more than two accesses to a mobile home park from any one public right-of-way (emergency accesses excepted), and all driveways to individual units along a public right-of-way shall front on an interior or marginal access street. Accesses shall be separated by at least 150 feet where they intersect with a public street.

I. Walks.

(1) General Requirements - All parks containing ten (10) or more mobile homes shall be provided with safe, convenient, all-weather surfaced pedestrian walkways between individual mobile homes, the park streets, and all community facilities provided for park residents.

(2) Common Walk System - A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of three and one-half feet.

(3) Individual Walks - All mobile home stands shall be connected to common walks, to paved streets, or to paved driveways or parking spaces connecting to a paved street. Such individual walks shall have a minimum width of two feet.

J. Mobile Home Site.

The area of the mobile home site shall be improved to provide a permanent foundation for the placement and tiedown of the mobile home, thereby securing the structure against uplift, sliding, rotation and overturning. Mobile homes shall not be considered placed on a permanent foundation unless wheels have been removed and the home is resting on concrete piers to the frost level, a foundation of poured concrete, block construction or a concrete slab.

(1) The mobile home site shall not heave, shift or settle unevenly under the weight of the mobile home, due to frost action, inadequate drainage, vibration or other forces acting on the superstructure.

(2) The mobile home site shall be provided with anchors and tiedowns, such as cast-in-place concrete "deadmen", eyelets embedded in concrete foundations or runways, screw augers, arrowhead anchors, or other devices securing the stability of the mobile home.

(3) Anchors and tiedowns shall be placed at least at each corner of the mobile home site, and each shall be able to sustain a minimum tensile strength of 2,800 pounds.

K. Mobile Home Lot Size and Density.

(1) All mobile home lots shall be served with an off-site sewage disposal system and an off-site water supply, shall have a minimum lot area of 10,000 square feet and shall be not less than 75 feet wide at the setback line. Density within the park as a whole shall not exceed one mobile home per 21,780 sq. ft. (0.50 acre) and no less than 50% of the park shall be dedicated to permanent open space. No less than half of this open space shall be usable for active recreational activities and not include wetlands, floodplains, slopes over 15% in grade or other undevelopable area.

(2) All square feet areas and density calculations shall be measured or taken exclusive of any rights-of-way. For the purpose of administration, public rights-of-way shall mean all easements or other rights-of-way that are open for free and easy use by other lot occupants and/or the general public.

(3) All lots intended to be conveyed individually to mobile home occupants shall meet minimum lot area standards applicable to other single-family homes in recognition of the lesser degree of control inherent in parks managed by multiple owners as opposed to a single operator.

L. Water Supply.

An adequate off-site supply of water shall be provided for mobile homes, service buildings, and other accessory facilities, as required by this Ordinance. The water supply shall be capable of supplying a minimum of 400 gallons per day per mobile home, and the water distribution system shall be designed and maintained so as to provide a pressure of not less than 35 pounds per square inch under normal operating conditions, at service buildings and other locations requiring potable water supply. There must also be an adequate reserve supply of water at adequate pressure to meet fire fighting needs as estimated by the fire company serving the area. Any other applicable requirements of the Pennsylvania Department of Environmental Protection with respect to water supply shall also be met. Fire hydrants may be required at the discretion of the Township Board of Supervisors.

M. Sewage Disposal.

An adequate and safe sewerage system shall be provided in all parks for conveying and disposing of sewage from mobile homes, service buildings, and other accessory facilities. Such system shall be designed, constructed, and maintained, in accordance with the Pennsylvania Department of Environmental Protection and local sewage regulations.

N. Required Off-Street Parking.

Off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. No less than 2 vehicular parking spaces of at least 200 square feet each in size shall be provided for each mobile home lot. Common parking areas shall not be located further than 300 feet from the mobile home lots they are intended to serve. Any common parking areas shall be all-weather surfaced.

O. Utilities.

(1) Electrical Distribution: All mobile home parks shall have an underground electrical/telephone

distribution system which shall be installed and maintained in accordance with the local electric power company's specification regulating such systems. All connections from the meter box to the trailer shall be installed by a qualified electrician and each trailer shall have its own meter box.

(2) Liquefied Petroleum Gas (LPG) Systems. Liquefied petroleum gas systems, when provided in mobile home parks, shall be provided with safety devices to relieve excessive pressures with discharges terminating at a safe location. Systems shall have at least one accessible means for shutting-off gas located outside the mobile home, and which shall be maintained in effective operating condition. All LPG piping outside of the mobile home shall be well supported and protected against mechanical injury. Undiluted liquefied petroleum gas shall not be conveyed through piping equipment and systems in mobile homes. Vessels of more than 12 and less than 60 U.S. gallons gross capacity shall be secured to prevent accidental overturning. No LPG vessel shall be stored or located inside or beneath any storage cabinet, carport, mobile home or any other structure.

(3) Fuel Oil Supply Systems. All fuel oil supply systems, when provided in mobile home parks, shall be installed and maintained in conformity with the following regulations:

(a) All piping from outside fuel storage tanks or cylinders to mobile homes shall be securely fastened in place.

(b) All fuel oil supply systems shall have shutoff valves located within five (5) inches of storage tanks.

(c) All fuel storage tanks or cylinders shall be securely placed and shall not be located closer than five (5) feet from any mobile home parking area or exit.

(d) Storage tanks located in areas subject to traffic shall be protected against physical damage.

P. Licensing and Inspection.

The Township Board of Supervisors, by general resolution or in the granting of approval for a mobile home park, may attach a condition requiring annual inspection and licensing of mobile home parks, including provisions for revocation of licenses if the owner/operators or property owners associations shall fail to meet standards contained herein. The Township Board of Supervisors and/or its designated agents shall, in addition, have the authority, when any provision of this Article is violated, to prohibit the occupancy of any vacant mobile home sites in a mobile home park until the owners and/or management provide evidence of compliance with these provisions.

§ 100-32. Application to Existing Parks.

A. Extensions or enlargements of existing mobile home parks by addition of land areas or increase in the number of available lots shall fully comply with the provisions of this Article, except to the extent which they would be modified by restrictive covenants approved by the Township for an existing contiguous portion of the park.

B. No new or replacement mobile home in an existing park shall be erected any closer than 20 feet to another home site, structure or property line; and on one side of the home there shall be maintained a completely open, unobstructed yard of 10 feet in width for a fire lane. No decks, parking areas, service buildings or other structures shall be erected in said yard. All replacement mobile homes shall comply with the skirting and anchoring requirements applying to mobile homes in new parks.

Article VI - Recreational Land Developments

§ 100-33. Design Standards and Other Requirements.

A. A campground subdivision or development shall have a gross area of at least five (5) contiguous acres of land in single ownership or under unified control.

B. All campgrounds shall provide and maintain a vegetative screening strip of planted or natural growth, along all property boundary lines. Such screening shall be at a depth of not less than twenty (20) feet, to effectively screen the area to a minimum of six (6) feet in height within a reasonable time period (one year of application approval). A planting plan specifying types, size and location of existing and proposed plant material shall be required and approved by the Board of Supervisors.

C. Recreational land development lots or camping sites in non-transient recreational land developments shall comply with the lot requirements found in § 100-24 hereof. Transient recreational land development lots or camping sites shall be a minimum of fifty (50) feet wide and seventy-five (75) feet deep and may be clustered. Gross density, however, shall not exceed a total of five (5) sites per acre in such instance (eight [8] per acre if tent/primitive type camping only). Frontages on cul-de-sacs may be varied.

Individual recreational land development lots or camping sites shall be separated from service building structures and other occupied buildings and structures by a minimum distance of fifty (50) feet. Also, notwithstanding the requirements of Section B above, no recreational vehicle or tent platform shall be located closer than twenty-five (25) feet to the street right-of-way; closer than twenty-five (25) feet to any other recreational vehicle or tent platform; or one-hundred (100) feet to any adjacent property line.

D. At least two off-street parking spaces of two-hundred-seventy (270) square feet each shall be provided for each site. At least one such off-street parking space shall be provided on each lot as required.

E. Street Requirements.

(1) Non-transient recreational land developments. The street design standards contained in Article IV of this Ordinance shall apply to streets within non-transient recreational land developments.

(2) Transient recreational land developments. Transient recreational land development streets shall be not less than fifty (50) feet in right-of-way width, and shall be cleared, graded and constructed as required by the Township Board of Supervisors upon recommendation of the Township Engineer, based upon the size of the development, site conditions and type of development proposed (i.e. primitive tent camping or RV camping).

F. No individual on-site sewage or water supply shall be permitted, and all community systems for the common use of campsite occupants shall fully comply, as evidenced by approved plans, with the standards imposed by the Pennsylvania Department of Environmental Protection and Canaan Township.

G. The following additional regulations shall apply to all recreational land developments.

(1) Appurtenances. No permanent external appurtenances, such as carports, cabanas or patios - physically and permanently attached to the recreational unit, may be attached to any travel trailer or other recreational vehicle parked in a recreational land development, and the removal of wheels or placement of the unit on a foundation in such a park is prohibited.

(2) Location. A recreational land development shall be so located that no entrance or exit from a park shall discharge traffic into a densely populated residential area exceeding one dwelling unit per acre, nor require movement of traffic from the park through such an area to obtain access to a public highway. A minimum of 150 feet of frontage on a State or Township highway shall be required.

(3) Common Use Areas - A minimum of 10% of the gross site area of the recreational land development

shall be set aside and developed as common use areas for open and enclosed recreational facilities. No recreational vehicle site, required buffer strip, street right-of-way, cartway, storage area or utility site shall be counted as meeting this requirement.

(4) Entrances and Exits - Entrances and exits to recreational land developments shall be designed for safe and convenient movement of traffic into and out of the park, and to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the park shall be through such entrances and exits. Streets shall be laid out to intersect as nearly as possible at right angles; in any event, no street shall intersect another at less than sixty (60) degrees. The radii of curbs and pavements at intersections shall be such as to facilitate easy turning movement for vehicles with trailer attached. No intersection of an entrance and/or exit with a State or Township highway shall be located where less than 500 feet of sight distance exists in either direction along the State or Township highway, nor shall such intersection be located within 150 feet of any other intersection.

(5) Parking Areas - In connection with the use of any recreational land development, no parking, loading or maneuvering incidental to parking or loading shall be permitted on any public street, sidewalk, required buffer, right-of-way or any public grounds; or any private grounds not part of the recreational land development, unless the owner has given written permission for such use. Each recreational land development operator shall provide off-street parking, loading and maneuvering space located and sealed so that the prohibitions above may be observed, and shall be responsible for violations of these requirements.

(6) Occupancy - Campsites shall be used only for camping purposes. No improvement or any mobile home designed for permanent occupancy shall be erected or placed on any campsite. All recreational vehicles in the development shall be maintained in a transportable condition at all times. Any action toward removal of wheels or to attach the recreational vehicle to the ground for stabilizing purposes is hereby prohibited. Moreover, no campsite shall be occupied for more than 12 consecutive months, and no campsite shall be the primary and principal residence of the owner or any other occupant; each campsite to be used and occupied (excepting occasional guests) for camping and recreational purposes only by a single household. The Township may require any owner to remove a recreational vehicle from the campground for a period of 7 days, unless such owner can establish a prior removal within the immediately preceding 12 months. These requirements shall be attached to each campsite sale or membership in non-transient recreational land developments by restrictive covenant.

(7) Records - The management of every recreational land development shall be responsible for maintaining accurate records concerning the occupancy of all campsites. The term "management" shall include associations of property owners when such are responsible for maintenance and operation of common facilities. The Township Board of Supervisors and/or its designated agents shall have access to, and the right to inspect, records for evidence of permanent residency or lack thereof. The Township Board of Supervisors and/or their designated agents shall, in addition, have the authority, when any provision of this Article is violated, to prohibit the occupancy of any and all campsites in a recreational development until the owners and/or management provide evidence of compliance with these provisions.

(8) Waste Disposal - No owner or occupant of any campsite or recreational land development lot shall permit or allow the dumping or placement of any sanitary or other waste anywhere upon any campsite or elsewhere within the development, except in places designated therefore. No outside toilets shall be erected or maintained on any campsite. Plumbing fixtures within any recreational vehicles placed upon lots in the recreational land development shall be connected to the sewage disposal system for the development. Sanitary facilities, including toilets, urinals and showers, shall be provided within five-hundred (500) feet of each lot or campsite. A minimum of one toilet per sex per twenty-five (25) lots or campsites shall be provided.

(9) Fences - All property lines within the development shall be kept free and open; and no fences, except as may be required by screening sections or may exist naturally, ledges or walls, shall be permitted thereon. This shall not, however, preclude the erection of fences around the perimeter of the

development.

(10) Nuisances - No noxious or offensive activities or nuisances shall be permitted on any campsite or lot. The management plan shall provide for limiting significant noise generating activities to specified periods of time that allowing for sleeping by neighboring residents.

(11) Animals - No animals shall be kept or maintained on any campsite or lot, except the usual household pets. Pets shall be kept confined so as not to become a nuisance.

(12) Garbage and Refuse Disposal - No person shall burn trash, garbage or other like refuse on any campsite. All such refuse shall be placed and kept in airtight receptacles for the same. No owner shall permit the accumulation of litter or refuse or junk vehicles on a campsite or lot.

(13) Camping Accessories - Notwithstanding any provisions herein contained to the contrary, picnic tables, benches, storage sheds, fire boxes or fireplaces, and similar items of personal property, may be placed on a campsite. All personal property on a campsite shall be maintained in good condition so as not to become unsightly.

(14) Ditches and Swales - Each owner shall keep drainage ditches and swales located on his campsite free and unobstructed and in good repair, and shall provide for the installation of such culverts upon his campsite as may be reasonably required for proper drainage. He shall also prevent erosion on his campsite or lot.

(15) Drilling and Mining - No drilling, refining, quarrying or mining operation of any kind shall be permitted, nor shall drilling for water or digging of water wells be permitted on any individual campsite or lot.

(16) Vehicle Parking - No recreation vehicle shall be parked on any street or roadway within the development.

(17) Fire Rims - Each campsite fireplace shall be provided with a fire rim of concrete construction at least eight (8) inches in height to contain the fire.

(18) Water Supply - Potable water drinking fountains shall be provided within three-hundred (300) feet of each campsite and fire fighting needs shall also be addressed in the case of recreational land developments accommodating recreational vehicles by providing an emergency water source approved by the local fire department.

The operational standards contained in this section shall be incorporated in restrictive covenants attached to the deeds for lots in non-transient recreational developments and shall be made part of a management plan for any transient recreational developments, which covenants and/or plan shall be approved by the Township Board of Supervisors in its review of preliminary and final plans for the recreational development. A management plan shall be required for all recreational land developments and restrictive covenants incorporating the standards of this section shall be required of all non-transient recreational developments. This shall be in addition to the submission requirements contained in Article III of this Ordinance. A plan or set of covenants which does not adequately provide for conformance with this Section shall not be approved and, in the case of the latter, shall provide for the establishment of a bona fide property owners association. The plan and/or covenants shall also provide the Township with the option (but not the obligation) of being a party to their enforcement and include a right for the Township to periodically inspect the development for continued compliance with the plan and/or covenants.

§ 100-34. Application to Existing Developments.

The regulations of this Article VI shall apply to any extensions of existing recreational subdivisions and land developments, including increases in the number of lots or available spaces, even though no addition to total land area is involved. However, nothing herein shall apply to existing facilities.

Article VII - Other Land Developments

§ 100-35. Nonresidential Land Developments.

A. Application and Procedure. All commercial, industrial and other non-residential land developments shall comply fully with the procedures set forth in Article III of this Chapter, "Plan Submission and Review Requirements," regardless whether or not any actual conveyance of land by metes and bounds or other means is involved. Plans for any new or expanded commercial, industrial or other non-residential developments shall be prepared and submitted for review and approval in the same manner as plans for subdivisions.

B. Street Systems.

(1) Traffic movements in and out of commercial and industrial areas should not interfere with external traffic, nor should they create hazards for adjacent residential areas.

(2) The design of streets, service drives, and pedestrian ways, should provide for safe and hazard-free internal circulation, including provision for fire lanes where appropriate.

(3) The points of ingress and egress shall be designed so as not to require commercial or industrial traffic to pass through residential areas.

C. Plan Review Standards. Plans shall be prepared to address specific site conditions and, more particularly, the site requirements of Section 100-23 of this Ordinance, delivering the best possible service to customers in terms of traffic circulation, parking and pick-up and delivery services, while also protecting the public health, safety and general welfare.

(1) The amount of parking required shall be based on Industry studies of parking needs for the type of use proposed or actual case-study comparisons for projects of similar character. The Planning Commission may require the developer or applicant to gather and submit such data in support of its proposed parking provisions and the National Parking Association and Urban Land Institute are examples of such industry sources. Where industry standards are inadequate for the particular use or site involved or such standards are unavailable, the following standards may be applied:

Hotels/motels	**1 space per rental room**
Industrial uses	**1 space per 400 sq. ft. floor area**
Places of public assembly	**1 space per 5 seats**
Offices	**1 space per 300 sq. ft. floor area**
Restaurants	**1 space per 50 sq. ft. floor area**
Auto service stations	**4 spaces plus 1 per employee**
Other Commercial uses	**1 space per 250 sq. ft. floor area**

(2) Each parking space shall consist of not less than an average of two hundred seventy (270) square feet of usable area for each motor vehicle, including interior driveways, driveways connecting the garage, or parking space, with a street or alley.

(3) Any lighting used to illuminate any off-street parking shall be so arranged as to reflect the light away from adjoining premises and public right-of-ways. All parking areas which are designed to accommodate twelve (12) or more vehicles shall be landscaped using materials of sufficient growth and height to aesthetically balance the impact of the open paved area and provide effective stormwater control.

(4) Any building erected, converted or enlarged for commercial, office, manufacturing, wholesale, institutional or similar uses shall also provide adequate off-street areas for loading and unloading of vehicles. The minimum size loading space shall be sixty (60) feet in depth and twelve (12) feet in width, with an overhead clearance of fourteen (14) feet.

(5) Access drives shall not open upon any public right-of-way within one-hundred (100) feet of the nearest right-of-way line of any intersecting public street or highway or where the sight distance in either direction would be less than five-hundred (500) feet.

(6) There shall be no more than one entrance and one exit to any business or parking area on any one highway unless safety considerations should demand it. Each entrance and exit shall be clearly defined with curbing, fencing or vegetative screening so as to prevent access to the area from other than the defined entrance and exits. In no case shall one entrance and exit be located within one-hundred (100) feet of any other on the same property or adjoining property along the same public right-of-way. Existing lots of record, however, shall be exempt from this separation requirement to the extent there is no other means of providing access.

(7) All non-residential parking and loading areas and parallel circulation and service lanes shall be separated from the paving edge of a public thoroughfare or adjoining property lines by a planting strip at least fifteen (15) feet in depth.

(8) The Planning Commission, at its discretion, may require a traffic impact study with any land development application involving an activity likely to generate more than five-hundred (500) trip-ends per day based on the following daily rates:

Residential uses	9.6 trip-ends per dwelling unit
Industrial uses	3.3 trip-ends per employee
Restaurants	7.9 trip-ends per seat
Fast-food restaurant	23.9 trip-ends per seat
Convenience market	605.6 trip-ends per 1,000 sq. ft. gross floor area
Supermarket	177.6 trip-ends per 1,000 sq. ft. gross floor area
Car wash	108.0 trip-ends per car stall
Offices	6.0 trip-end per employee
Other commercial uses	50.0 trip-ends per 1,000 sq. ft. gross floor area
Institutional uses	4.0 trip-ends per employee
Other uses	See "Trip Generation" - Institute of Transportation Engineers

The study shall examine existing and projected traffic flows before and after development and generally follow the guidelines set forth for such studies by the Institute of Transportation Engineers. Its purpose shall be to ensure that proposed developments do not adversely affect the transportation network and to identify any traffic problems associated with access to the site from the network. It shall identify solutions to potential problems and any improvements needed. The scope of the study shall be approved in advance by the Planning Commission.

The impacts of additional traffic associated with any land development shall be mitigated with appropriate design measures approved by the Pennsylvania Department of Transportation or Canaan Township, if such impacts would result in a significant decline in the level of service of any existing highway or intersection. Traffic delays shall be maintained at a level below where the highway is expected to be in 10 years absent the new land development.

(9) Landscaping may be required, access may be required to be modified and other measures taken to accomplish these purposes and to secure conformance with the objectives of the Township Comprehensive Plan, or other plans of the Township or County.

D. Lot, Block and Setback Standards.

(1) Block lengths shall be a minimum of six-hundred (600) feet. Where safety considerations mandate, eight-hundred (800) feet may be required as a minimum.

(2) Lot sizes shall be sufficient to provide adequate space for off-street parking and loading, landscaping, and other facilities. They shall also be substantial enough to buffer the use from adjacent residences and mitigate any negative environmental impacts on the community or

neighborhood. Lots shall, in no case, be less than one-half acre in lot area and, where on-site sewage disposal facilities are to be utilized, a minimum of one-acre shall be required.

(3) The following minimum setbacks, as provided for under Section 503 (4.1) of the Pennsylvania Municipalities Planning Code, shall apply to all commercial, industrial and other non-residential land developments in Canaan Township:

Utilities Available	Minimum Front Lot Line Setback	Minimum Side Lot Line Setback	Minimum Rear Lot Line Setback
Off-site water and sewage	35 feet	20 feet	20 feet
Either off-site water or off-site sewage	35 feet	35 feet	35 feet
On-site water and sewage	50 feet	50 feet	50 feet

(4) Any setback which does not adequately buffer a land development from adjacent residences or otherwise mitigate environment impacts on the community or neighborhood shall be increased as may be necessary to accomplish these purposes and landscaping shall be required to create an effective buffer within 5 years or less. However, the additional buffer area shall be restricted to the minimum required to effectively limit such impacts to the property being developed (e.g., maintain odors, lights, vibrations and noise on-site, ensure that industrial operations are fully screened, etc.).

(5) All setbacks in the case of uses which may generate significant amounts of commercial truck traffic, flood-lighting, noise or odors, including trucking terminals, distribution facilities, amusements parks, auto race tracks, wood products manufacturers, concentrated animal feeding operations not otherwise exempt from this Ordinance, all-night recreational facilities, junkyards or similar enterprises shall be increased to a minimum of 200 feet where off-site water supply and sewage disposal facilities are provided and a minimum of 300 feet where on-site water supply and sewage facilities are used. Additional setbacks, landscaping or other buffer screening may be required where such areas are not forested. Also, in those instances where greater setback are demanded by other Township regulations, those greater setbacks shall apply. "Significant" shall mean any degree or amount of impact which can be seen, felt, heard, smelled or otherwise detected by the human senses from two-hundred (200) feet away on a regular and continuing basis.

E. Standards Applicable to Particular Nonresidential Land Developments.

(1) Telecommunications Facilities.

The following standards shall apply to telecommunications facility land developments:

(a) Special Definitions.

ANTENNA - A device used to collect or transmit telecommunications or radio signals. Examples are: panels, microwave dishes, and single poles known as whips.

TELECOMMUNICATIONS FACILITY - Consists of the equipment and structures involved in receiving or transmitting telecommunication or radio signals, but limited to those facilities with respect to which the State and Federal governments have not, under public utility laws, strictly pre-empted the Township from regulating.

TELECOMMUNICATIONS EQUIPMENT BUILDING - The building in which the electronic receiving and

relay equipment for a telecommunications facility is housed.

TOWER - A structure that is intended to support equipment used to transmit and/or receive telecommunications signals. Examples of such structures includes monopoles and lattice construction steel structures.

(b) Design and Location Standards. The following design and location standards shall apply to all telecommunications facilities:

[1] The location of the tower and equipment building shall comply with all general site requirements of this Ordinance.

[2] An evergreen screen consisting of a row of evergreen trees planted ten (10) feet on center maximum, shall be located around the perimeter of the security fence and existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible. All screening requirements may be waived, however, if the site is entirely wooded.

[3] An eight (8) foot high security fence shall completely surround the tower (and guy wires if used) and equipment building.

[4] The tower and antennae shall be designed and constructed to all applicable standards of the American National Standards Institute, TAI/EIA-222-F manual, as amended, and withstand wind gusts of up to 100 miles per hour.

[5] A soil report prepared by a Professional Engineer shall be submitted to the Planning Commission to support the design specifications of the foundation for the tower, and anchors for the guy wires, if used.

[6] An antenna may not be located on a building or structure that is listed on a historic register or within five-hundred (500) feet of such a structure.

[7] Telecommunications facilities shall be permitted as a sole use on any lot subject to the following land development standards:

Minimum lot size (entire tract).	**Five (5) acres**
Minimum setback requirements.	**Two-hundred (200) feet (all sides)**
Maximum height.	**Tower - Two-hundred (200) feet** **Equipment building - Thirty (30) feet**

Provided no residences directly adjoin the site, minimum setback requirements may be reduced to the fall-down limit plus fifteen (15) feet, where the net effect of requiring the full setback would be to necessitate additional lighting or tower height. Maximum height requirements may be exceeded, provided such height can be demonstrated to be necessary and the additional height is matched with an equal amount of additional setbacks on all sides.

(c) A telecommunications facility shall be permitted on a property with an existing use subject to the following land development standards:

[1] The telecommunications facility shall be fully automated and unattended on a daily basis, and shall be visited only for periodic maintenance.

[2] Development standards. The minimum lot area, minimum setbacks and maximum height required above shall apply, provided the land remaining for accommodation of

the principal use on the lot shall also continue to comply with the minimum lot area requirement.

[3] Access. The vehicular access to the equipment building shall, whenever feasible, be provided along the circulation driveways of the existing use.

(d) Where an antenna for a telecommunications facility is to be attached to an existing structure or building it shall be subject to the following land development standards:

[1] Maximum height. Fifty (50) feet above the existing building or structure.

[2] If the applicant proposes to locate the telecommunications equipment in a separate building, the building shall comply with otherwise applicable minimum setback requirements, an eight (8) foot high security fence shall surround the building, a buffer yard shall be planted as required above and vehicular access to the building shall not interfere with the parking or vehicular circulations on the site for the principal use.

[3] Elevations of existing and proposed structures showing width, depth, and height, use statistical data on the antenna and support structure shall be presented.

(e) Notwithstanding minimum setbacks provided for above, any tower shall be setback from all property lines a distance that is at least equal to the height of the tower. The tower shall also be setback from any active recreation facilities or fields a distance that is at least equal to the height of the tower.

(f) Plan Review Criteria. Telecommunications facilities shall be subject to all the ordinary review criteria applicable to Land Developments in general plus the following:

[1] The applicant shall demonstrate that the tower for the communications facility is the minimum height necessary for the service area and that the site chosen is the one which will afford the opportunity to construct the lowest height communications tower possible, taking into consideration all lands available within a reasonable distance including those which may lie within adjoining municipalities.

[2] The applicant shall present documentation that the tower is designed in accordance with the standards of this Ordinance for communications towers.

[3] The applicant shall demonstrate that the proposed tower adequately addresses all aspects of aviation safety in view of known local aviation traffic as well as FAA requirements.

[4] The need for additional buffer yard treatment shall be evaluated. Proximity of the communications structure to existing or platted residential properties shall be considered in applying such requirements. Existing trees on the site which serve to provide a natural buffer shall be preserved unless absolutely required to be removed for purposes of access or safety.

[5] The applicant shall provide visual depictions or studies to indicate how the communications facility will appear once constructed in relation to the surrounding natural environment and from the perspective of adjacent or nearby residents as well as travelers.

[6] Where the telecommunication facility is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement for the proposed facility and that vehicular access is provided to the facility.

[7] Free-standing pole-type communications structures shall be given preference over towers supported by guy wires.

[8] All communications structures shall be lighted for safety in a manner consistent with industry best practices and where lighted additional setbacks may be imposed to shield adjacent properties from the effects of such lighting.

[9] All property owners and adjacent municipalities within five-hundred (500) feet of the outside perimeter of the communications structure, including guy wires, shall be notified by certified mail prior to the Planning Commission making a recommendation on a Preliminary Plan for such a land development. This responsibility shall be the applicant's and such applicant shall provide proof of notification as part of their application.

[10] Should any tower cease to be used as a communications facility, the owner or operator or then owner of the land on which the tower is located, shall be required to remove the same within one (1) year from the abandonment of use. Failure to do so shall authorize the Township to remove the facility and charge back the cost of removal to the foregoing parties. The Township may also file a municipal lien against the land to recover the costs of removal and attorney's fees.

[11] An applicant for approval of a communications structure shall include with the application evidence of written contact with all wireless service providers who supply service within the Township for the purpose of assessing the feasibility of co-located facilities. Should co-location not be feasible, the applicant shall demonstrate that a good faith effort has been made to mount the antenna on an existing building or structure, including of proof of contacts, building investigations and similar evidence. Should such efforts fail to result in a suitable site, a new communications tower may be permitted, but shall be constructed to provide available capacity for other providers should there be a future additional need for such facilities.

(2) Reserved.

§ 100-36. Multi-family Dwelling Projects.

A. General Procedure. Multi-family dwelling projects shall be considered major subdivisions and land developments subject to the jurisdiction of this ordinance. The "major subdivision" classification shall apply to all subdivisions of property in connection with the development, regardless of whether or not these are connected with building development, and approvals required shall be requested and acted upon concurrently as one subdivision. Application for preliminary approval of multi-family dwelling projects, accordingly, will be made to Canaan Township in the manner provided under Article III hereof. The developer shall also submit the following additional information:

(1) An application for multi-family dwelling approval on a form to be supplied by the Township or, in the absence of such form, by a letter or brief from the developer or the developer's representative indicating how the development will meet the general site requirements of this ordinance and otherwise comply with the intent of this section, describing the organization and management of the project.

(2) A proposed lot plan showing the approximate (generally within five feet) location of all buildings and improvements including parking areas, planting strips (if any), signs, storm drainage facilities, water supply and distribution system, sewage treatment and collection systems and the specific areas provided as open space in connection with the requirements of this Ordinance. Building layouts, floor plans and profiles shall also be provided indicating building dimensions, numbers, and sizes of units, common ownership or use areas (apart from the open space referenced below), lighting and such other information as shall be required to determine compliance with the design standards contained herein and any other building standards which may be applicable in Canaan

Township. Setbacks from property lines, improvements and other buildings shall also be indicated.

(3) A schedule or plan, and proposed agreement(s) either with the Township or a property owners' association for the purpose of dedicating, in perpetuity, the exclusive use and/or ownership of the recreation area and open space required by this Ordinance to the prospective dwelling owners or occupants. Such agreement may be incorporated in the applicant's proposed covenants and restrictions, but shall in any event, provide to the satisfaction of the Township that maintenance and use of the property, regardless of ownership, be restricted to either: (1) activities intended for the sole benefit of the occupants of the particular project proposed, or (2) permanent open space as hereinafter provided.

B. Processing Schedule. The application package shall be processed on a schedule identical with requirements for review and approval of other Preliminary Plans under the Subdivision and Land Development Ordinance including providing the Wayne County Planning Department with an opportunity to review copies of the entire package.

C. Planning Commission Action. The Township Planning Commission, before recommending action to Board of Supervisors, may also hold a public meeting pursuant to the Pennsylvania Municipalities Planning Code. The Canaan Township Planning Commission shall then report its findings together with a recommendation for approval, conditional approval or disapproval.

D. Board of Supervisors Action. The Board of Supervisors shall act on the Preliminary Plan and "Planning Module for Land Development" concurrently, making the Preliminary Plan approval, if one shall be given, subject to approval by the Pennsylvania Department of Environmental Protection (DEP). The plan approval shall be null and void absent such DEP approval unless the Board of Supervisors shall have determined the legal limit of time for DEP action has passed. No building permit shall be issued to the applicant, however, until all conditions attached to the approval of any Preliminary Plan, including DEP approval of the "Planning Module" shall have been satisfied and nothing herein shall be construed as permitting the issuance of a building permit prior to Preliminary approval. This requirement notwithstanding, the building permit application shall be made with the Preliminary Plan and shall, if granted, be valid for a period equal to that for Preliminary Plan approval. If the Preliminary Plan shall be rejected no building permit shall be granted.

E. Installation of Improvements. Following Preliminary Plan approval, the developer shall provide for the installation of required or proposed improvements including, but not limited to; landscaping, streets, parking areas, storm drainage facilities, recreational facilities and lighting. Building improvements shall similarly be completed or guaranteed prior to the applicant's request for Final Approval. No right of occupancy shall, however, exist until such time as Final Plan approval shall have been granted in accordance with the procedures and informational requirements of this ordinance, and buildings have been completed and inspected by the Building Permit Officer. Complete final building plans shall also be submitted as part of the Final Plan application.

F. Recording Requirement. No person shall sell, transfer, lease or agree or enter into an agreement to sell or lease any land and/or building or interests in the individual dwelling units to be created, or erect any building thereon except in accord with the provisions of this Section, unless Final Plan approval has been granted and the Final Plan has been recorded in the Office of the Wayne County Recorder of Deeds.

G. Location. There shall be a one-hundred (100) foot setback of all buildings and improvements in a multi-family dwelling project from the property lines of any adjacent parcels and a seventy-five (75) feet setback from any public right-of-way. This shall not apply to utility lines or rights-of-way, however.

H. Land Area Per Dwelling Unit. Multi-family dwelling projects shall be granted a 100% density bonus above the number of dwelling units per acre which would be permitted if the parcel on which the units are to be constructed were to be developed for single-family residential use. Therefore, where the minimum lot size is one-half acre (21,780 square feet) and multi-family dwellings are to be constructed, the number of units permitted shall be obtained by dividing the total tract size in square feet by 10,890 square feet (one-fourth acre and 50% of the minimum lot size). Density, however, shall be calculated by taking the total

acreage of the development and deducting the following acreages;

(1) Land contained within public rights-of-way

(2) Land contained within the rights-of-way of existing or proposed private streets (Where formal rights-of-way are not involved the width of the street shall be assumed as fifty (50) feet wide); and

(3) Land contained with the boundaries of easements previously granted to public utility corporations.

I. Recreation Areas and Open Spaces. All areas of a multi-family development not conveyed to individual owners; and not occupied by buildings and required or proposed improvements shall remain as permanent open space or be dedicated to recreation area to be used for the sole benefit and enjoyment of the residents of the particular units being proposed. Such open space shall be part of the same parcel and contiguous and shall be subject to the following regulations:

(1) Recreation areas shall be immediately adjacent to the proposed units and freely and safely accessible to all residents of the development and shall not be used to fulfill open space requirements or provide recreational areas for residents of other units, excepting those provided for in sub-section (2) below. No less than 50% of the open space to be provided shall be dedicated to recreational area for the sole benefit and enjoyment of the residents of the particular units proposed.

(2) Land designated simply as open space shall be maintained as open space and may not be separately sold, used to meet open space or recreation area requirements for other developments, subdivided or developed excepting that a holding zone may be reserved for future development pursuant to such density requirements as presently exist, provided such lands are specifically defined and indicated as "reserved for future development" on all plats. Such lands shall not be included in calculating permitted density for the proposed development. These provisions, however shall not be construed as granting or reserving to the developer any rights or privileges to develop on the basis of a "pre-approved plan" if density or other zoning requirements shall have been modified to preclude such development.

(3) Open space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed. Such areas may be owned, preserved and maintained by either one or both of the following mechanisms:

(a) Dedication to a property owners association which assumes full responsibility for maintenance of the open space.

(b) Deed-restricted private ownership which shall prevent development of the open space, provide for its maintenance and protect the rights of owners or occupants of dwelling units to use and enjoy, in perpetuity, such portion of the open space as shall have been dedicated to recreation area for the project. This is intended to allow the owner/developer to retain ownership and use of a portion of the property (for hunting, fishing, etc.) provided the permanence of the open space is guaranteed.

Whichever mechanism(s) may be used, the developer shall provide, to the satisfaction of the Township and its Solicitor, and prior to the granting of any Final Plan approval, for the perpetual maintenance of the open space and also the use and enjoyment of the recreation area by residents of the units being approved. No lots shall be sold nor shall any building be occupied until and unless such arrangements or agreements have been finalized and recorded.

(4) At least fifty (50) percent of the designated recreation area shall be usable for active recreational activities and shall not include swamps, quarries, slopes over 24% in grade, or acreage used for improvements. Storm drainage facilities and sewage effluent disposal areas are considered improvements.

(5) Developments of 50 units or more shall also provide one-half acre of parks and playgrounds per 50 units.

J. Design Criteria. The following design criteria shall apply to multi-family developments;

(1) There shall be no more than eight (8) dwellings in each multi-family building.

(2) No structure shall be constructed within twenty (20) feet of the edge of any access road to or through the development or within ten (10) feet of the edge of any parking area.

(3) Access roads through the development shall comply with minor street requirements as specified in this ordinance and no parking space shall be designed such that a vehicle would be backing or driving out onto a through road. Instead, there shall be a defined entrance and exit to and from each parking area.

(4) No multi-family development shall be served by more than one access to any public highway, unless topography or other physical circumstances would preclude the use of a single entrance in a safe manner.

(5) Two (2) improved parking spaces per dwelling unit shall be provided and for every two (2) units intended for rental or other transient occupancy, one additional space shall be provided to accommodate parking needs during sales and other peak visitation periods.

(6) No more than sixty (60) parking spaces shall be provided in one lot, nor more than fifteen (15) in a continuous row without being interrupted by landscaping. All off-street parking shall be adequately lighted and so arranged as to direct light away from residences.

(7) No structure shall be erected within a distance equal to its own height of any other structure.

(8) Where a property line is not wooded, a planting strip of fifty (50) feet in width shall be required to buffer adjoining property owners and ensure privacy. A landscaping plan shall be prepared by the developer and approved by the Township.

(9) Multi-family developments shall be subject to the Township Stormwater Management Ordinance and stormwater management requirements of this ordinance, as the case may be. Facilities shall be, at a minimum, designed to accommodate storms of a 10 year frequency unless a more stringent standard shall be recommended by the Township Engineer. The general performance standard shall be that the amount of uncontrolled stormwater leaving the site along any property line after development shall not exceed that estimated for the site prior to development. In instances where stormwater facilities are impractical for engineering reasons the Township Engineer may modify this standard as it applies to a particular project but shall provide for the maximum practical reduction in flow which can be achieved under the circumstances.

K. Water and Sewage Facilities. All multi-family developments shall be served with off-site sewage facilities and water supplies as defined herein.

L. Non-Residential Uses. Non-residential uses shall not be permitted in a multi-family development unless planned as part of a Planned Residential Development. This, however, shall not preclude such ancillary facilities as laundry areas, service buildings, recreational facilities and the like. Where a developer proposes to construct multi-family units on property on which there are existing or proposed non-residential uses (other than ancillary facilities and open space uses) there shall be a minimum setback of the multi-family structures from such uses of two hundred (200) feet and the parcels shall be clearly segregate.

M. Conversions of Existing Structures. Conversions of motels, hotels or other existing structures to multi-family dwelling use regardless of whether such conversions involve structural alterations, shall be considered subdivisions and land developments and be subject to this ordinance. If the proposed project

does involve structural alterations, the Preliminary Plan shall include a certification of a registered architect or engineer to the effect that the existing building is structurally sound and that the proposed conversion will not impair structural soundness.

N. Maintenance of Common Facilities. Maintenance of a multi-family dwelling project shall be vested (1) an association or other legal entity organized prior to the offering of the first unit for occupancy, or (2) a manager, who may be the developer, or a person designated by the developer before the developer offers a unit for occupancy, or (3) the owners or occupants of units themselves if the total number of owners or occupants within the development is not more than five (5). If the developer shall opt to manage the project or designate a manager, the preliminary application shall include financial statements, a description of previous management experiences and other data sufficient for the Township to ascertain the financial responsibility of the manager.

The association or manager, as the case may be, shall be responsible for maintenance, repair and replacement of the common areas of the development including buildings and, if applicable, the furniture, fixtures and equipment within the units. The project instruments shall specify the expenses which the maintenance organization may incur and collect from purchasers as a maintenance fee and secure maintenance of the project as well as enforcement of applicable covenants and restrictions in perpetuity. The Township may require that a Certified Public Accountant review such financial data for purposes of determining that proposed fees are, in fact, adequate to secure maintenance on a continuing basis.

The developer shall, in filing a Preliminary Plan, provide a narrative description of how responsibility for maintenance and care of the units, common areas and other amenities will be assured and a pro forma operating budget for the maintenance organization including a breakdown of the common expense to be borne by the maintenance organization and a separation of long-term maintenance costs from on-going routine maintenance costs. There shall also be provided a narrative description of how the developer proposes to assure maintenance and care of the units and common facilities during any sales program, based on which the Township may require additional temporary facilities to accommodate service demands. Copies of all applicable instruments shall be provided, for purposes of determining that long-term arrangements for maintenance of common facilities have, in fact, been made by the developer and/or with the occupants.

Any developer who proposes to construct multi-family dwellings for transient use under the terms of this ordinance and who proposes to convey the common elements of said multi-family dwelling project to an association of purchasers of units therein shall submit a maintenance bond or other performance guarantee acceptable to the Township Solicitor ensuring long-term maintenance and repair of said common elements. Such maintenance bond or other guarantee shall;

(1) Be for a period of not less than fifteen (15) years from the date of the final approval of said multi-family dwelling-transient use by the Township;

(2) Be in an amount equal to the amount collected or to be collected for long-term maintenance (as indicated in the budget referenced above) by the developer or other responsible parties from each purchaser during the first year after sales to such purchases begin, multiplied by the total number of expected purchasers.

If the development shall be subject to the Pennsylvania Uniform Condominium Act or other applicable Commonwealth statutes governing the sale of real property used for multi-family occupancy, the developer shall certify as to his or her compliance with said statutes. To the extent the provisions of such statutes conflict with this sub-section such certifications shall suffice as to conformance with these requirements. If a developer is not subject to the Pennsylvania Uniform Condominium Act he or she shall present an Attorney's opinion to this effect.

§ 100-37. Conservation Subdivisions.

Developments which provide for single-family dwelling units wherein dwelling units are grouped in sections in order to maximize the amount of common open space and to preserve the natural settings, shall be designated

as conservation subdivisions. This section is intended to provide for such conservation subdivisions so that landowners might be able to preserve the equity in their land for development purposes while also preserving open space for public benefit. Conservation subdivisions can produce the same return for landowners, reduce the cost of public services, create a far more solid sense of community and truly preserve open space while conventional subdivisions tend to isolate, require more roads and services, reduce the potential for agriculture and consume vast amounts of open space in the name of "preserving rural character." Conservation subdivisions are encouraged and may be required by this ordinance. They shall be processed in the same manner as other major subdivisions and in accord with the standards and procedures which follow.

A. Sketch Plan Requirements. The Planning Commission shall have the authority to require preparation of two Sketch Plans as provided herein, for any subdivision of ten (10) lots or more, one illustrating a conventional subdivision and the other depicting how the property might be developed using the conservation subdivision technique. If this latter Sketch Plan is determined to provide a superior design in accord with the purposes of this ordinance and the same density can be achieved, the Planning Commission may then require use of this technique. This review and decision making process shall take place within the total time frame provided for review of and action on a Preliminary Plan.

B. Permitted Number of Dwelling Units. The maximum permitted number of dwelling units shall be determined by deducting from the total tract area:

(1) All areas within the rights-of-way of any existing or proposed streets; and

(2) All areas occupied by public utility easements.

(3) All wetlands, floodplains, slopes of 15% or more, water bodies and other undevelopable areas.

The net figure shall be divided by the minimum lot size applicable and rounded to the nearest whole number of dwelling units permitted.

C. Dwelling Types Permitted. Only single-family detached and two family dwellings shall be employed in this concept. All other dwelling types shall be considered multi-family dwellings and be subject to the standards of Section 100-36 of this Ordinance.

D. Reduction of Development Standards. Development standards for lot size, lot width and setbacks may be reduced as necessary to create a safe and workable design that maximizes preservation of open space, provided no dwelling structure (single-family or two-family) is located on less than one-acre of land where on-site sewer and/or water facilities are to be provided or one-fourth acre of land where off-site sewer and water facilities are to be provided (half the normal requirements); and further provided the total density (in individual dwelling units) for the tract shall not exceed that which would result from a conventional subdivision plan designed in accord with this ordinance, as determined from the basic Sketch Plan submission. No lot in a conservation subdivision shall exceed 150% of the minimum lot size that otherwise would apply excepting that up to 20% of the open space requirement may be met with estate lots exceeding ten (10) acres in lot area, provided that such lots are limited to one dwelling unit each.

E. Open Space Requirements. No individual parcel of common open space shall be less than one (1) acre except as to roadway median strips, traffic islands, walkways, trails, courtyards, play areas, recreation facilities, drainageways leading directly to streams, historic sites or unique natural features requiring common ownership protection. No less than 50% of the total land area of the conservation subdivision shall be dedicated to permanent open space. No less than 30% of the this open space shall be usable for active recreational activities and not include wetlands, floodplain, slopes over 15% in grade or other undevelopable area.

F. Protection of Open Space. The open space resulting from conservation subdivision design shall be permanently protected through a conservation easement and generally titled to a property owner's association (POA) prior to the sale of any lots or dwelling units by the subdivider. Membership shall be mandatory for each property owner within the subdivision and successive owners with voting of one vote per lot or unit and the subdivider's control, therefore, passing to the individual lot/unit owners on sale of

the majority of the lots or units. All restrictions on the ownership, use and maintenance of common open space shall be permanent and the POA shall be responsible for liability insurance, local taxes, and maintenance of all open space, recreational facilities and other commonly held amenities. Each property owner must be required to pay their proportionate share of the POA's cost and the POA must be able to file liens on the lot/unit owner's property if levied assessments are not paid. The POA must also have the ability to adjust the assessment to meet changing needs.

G. Trail Requirements. All lots and dwelling units shall have direct access to the open space provided in a conservation subdivision and there shall be a system of marked and/or improved trails developed to connect the open spaces with each other and with individual lots and dwelling units.

H. Density Bonus. If the permanent open space created by the conservation subdivision technique is in active agricultural use for the raising of farm animals or crops (not including forestry) and this use is continued and protected by an easement for this purpose, the total number of dwelling units permitted in the conservation subdivision may be increased by up to 20%. A similar bonus will be provided in those instances where no new lots are created along an existing public highway, but rather are fronted on interior or marginal access streets.

§ 100-38. Application of Land Development Standards.

Notwithstanding any requirements that may exist under the Pennsylvania Municipalities Planning Code to submit an application for approval, the land development standards contained herein shall not apply to the following:

A. Temporary or accessory activities that do not involve any of the activities listed in § 100-35.D(5) of this Ordinance.

B. Minor building alterations, repairs or maintenance activities.

C. Conversion of single-family dwellings to two-family dwellings.

D. Replacement, rehabilitation or reconstruction of a structure or facility for the same use at the same scale.

E. Construction of any non-residential structure of less than one-thousand (1,000) square feet in floor area that does not involve any of the activities listed in § 100-35.D(5) of this Ordinance.

The standards herein shall also not apply to new agricultural land development activities that involve the husbandry, at any one time, of less than one livestock unit per acre of land or animals raised for 4-H or other youth club activities. A livestock unit shall consist of any one of the following and livestock units for non-specified animals shall be calculated based on similarity to those which are specified:

One (1) hog;
One (1) large animal (cows, sheep, goats, deer, etc.);
Five-hundred (500) poultry;
Three-hundred (300) other small animals (rabbits, chinchillas, mink, etc.).

The above list is intended to clarify, in terms of their practical application, the exceptions already provided under the Pennsylvania Municipalities Planning Code. No person is exempted from the demands to file any plan required under such Code regardless whether or not standards for the same have been included in this Ordinance.

CANAAN TOWNSHIP

Wayne County, Pennsylvania

ZONING ORDINANCE

November 13, 2002

Canaan Township Board of Supervisors
Canaan Township Planning Commission

Introduction

This Zoning Ordinance is enacted under the authority granted to townships in Pennsylvania by the Municipalities Planning Code. It consists of a Zoning Map dividing the Township into several districts or zones and a set of regulations governing certain uses of lands within those districts. The Ordinance itself involves a statement of purposes, definitions of the key terms used in the Ordinance and various forms of regulations.

These include a set of allowable uses, some of which are permitted as a matter of right and others which are permitted only after review by local authorities. The allowable uses are detailed for each district on a "Schedule of District Regulations" contained in Article III. Also contained on the Schedule are listings of development standards (i.e. minimum lot size, minimum height, yard requirements, etc.) that apply to each district. Article III also details how Conditional Uses work.

There are, in addition to the use regulations and general development standards, supplementary standards applicable to certain specific uses and some aspects of all uses. These include parking regulations, and special restrictions on various uses. Those labeled "General Supplementary Regulations" apply to all uses and may be found in Article IV of the Ordinance. Those applicable only to specific uses, the "Supplementary Regulations Applicable to Specific Uses," may be found in Article V.

The remainder of the Ordinance deals with procedures. Article VI details how non-conforming uses, structures and lots (those which are existing and do not meet the standards of the Ordinance) will be treated. Article VII provides for details of how various types of permit applications will be handled and the functions of the Zoning Officer. The Zoning Hearing Board is also created to act as a local court in interpretation of the Ordinance. The procedures for its operation are also outlined in Article VII.

Questions regarding the Ordinance can be directed to the Canaan Township Zoning Officer.

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Article I - General Provisions

§ 125-01. Title and Short Title.

An Ordinance establishing regulations and restrictions for, among other purposes, the location and use of lots, land, buildings, and other structures; the height, number of stories, and size or bulk of buildings and structures; the density of population; off-street parking and signs in Canaan Township, Wayne County, Pennsylvania. This Ordinance shall be known as, and may be cited as the "Canaan Township Zoning Ordinance."

§ 125-02. Authority and Purposes.

This Ordinance is created for the purpose of promoting and protecting the public health, safety, and welfare consistent with Section 604 of the Pennsylvania Municipalities Planning Code.

§ 125-03. Community Development Objectives.

The Community Development Objectives of this Ordinance include those recommendations for Canaan Township as expressed in the Canaan Township Comprehensive Plan and the following specific additional objectives:

A. Guiding land uses to areas of the Township that can best accommodate them so as to provide for both controlled growth and economic development.

B. Maintaining safe means of circulation through the Township.

C. Maintaining good housing conditions and affordable housing availability.

D. Protecting the community to as great a degree as practical from natural or man-made disasters or other dangers.

E. Ensuring all development is done with proper regard for health, safety and welfare concerns of the Township and necessary improvements can or will be made to accommodate the activities which will result.

F. Protecting agricultural security areas and farm operations so as to preserve the economic vitality of such enterprises, particularly family farms, and to promote the agricultural and farm character of the Township.

§ 125-04. Interpretation, Conflict and Separability.

A. The provisions of these regulations in their interpretation and application shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

B. In interpreting the language of this Ordinance to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the intended meaning of the language written and enacted by the governing body, in favor of the property owner and against any implied extension of the restriction.

C. These regulations are not intended to interfere with, abrogate, or annul any other Ordinance rule or regulation statute or provision of law. Where any of the provisions of these regulations impose restrictions different than any other Ordinance rule or regulations or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

D. If any part or provision of these regulations is judged invalid by any Court of competent jurisdiction, such judgment shall be confined in application to the part or provision directly on which judgment shall have been rendered and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances. The Township hereby declares that it would have enacted the remainder of these regulations even without such part or provision or application.

Article II - Definitions

§ 125-05. Use of Words.

As used in this Ordinance, words in the singular include the plural and those in the plural include the singular. The words "shall" and "will" are, for the purposes of this Ordinance, defined as mandatory.

Also, for the purposes of this Ordinance, the following terms shall be considered interchangeable:

A. The words Ordinance and regulation(s).

B. The terms Township and Canaan Township.

Unless otherwise expressly stated, the following definitions shall, for the purpose of this Ordinance, have the meaning herein indicated. The terms of the Pennsylvania Municipalities Planning Code are also incorporated herein by reference. Where any doubt exists as to the meaning of terms the legal definition pursuant to the Code shall prevail. Any other pertinent word or term not a part of this listing shall be construed to have a definition consistent with the description of the term in Webster's Unabridged Dictionary.

§ 125-06. Definitions of Terms.

For the purpose of this Ordinance, the following words, terms and phrases have the meaning herein indicated:

Accessory Buildings and Structures: A subordinate building or portion of the main building on a lot, the use of which is customarily incidental to that of the main building, including fences, electronic reception devices, and all swimming pools as herein defined. It shall also be constructed of a combination of materials which is safe and stable.

Accessory Use: A use of land or of a building or portion thereof customarily incidental and subordinate to the principal permitted, conditional or special exception use of the land or building and located on the same lot with such use including accessory buildings and structures.

Alterations: As applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Bed and Breakfast: A dwelling in which up to eight (8) guest rooms with shared bathroom facilities are available as lodging for persons, either individually or as families, for specific periods of time, with one or more meals offered.

Building Height: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

Campground and RV Park (Recreational Land Development): A plot of ground upon which two or more campsites are located, established or maintained for temporary occupancy by persons using tents or recreational vehicles.

Churches and Related Activities: A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses associated therewith.

Clear Sight Triangle: An area of unobstructed vision for purposes of vehicular safety at a street intersection(s), defined by lines of sight between points at a given distance from the intersecting street centerlines.

Conditional Use: A use permitted within a district subject to specific review criteria established in this Ordinance that may require attachment of condition of approval or limit the location and nature of the use. Conditional uses

are allowed or denied by the Canaan Township Board of Supervisors after recommendations by the Canaan Township Planning Commission.

Conservation Subdivision (Cluster Development): A form of development for single-family residential subdivisions that permits a reduction in lot area and other development standards, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant extra land is devoted to open space.

Dwelling: A structure or portion thereof which is used exclusively for human habitation.

Dwelling Unit: One (1) or more rooms in a dwelling structure, including a kitchen, sleeping facilities, bath and toilet, designed as a household unit for extended periods of occupancy for living and sleeping purposes by not more than one (1) family at a time.

Dwelling, Multi-family: A building or buildings designed for occupancy by three (3) or more families living independently of each other in separate dwelling units. The term "multi-family dwelling" shall include condominium as well as non-condominium housing units, including the following construction types:

A. **Residential Conversion to Apartments:** Conversion of an existing single-family detached dwelling having been used as such for ten (10) or more years into three (3) to five (5) dwelling units and not exceeding two and one-half (2-1/2) stories in height.

B. **Garden Apartment:** Multi-family dwelling originally designed as such; containing three or more dwelling units and not exceeding two and one-half (2- 1/2) stories in height, not including townhouses.

C. **Townhouse:** Multi-family dwelling of three (3) or more dwelling units of no more than two and one-half (2-1/2) stories in height in which each unit has its own front and rear accesses to the outside, no unit is located over another unit and separated from any other unit by one or more common fire resistant walls.

D. **Medium High-rise Apartment:** Multi-family dwellings of more than two and one half (2-1/2) stories but not exceeding the height limitations (in feet) of this Ordinance.

Dwelling, One-Family: A dwelling unit accommodating a single family and having two (2) side yards.

Dwelling, Two-Family: Dwelling accommodating two families either with units which are attached side by side through the use of a party wall, and having one side yard adjacent to each dwelling unit; or upstairs/downstairs units (e.g., duplex units).

Family: Either an individual, or two or more persons related by blood or marriage or adoption, or a group of not more than five persons, living together as a household in a dwelling unit.

Farm Stand: A structure from which produce and farm products are sold to the general public.

Forestry Uses: Establishments primarily engaged in the operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or in performing forest services, including the operation of a portable sawmill used on a temporary basis while harvesting the woodlot where it is located, but excluding other wood processing operations where forestry products are cut, graded, dried, sawed, sorted, warehoused (inside or outside), or otherwise processed on a commercial basis for re-use or re-sale.

Health Service Facilities: Establishments primarily engaged in providing services for human health maintenance including hospital facilities, nursing and adult homes and medical clinics and offices whether publicly or privately operated.

Home Occupation: Any use customarily conducted entirely within a dwelling or in a building accessory thereto and carried on by the inhabitants residing therein, providing that the use is clearly incidental and secondary to the use of the dwelling for dwelling purposes (see § 125-14 for further details).

Hotel: A facility offering temporary (generally for periods of two weeks or less) lodging accommodations to the general public, typically on the basis of daily or weekly rentals, and providing additional services such as

restaurants, meeting rooms and recreational facilities.

Junkyard: Any place or establishment where junk is stored or accumulated on the outside of any building, edifice, or structure that is enclosed on all sides or where the business of selling, buying, or dealing in junk is carried on or where two (2) or more motor vehicles are stored which are unlicensed, inoperable, and do not have a current and valid inspection sticker as required by the motor vehicle laws of the Commonwealth of Pennsylvania.

Kennel: The keeping of four (4) or more dogs that are more than six (6) months of age.

Light Industrial Uses: Industries involving generally unobtrusive processes. These include but are not limited to, research, engineering or testing laboratories, assembly from components, fabrication of products, textile and clothing manufacturing, printing operations, wood products industries and the like. Warehousing shall also be considered a light industrial use.

Livestock Operation: The fattening or raising of beef cattle, hogs, poultry or other animals for the purposes of obtaining meat, eggs or wool for marketing.

Lot: A designated parcel or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

A. **Lot Area:** The area of land contained within the limits of the property lines bounding that lot, including any area within a highway right-of-way.

B. **Lot Coverage:** That portion or percentage of the lot area which is covered by buildings, roads, driveways, parking areas, pavement or other impervious surfaces.

C. **Lot Depth (Average):** The average of the depths of a lot along the two side lot lines.

D. **Lot Width (Average):** The average of the widths of a lot at the building setback line and the rear lot line.

Mobile Home: A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. The term Mobile Home shall not include recreational vehicles, any unit of less than forty feet in length or ten feet in width or modular homes.

Mobile Home Park: A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

Motel: A facility offering temporary (generally for periods of two weeks or less) lodging accommodations to the general public, typically on the basis of daily or weekly rentals, with at least 25% of the rooms having direct access to the outside.

Non-Conforming Lot: A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Non-Conforming Structure: A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment to its location by reason of annexation. Such non-conforming structures include but are not limited to non-conforming signs.

Non-Conforming Use: A use, whether of land or of a structure, which does not comply with the applicable use provisions in this Ordinance or amendments heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment to its location by reason of annexation. Such non-conforming uses include, but are not limited to, non-conforming signs and other structures.

Off-Site Sewage Disposal: A sanitary sewage collection system in which sewage is carried from individual lot or

dwelling units by a system of pipes to a central treatment and disposal plant which may be publicly or privately owned and operated. A system designed to serve a two-family dwelling or two dwelling units located on the same property or adjacent properties or employing sub-surface disposal in any manner shall not be considered as off-site sewerage and in such a case all development standards will apply the same for each dwelling or unit as any single family unit.

On-Site Sewage Disposal: A single system of piping, tanks or other facilities serving only a single lot and disposing of sewage in whole or in part into the soil.

Permanent Foundation: A cement, concrete, treated wood or cinder block walled foundation erected on a poured concrete footer. A solid concrete slab or system of concrete piers extending to the frost level will also be considered a permanent foundation.

Professional Services and Offices: Medical doctors, dentists, eye doctors, lawyers, accountants, engineers, architects and similar professions.

Public-Uses: A building or a structure owned and operated by a governmental agency to provide a governmental service to the public.

Recreation Vehicle: A vehicle with or without motor power which may be towed on the public highways by a passenger automobile or truck without a special hauling permit, or which may be driven under its own power. This definition includes, but is not limited to campers, travel trailers, buses, camping trailers, pick-up trucks with slide-in campers, recreational vehicle homes and motor homes.

Recreational Facilities: Outdoor or indoor areas or structures used for purposes of amusement, entertainment or recreation including the following;

A. **Public Recreational Facilities:** Municipally owned or operated parks, playgrounds, ballfields, courts, trails and other attractions that are open for public use.

B. **Private Recreational Facilities:** Privately owned or operated parks, playgrounds, ballfields, courts, trails and other attractions that are open for public use or to members or guests of a non-profit entity such as a property owners association, youth group or charitable organization on a non-commercial basis.

C. **Commercial Recreational Facilities:** Privately owned or operated amusement and entertainment attractions operated for profit on a commercial basis; including animal farms, ski areas, golf courses, riding stables, driving ranges, theaters, campgrounds, fun parks, racetracks and similar attractions.

Retail and Service Establishments: Stores and services operated for the purposes of serving local and visiting clientele, including grocery stores, clothing shops, pharmacies, specialty shops and the like but excluding vehicle and equipment sales operations, car washes, hotels and motels and other activities broken out as specific uses on this schedule.

Semi-Public Uses: A building or structure operated by a non-profit agency or group providing services to the general public which are closely related to government (i.e., fire company, ambulance corps, community center, etc.).

Services, Essential: Public utility uses and public or semi-public providers of emergency services such as fire and ambulance uses.

Sign: Any device for visual communication located on the outside of a building or out of doors that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any government or government agency, or any civic, charitable, religious, patriotic, or similar organizations.

Specialty Shops: Establishments primarily engaged in providing services involving the care of a person or his or her apparel or specializing in a specific type or class of foods such as a barbershop, beauty shop, bakery, butcher shop, fish store or similar shops.

Stable (Riding): A structure or area used for the shelter, care and/or riding of donkeys, horses or mules for hire, remuneration or sale.

Stable (Private): An accessory structure or use which involves the keeping of donkeys, horses or mules not for hire, remuneration or sale.

Structure: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Swimming Pool (Private): Any structure, whether of temporary or permanent nature, either above or below ground that contains water to a depth of 2.0 feet of more and is used for swimming purposes and is not available for public use.

Transient Use: Use of a dwelling by three or more families at separate times over the course of a year; not including persons who may, during such period, be temporarily staying at the location as a guest of the principal occupant.

Use: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

Variance: The permission granted by the Zoning Hearing Board, following a public hearing that has been properly advertised as required by the appropriate municipal code, for an adjustment to some regulation which if strictly adhered to would result in an unnecessary hardship, and where the permission granted would not be contrary to the public interest, and would maintain the spirit and original intent of the Ordinance.

Vehicle and Equipment Sales and Service: The use of any building, land area or other premise for the display, sale or service of new and used automobiles of operable condition; panel trucks or vans; mobile homes or trailers; recreation vehicles; or farm or construction equipment including car washes and gasoline service stations.

Yard: An open unoccupied space which shall extend the full depth or width of a lot and which shall not be occupied by any building. Front yards shall be measured from the edge of the highway right-of-way and other yards from property lines.

The above definitions are also supplemented by those contained in other Canaan Township Ordinances. Where there is any conflict between definitions or provisions contained in this Ordinance and other Ordinances, the definitions or provisions contained herein shall apply insofar as they affect regulations part of this Zoning Ordinance.

Article III - Basic Zoning Regulations.

§ 125-07. Designation of Districts.

A. Canaan Township is hereby divided into Zoning Districts, as shown on the Official Zoning Map, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this Ordinance, together with all future notations, references and amendments.

B. Canaan Township shall consist of Zoning Districts as follows:

Agricultural District (AG)
Rural Development District (RD)
Neighborhood Development District (ND)
Low-Density Residential District (LR)
Public and Recreational District (PR)

An additional classification is also hereby made for the purpose of regulating floodplains as designated by the Federal Emergency Management Agency. This shall be an overlay zoning district wherein the provisions of the Canaan Township Flood Damage Prevention Ordinance shall apply in addition to standards normally applicable to the underlying district.

C. District boundary lines are intended to follow or be parallel to the center line of streets, streams and railroads, and lot or property lines as they exist on a recorded deed or plan of record in the Wayne County Recorder of Deed's Office and the Wayne County Tax Maps at the time of the enactment of this Ordinance, unless such district boundary lines are fixed by dimensions as shown on the Zoning Map. In any case of uncertainty the Canaan Township Board of Supervisors shall interpret the intent of the map.

§ 125-08. Application of Regulations.

A. District regulations are of two types; Use Regulations and Development Standards. The intent of each Zoning District, and regulations that shall apply in each, are given in the Schedule of District Regulations attached hereto and made a part hereof. Supplemental regulations also applicable to any proposed new use, expansion of an existing use or change of use of land and/or structures in Canaan Township are found in Article IV hereof. Whenever any owner or occupant of any property in Canaan Township shall, for any purpose or in any manner;

(1) establish a new use,

(2) commercially clear, excavate or grade land for purposes of making permanent structural improvements to a property,

(3) change an existing use,

(4) make permanent structural improvements to a property,

(5) erect a new building,

(6) move, alter, add to or enlarge any existing land use or building;

such owner or occupant shall first comply with these and the other requirements of this Ordinance and obtain a zoning permit, unless specifically exempted from such requirements by this Ordinance. A zoning permit shall be required whenever a change in land use occurs, regardless whether any new construction is involved or not, excepting that agricultural harvesting, grazing, tilling and crop rotation, shall be exempt from any and all permit requirements.

B. If a proposed use is not specifically listed in any category of uses or within any zoning district on the Schedule of District Regulations, the Board of Supervisors shall render a formal determination as to whether

or not the use is permitted in a given district and if the use is permitted, it shall then process the application as a Conditional Use. The Board of Supervisors shall make its determination on the basis of similarities of the use to other specifically listed uses within various districts, taking into consideration the impacts of the use on the community and the neighborhood in which it is proposed. This shall not permit the Board of Supervisors to reclassify uses which are already listed nor shall the Board of Supervisors allow any use which is not listed in a particular district if that use is already permitted in another district.

§ 125-09. Use Regulations.

Use Regulations and statements of intent for each District are provided in the Schedule of District Regulations. Permits for principal permitted uses and accessory uses shall be issued as a matter of right provided the standards contained in this Ordinance are otherwise met. Conditional uses shall be subject to additional review procedures as specified herein.

§ 125-10. Development Standards.

A. The Development Standards that apply to each District include minimum lot sizes, minimum average lot widths, yard requirements, maximum lot coverage for buildings and other impervious surfaces, and maximum building height. These standards vary among Districts and are listed on the Schedule of District Regulations. Supplementary regulations (Articles IV and V) may establish additional or differing standards as they apply to specific uses.

B. Building height standards found on the Schedule of District Regulations shall not apply to church spires, belfries, cupolas, domes, elevator structures, monuments, water towers, chimneys, smokestacks, flagpoles, communications towers, energy generation devices, farm buildings or similar non-inhabited structures under two-hundred (200) feet in height. Structures of a similar nature that exceed two-hundred (200) feet in height may be permitted as Conditional Uses provided they are sufficiently setback from adjoining properties to avoid any safety hazard connected therewith and meet all State and Federal air safety and electronic communications standards.

C. All development standards contained herein are minimums and shall apply to each dwelling unit unless otherwise specifically provided. A two-family dwelling shall, for example, require the equivalent of two minimum sized lots insofar as lot area, as will any two dwelling units on the same property. Single studio apartments occupied by immediate family members shall, however, be exempt from this requirement.

§ 125-11. Conditional Uses.

A. Procedures Applicable to Conditional Uses.

(1) Uses specified as Conditional Uses shall be permitted only after review and approval pursuant to the Supplementary Regulations provided herein for specific conditional uses and the express Conditional Use review criteria provided below.

(2) The Zoning Officer shall, within fifteen (15) days of the filing of an application for a conditional use, determine if an application is complete and, if so, forward a copy of said application, along with the site plans and required supporting data, to the Township Planning Commission for review and report to the Board of Supervisors. If such application is not complete as to the information requirements of Sub-Section B below, however, the Zoning Officer may reject such application, provided the applicant shall, within five (5) days of this determination, be notified in writing of the information that is lacking.

(3) The Planning Commission shall report its findings to the Board of Supervisors within forty-five (45) days of its first regular meeting following its receipt of the application, together with a recommendation indicating whether the criteria listed and any applicable performance standards have been satisfied. The applicant may make a request for a public hearing before the Board of Supervisors as soon as the Planning Commission has made its recommendation to the Board but not before such action.

(4) The Township Board of Supervisors shall, upon receipt of the conditional use application, the recommendation of the Planning Commission and the applicant's request for a public hearing, conduct at least one public hearing on the application. A public hearing shall take place within sixty (60) days, pursuant to public notice and the Board of Supervisors shall grant or deny the application within forty-five (45) days after the last public hearing, accompanying its decision with findings of facts or conclusions based on the requirements of this Ordinance. If the application is granted, the Board of Supervisors shall attach such reasonable conditions and safeguards as the Board deems necessary to protect the public health, safety and welfare and implement the purposes of this Ordinance.

(5) Should the Pennsylvania Municipalities Planning Code be amended with respect to conditional use procedures, those provided herein shall be considered to be amended in like fashion and no provision contained herein shall be construed to restrain the Township from any action or with respect to any time periods permitted by such Code.

B. Conditional Use Site Plan Requirements.

The following information shall be included on any site plan connected with a conditional use application, provided that the Township Planning Commission may waive a particular application requirement where the size or scope of a project would render the data inapplicable or unnecessary. The purpose of the site plan is to evaluate the ability of the project to meet the Conditional Use criteria contained herein and not necessarily to give final approval if further submissions under the Township's Subdivision and Land Development Ordinance or other Township ordinances are required. The following information shall be included on the site plan:

(1) A detailed narrative description or statement as to the proposed use of the building or land.

(2) A site layout drawn to a scale of not less than one (1) inch equals one hundred (100) feet showing the location, dimensions and area of each lot, the location, dimensions and height of proposed buildings, structures, streets, roads, and any existing buildings in relation to property and street lines. If the application relates to property which is scheduled to be developed in successive stages, such plans shall show the relationship of the portion scheduled for initial development to the proposed layout of the entire property.

(3) The location, dimensions and arrangements of all open spaces and yards, landscaping, fences and buffer yards, including methods and materials to be employed for screening. Landscaping information shall be sufficiently detailed and illustrative to determine compliance with Section 502.7 hereof and the buffering and screening requirements contained herein, although final landscaping plans can be deferred to the Land Development stage of approval. The Township Board of Supervisors may require the use of a Registered Landscape Architect to prepare such plans for the Conditional Use and Land Development applications.

(4) The location, size, arrangement and capacity of all areas to be used for motor vehicle access, off-street parking, off-street loading and unloading, and provisions to be made for lighting such areas.

(5) The types, dimensions, locations, landscaping and methods of illumination for project signage and exterior lighting.

(6) The location, surfacing and dimensions of sidewalks, trails and all other areas to be devoted to pedestrian use.

(7) Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply and storm drainage.

(8) The capacity and arrangement of all buildings used or intended to be used for dwelling and other purposes, including information on total land area, area to be reserved in common open space, density, maximum building coverage, total area to be covered with impervious surfaces and other information which will assist the Commission in determining compliance with this Chapter.

(9) A description of any proposed use in sufficient detail with regard to traffic generation to permit the Commission to determine compliance with the performance and traffic impact requirements set forth in § 125.15. Traffic studies required hereunder and by the Pennsylvania Department of Transportation (PennDOT) shall also be submitted. All such studies, regardless of location on State or Township roads, shall meet PennDOT's requirements as well as the Township's, excepting that the requirements for projects accessing only Township roads may be modified by the Township Board of Supervisors on the recommendation of the Township Engineer. The Township may also require studies meeting the standards found in the Pennsylvania Municipalities Planning Code for purposes of establishing transportation impact fees.applicable to the project.

(10) Site contours at five (5) foot intervals.

(11) A plan depicting all proposed site grading; drainage provisions; road, driveway and parking lot construction and proposals.

(12) A key map showing the entire project and its relation to surrounding properties and existing buildings thereon.

(13) Soils, slopes and floodplain delineations.

(14) Certification by engineer or surveyor, others, e.g., landscape architect.

(15) Certification of ownership and acknowledgment of plan signed by owner or developer.

(16) Current zoning of the property proposed to be developed plus current zoning of all adjoining lands.

(17) Such other information as shall be determined by the Township Board of Supervisors to be reasonably necessary to determine compliance with the criteria provided below.

C. Conditional Use Site Plan Review Criteria.

The Township Planning Commission and Board of Supervisors, in reviewing the Conditional Use site plan, shall consider its conformity to the Canaan Township Comprehensive Plan and the various other plans, regulations and ordinances of the Township. Conservation features, aesthetics, landscaping and impact on surrounding development as well as on the entire Township shall be part of the review. Traffic flow, circulation and parking shall be reviewed to ensure the safety of the public and of the users of the facility and to ensure that there is no unreasonable interference with traffic on surrounding streets. The Board of Supervisors shall further consider the following specific factors:

(1) Building design and location. Building design and location should be suitable for the use intended and compatible with natural and man-made surroundings. New buildings, for example, should generally be placed along the edges and not in the middle of open fields. They should also be sited so as to not protrude above treetops or the crestlines of hills seen from public places and busy highways. Building color, materials and design should be adapted to surroundings as opposed to adaptation of the site to the building or the building to an arbitrary national franchise concept.

(2) Large commercial buildings. Commercial facades of more than one-hundred (100) feet in length should incorporate recesses and projections, such as windows, awnings and arcades, along 20% of the facade length. Variations in ruefulness should be added to reduce the massive scale of these structures and add interest. All facades of such a building that are visible from adjoining streets or properties should exhibit features comparable in character to the front so as to better integrate with the community. Where such facades face adjacent residential uses, earthen berms planted with evergreen trees should be provided. Loading docks and accessory facilities should be incorporated in the building design and screened with materials comparable in quality to the principal structure. Sidewalks should be provided along the full length of any facade with a customer entrance and integrated into a system of internal landscape defined pedestrian walkways breaking up all parking areas.

(3) Lighting and signage. Improvements made to the property should not detract from the character of the neighborhood by producing excessive lighting or unnecessary sign proliferation. Recessed lighting and landscaped ground signs are preferred.

(4) Parking and accessory buildings. Parking areas should be placed in the rear whenever possible and provide for connections with adjoining lots. Accessory buildings should also be located in the rear with access from rear alleys. If placement in the rear is not possible, parking lots should be located to the side with screening from the street.

(5) Drainage systems. Storm drainage, flooding and erosion and sedimentation controls should be employed to prevent injury to persons, water damage to property and siltation to streams and other water bodies.

(6) Landscape preservation. Trees, shrubs and other landscaping should be used to buffer or soften a use in terms of visual or other impacts on adjoining property owners. Impacts on other Township residents and visitors, on whom the local economy often depends, should also be considered. Existing landscape features such as stone walls, hedgerows, tree borders and individual large trees should be retained for this purpose and removal should be limited to the area of building or driveway construction unless additional sight-distance is required.

(7) Driveway and road construction. Whenever feasible, existing roads onto or across properties should be retained and re-used instead of building new, so as to maximize the use of present features such as stone walls and tree borders and avoid unnecessary destruction of landscape and tree canopy. Developers building new driveways or roads through wooded areas should reduce removal of tree canopy by restricting clearing and pavement width to the minimum required for safely accommodating anticipated traffic flows.

(8) Construction on slopes. The crossing of steep slopes with roads and driveways should be minimized and building which does take place on slopes should be multi-storied with entrances at different levels as opposed to regrading the site flat.

(9) Tree borders. New driveways onto principal thoroughfares should be minimized for both traffic safety and aesthetic purposes and interior access drives which preserve tree borders along highways should be used as an alternative. Developers who preserve tree borders should be permitted to recover density on the interior of their property through use of clustering.

(10) Development at intersections. Building sites at prominent intersections of new developments should be reserved for equally prominent buildings or features which will appropriately terminate the street vistas. All street corners should be defined with buildings, trees or sidewalks.

(11) Streets and sidewalks. Cul-de-sac and dead-end streets should be discouraged in favor of roads and drives which connect to existing streets on both ends. Streets within residentially developed areas should be accompanied by on-street parking and a sidewalk on at least one side of the street. Sidewalks should also be provided in connection with new commercial development adjacent to residential areas and pedestrian access should be encouraged.

(12) Setbacks. New buildings on a street should conform to the dominant setback line and be aligned parallel to the street so as to create a defined edge to the public space.

D. Additional Conditional Use Review Criteria.

The Board of Supervisors, in acting upon the Conditional Use permit application, shall take into consideration not only the criteria contained above, but also the following:

(1) Whether the proposed use will have a detrimental or positive impact on adjacent properties. A new use should not produce a significant negative impact on the property values of adjacent properties nor should it create potential nuisance impacts related to noise, odors, vibrations or glare.

(2) If the proposed use is one judged to present detrimental impacts, whether an approval could be conditioned in such a manner as to eliminate or substantially reduce those impacts.

(3) Whether the use will have a positive or negative effect on the environment, job creation, the economy, housing availability, open space preservation or any other factors which reasonably relate to the health, safety and general welfare of present or future residents of Canaan Township.

(4) Whether the granting of an approval will cause an economic burden on community facilities or services, including but not limited to highways, sewage treatment facilities, water supplies and fire-fighting capabilities. The applicant shall be responsible for providing such improvements or additional services as may be required to adequately serve the proposed use and any approval shall be so conditioned. The Township shall be authorized, subject to the limitations of the Pennsylvania Municipalities Planning Code, to demand fees in support of such services where they cannot be directly provided by the applicant.

(5) Whether the site plan indicates the property will be developed and improved in a way which is consistent with that character this Ordinance and the Township's Comprehensive Plan are intended to produce or protect, including appropriate landscaping and attention to aesthetics and natural feature preservation.

E. No application shall be approved unless it is found that, in addition to complying with each of the standards enumerated above, any of the applicable standards contained in this Ordinance shall be met. In instances where the supplemental standards contained herein do not adequately protect the general health, safety and welfare of parties affected, all conditions necessary to protect the general health, safety and welfare shall be imposed as conditions of approval. Conditions which might be imposed shall include (but not be limited to) provisions for additional parking, traffic control, submission of landscaping plans for screening, setbacks, special measures addressing sales period activities, hours of operation, environmental controls and other measures which mitigate any potential adverse impact the use may have on adjoining uses. The applicant shall supply evidence regarding compliance with the express standards and criteria contained herein; and data or evidence may be accepted from protestants. Such evidence shall be evaluated relative to the injurious impact on the health, safety and welfare of the Township; and the proposed use shall be approved with appropriate conditions or denied based on said evaluation.

Article IV - General Supplementary Regulations

§ 125-12. Special Lot Provisions

A. Corner lots. No obstruction to vision (other than an existing building, post, column or tree) exceeding thirty (30) inches in height above the established grade of the street at the property line shall be erected or maintained on any lot within the triangle formed by the intersecting street centerlines and a line drawn between points along such street centerlines seventy-five (75) feet distant from the points of intersection. Also, a corner lot shall be considered to have two front yards, one along each street.

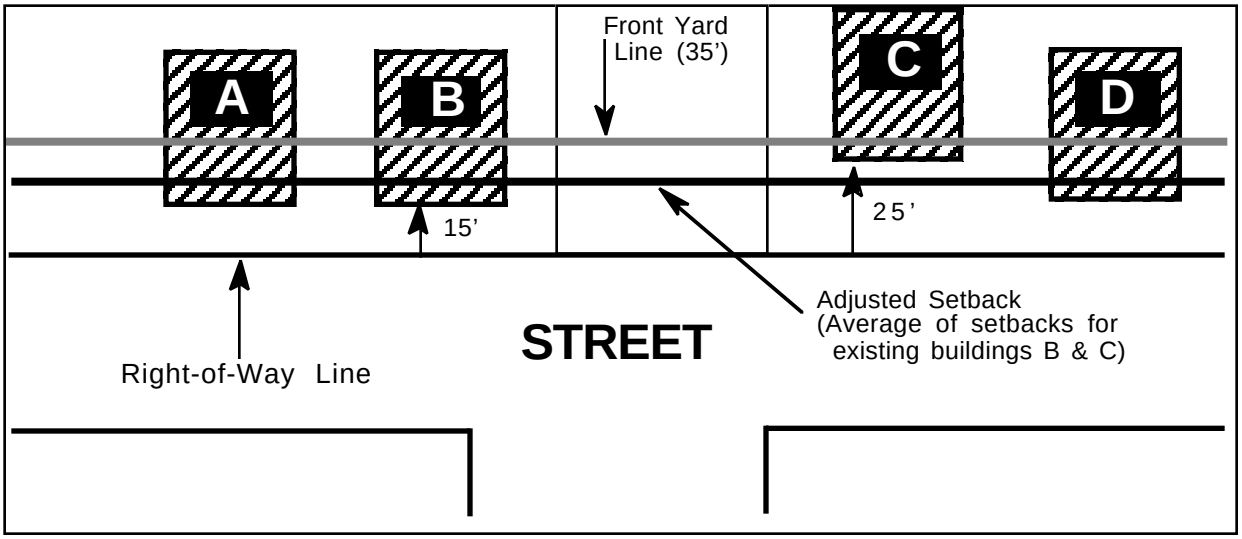
B. Through lot requirements. A through lot shall be considered as having two (2) street frontages, both of which shall be subject to the front yard requirements of this law.

C. Minimum lot frontage. All residential lots shall have a front lot line with a minimum length of fifty (50) feet.

D. Side yard exception. Where the side wall of a building is not parallel with the side lot line or is irregular, the side yard may be varied. In such case, the average width of the side yard shall not be less than the otherwise required minimum width; provided, however, that such yard shall not be narrower at any point than one-half (1/2) the otherwise required minimum width.

E. Front yard exception. When an unimproved lot is situated adjacent to or between improved lots already having a principal building within the required front yard, the front yard for the unimproved lot may be reduced to the average depth of the front yards for the two (2) nearest adjoining improved lots, but not less than twenty-five (25) feet from the centerline. The illustration below depicts how the front yard exception shall apply.

Illustration of Front Yard Exception



F. Provision of yard or other open space. No yard or other open space provided about any buildings for the purpose of complying with the provisions of the law shall be considered as providing a yard or open space for any other building, and no yard or other open space on another lot shall be considered as providing a yard or open space for a building on any other lot.

G. Waterfront yards. Any yard that borders on a Pennsylvania Department of Environmental Protection classified lake, stream or body of water shall be not less than one-hundred (100) feet in depth except for boathouses and docks.

§ 125-13. Accessory Uses or Structures.

A. No detached accessory building or structure (one not attached to a principal structure), excepting a sign, shall be erected closer to the street than any principal structure on the lot, except in the case of farm buildings. Buildings accessory to principal structures located more than one-hundred (100) feet from a lot line shall also be exempt. Accessory structures may, in these situations, be located in front of residences but not in required front yard areas.

B. Detached accessory structures shall otherwise be no closer than ten (10) feet to any property line. An exception shall be provided for fences, which may be located on the property line and may be attached to the primary structure. Fences, nevertheless, shall not exceed a height of eight (8) feet and shall comply with clear-sight triangle requirements. All fences shall be maintained in an upright position.

C. Below ground swimming pools and others where the water surface is less than four (4) feet above the ground, shall, in addition to meeting the above requirements, also, be entirely enclosed with a permanent fence not less than five (5) feet in height; and, such fence shall be of a design adequate to restrict entry to the pool (e.g. chainlink, wire mesh, solid picket, etc.) The entrance gate shall be closed when the pool is not in use.

D. The aggregate ground area covered by any accessory buildings in any rear yard shall not exceed fifty percent (50%) of the rear yard area.

E. Accessory structures of more than 1 story in height within required side or rear yards shall be subject to Conditional Use review.

F. When an accessory structure is attached to the principal building, it shall comply with requirements for principal buildings.

G. Storage trailers, railroad cars, bulk containers or retired mobile home units and recreational vehicles shall not be used for purposes of accessory structures in connection with any residential use and only as Conditional Uses in conjunction with any commercial, industrial or institutional use.

§ 125-14. Home Occupations.

A. Home occupations include any occupation or business activity that occurs within structures or on property where the primary land use is residential, and where the occupation or business is clearly incidental to such residential use. Such uses may include professional offices, antique and craft shops, artisan activities, personal service shops and other non-automotive related businesses.

B. Home occupations are permitted as Accessory Uses within specified residential districts, provided they do not detract from the residential character, appearance, or make-up of the neighborhood in which the business is located. The following criteria shall be used to determine if this standard will be met:

(1) Extent of the business - whether or not the residential use will be the primary use of the property. Factors that shall be used to determine the primary use of the property shall include, but are not limited to, the area of the property used for the business (limited to a maximum of 35%), the number of non-resident employees (limited to 3) and the amount of time the business will be open to the public on a daily basis (limited to 10 hours).

(2) Appearance from an adjacent street - whether or not the use of the property as a business is distinguishable from an adjacent street. Except for a non-illuminated, permanent identification sign no larger than two (2) square feet in size attached to the principle structure, there shall be nothing that occurs on the property that can be observed from adjacent streets that make it readily apparent that a business is being operated on the premises. In cases where the principle structure is obscured from the street, or the structure is setback more than fifty (50) feet from the property line, a non-illuminated ground sign not to exceed four (4) square feet may be used. Factors for evaluating this standard shall be that the residential dwelling not be altered to change its residential appearance. No activity related to the conduct of the home occupation shall be permitted to occur in such a manner as to be obtrusive to the neighborhood, attract undue attention to the business or adversely impact the residential

character of the neighborhood.

(3) Impact on the neighborhood - whether or not the business activity will cause a nuisance to surrounding property owners; adversely impact the peace, health, or safety of neighborhood residents; and/or create a deviation from the residential character of the neighborhood. Factors for determining conformance with this standard shall be:

(a) Traffic - whether or not the business will generate traffic that is excessive and/or detrimental to the neighborhood. A business will be allowed to generate a maximum of twenty-four (24) vehicle trips per average weekday, Saturday and Sunday. However, based on the characteristics of a specific neighborhood, these amounts may be lowered or raised by the Board of Supervisors. The factors to be used for such a determination shall include, but are not limited to, pertinent characteristics of the neighborhood such as width of properties, width of the streets, hills, curves, the number of children present and existing traffic levels on the adjacent street.

(b) Parking - whether or not parking problems could result from the business use. Factors which shall be used to determine conformance with this standard include, but are not limited to the following: 1) parking shall be provided on the property, or along the frontage of the property on the street; 2) parking on the property shall be on a gravel or other improved surface of adequate capacity to accommodate the total number of visitors expected at any one time; and 3) parking on the street shall be limited to accommodation of special gatherings, or for the drop-off or pick-up of customers or products for periods not to exceed 15 minutes in duration.

(c) Nuisance - whether or not the business activity would cause a nuisance to surrounding property owners. Existing property maintenance codes, fire codes, building codes, environmental and safety codes and other related regulations shall be the basis for determining conformance with this standard.

C. No home occupation, having once been permitted or established, shall be added to, expanded, enlarged or otherwise increased or changed substantially in character without complying with this law and such permission or establishment shall not be a basis for a later application to establish a principal commercial use. Moreover, the conversion of a residence with a home occupation to a commercial use by the abandonment of the residence or sale, rent or transfer of the business to a party which does not reside on-site is strictly prohibited unless the business is then moved off-site.

§ 125-15. Parking, Loading, Access and Traffic Standards.

A. Off-street parking, loading and unloading facilities shall be provided as necessary in connection with every use. One-family and two-family residential uses shall be provided with two (2) off-street parking spaces per dwelling unit. Parking needs with respect to all other uses shall be determined in conjunction with site plan review. The amount of parking required shall be based on the following factors:

(1) Industry studies of parking needs for the type of use proposed or actual case-study comparisons for projects of similar character. The Planning Commission may require the developer or applicant to gather and submit such data in support of its proposed parking provisions. The National Parking Association and the Urban Land Institute are examples of such industry sources.

(2) The characteristics of the proposed customers, residents, occupants or visitors to a given facility. Housing for the elderly would, for example, require fewer spaces per dwelling unit than time-shared recreational units, though the number of dwelling units might be the same.

(3) The expected occupancy rates, traffic levels and numbers of employees in connection with any enterprise and the degree to which these directly relate to parking requirements.

(4) Recommendations, if any, from other public agencies or information sources which suggest, based on experience, the appropriate amount of parking in connection with a given use.

(5) The likelihood that parking will be shared with adjoining facilities, the impact of daily peak visitation or use periods on demand and the hours of operation as compared to other neighborhood activities.

(6) Where industry standards are inadequate for the particular use or site involved or such standards are unavailable, the following standards may be applied:

Home-occupations	1 space per 100 sq. ft. of floor area devoted to use
Hotels/motels	1 space per rental room
Industrial uses	1 space per 400 sq. ft. floor area
Commercial uses	1 space per 250 sq. ft. floor area
Places of public assembly	1 space per 5 seats
Offices	1 space per 300 sq. ft. floor area
Restaurants	1 space per 50 sq. ft. floor area
Vehicle service establishments	4 spaces plus 1 per employee

B. Each parking space shall consist of not less than an average of two hundred seventy (270) square feet of usable area for each motor vehicle, including interior driveways, driveways connecting the garage, or parking space, with a street or alley. Garages, carports, and driveways not in the public right-of-way may be considered parking spaces.

C. Any lighting used to illuminate any off-street parking shall be so arranged as to reflect the light away from adjoining premises and public right-of-ways.

D. All parking areas which are designed to accommodate twelve (12) or more vehicles shall be landscaped using materials of sufficient growth and height to aesthetically balance the impact of the open paved area and provide effective stormwater control. The following are guideline standards the Township may apply:

(1) No more than twelve (12) parking spaces should be allowed in a continuous row uninterrupted by landscaping.

(2) No parking areas should be designed such that a vehicle might directly back out onto a public highway or through road within the development. Traffic flows through a parking area should be minimized and limited to connections from one lot to another (which shall be encouraged) and to the public highway or through road.

(3) Parking areas should generally be located in the rear yard of any use, with the principal building situated near the front lot line as permitted by Schedule of District Regulations. This is for the purpose of maintaining the continuity of the building line along any highway and avoiding the effective merger of parking areas along a highway into one mass of pavement where entrances and exits become difficult to identify.

E. Any building erected, converted or enlarged for commercial, office, manufacturing, wholesale, institutional or similar uses shall, in addition to the off-street parking space required above, provide adequate off-street areas for loading and unloading of vehicles. Public rights-of-way shall, under no circumstance, be used for loading or unloading of materials.. The minimum size loading space shall be sixty (60) feet in depth and twelve (12) feet in width, with an overhead clearance of fourteen (14) feet.

F. Access to and from all non-residential off-street parking, loading and vehicle service areas along public rights-of-way shall consist of well defined separate or common entrances and exits and shall comply with the following provisions:

(1) Access drives shall not open upon any public right-of-way within (80) feet of the nearest right-of-way line of any intersecting public street or highway or where the sight distance in either direction would be less than two-hundred (200) feet. Access drives onto state highways shall be subject to Pennsylvania Department of Transportation standards.

(2) There shall be no more than one entrance and one exit to any business or commercial use parking area on any one highway unless safety considerations should demand it. Each entrance and exit shall be

clearly defined with curbing, fencing or vegetative screening so as to prevent access to the area from other than the defined entrance and exits. In no case shall one entrance and exit be located within 80 feet of any other on the same property or adjoining property along the same public right-of-way. Non-conforming lots, however, may be exempted from this requirement.

(3) All access drives shall be subject to the requirement of obtaining a road occupancy or street encroachment permit from the Canaan Township or the Pennsylvania Department of Transportation, as the case may be, and approval of any permits hereunder may be conditioned upon the application for and/or receipt of such permits from these authorities.

G. All non-residential parking and loading areas and parallel circulation and service lanes shall be separated from the paving edge of a public thoroughfare or adjoining property lines by a planting strip at least twenty (20) feet in depth landscaped according to standards provided herein for such landscaping.

H. The Planning Commission, at its discretion, may require a traffic impact study with any Conditional Use application involving an activity likely to generate more than five-hundred (500) trip-ends per day based on the following daily rates:

Residential uses	9.6 trip-ends per dwelling unit
Industrial uses	3.3 trip-ends per employee
Restaurants	7.9 trip-ends per seat
Fast-food restaurant	23.9 trip-ends per seat
Convenience market	605.6 trip-ends per 1,000 sq. ft. gross floor area
Supermarket	177.6 trip-ends per 1,000 sq. ft. gross floor area
Car wash	108.0 trip-ends per car stall
Offices	6.0 trip-ends per employee
Other commercial uses	50.0 trip-ends per 1,000 sq. ft. gross floor area
Institutional uses	4.0 trip-ends per employee
Other uses	See Trip Generation - Institute of Transportation Engineers

The study shall examine existing and projected traffic flows before and after development and generally follow the guidelines set forth for such studies by the Institute of Transportation Engineers and the Pennsylvania Department of Transportation. Its purpose shall be to ensure that proposed developments do not adversely affect the transportation network and to identify any traffic problems associated with access to the site from the network. It shall identify solutions to potential problems and any improvements needed. The scope of the study shall be approved in advance by the Township Board of Supervisors.

§ 125-16. Commercial and Manufacturing Performance Standards.

Wherever commercial, manufacturing or other non-residential uses, with the exception of agricultural activities and home occupations, are proposed, the following performance standards shall apply. The Zoning Officer shall ensure these standards are met prior to issuing Certificates of Use for such uses and may require the applicant(s) to provide documentation of compliance.

A. Where a commercial or manufacturing use is contiguous to an existing residential use in any District (including those situated on the opposite side of a highway) or any approved residential lot in a residential district, the Board of Supervisors may require that the minimum front, side and rear yards be increased by up to fifty percent (50%). The Board may also require, for purposes of separating incompatible activities or shielding the residence from negative impacts, that a buffer consisting of a solid fence of wood and/or a twenty (20) feet wide dense evergreen planting not less than six (6) feet high be maintained, unless the properties are in the same ownership or the full width of the yard is already wooded. See also the landscaping standards contained herein.

B. All activities involving the manufacturing, production, storage, transfer or disposal of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion. Fire-fighting and fire suppression equipment and devices shall be provided pursuant to National Fire Protection Association guidelines. Burning of waste materials in open fires is prohibited. Details of the potential hazards and planned safety and accident response actions shall be provided by the applicant. The

Township may also require greater front, side and rear yards, fencing and other buffers as safety measures.

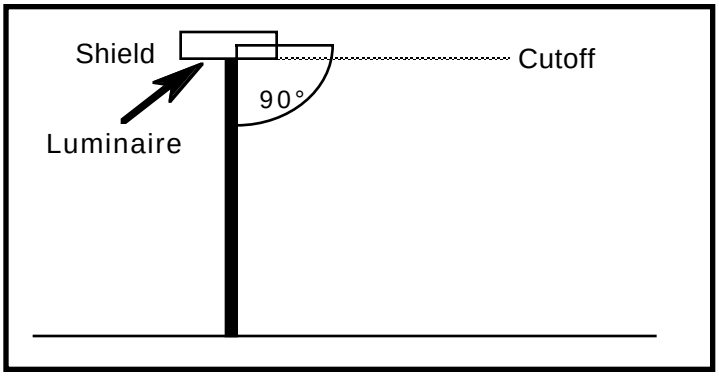
C. No activities shall be permitted which emit dangerous radioactivity or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.

D. The outdoor day-night average sound level (DNL) in decibels at the property line shall not exceed sixty-five (65) decibels. The Zoning Officer shall determine such average sound level by taking no less than three measurements with a decibel meter, all of which shall occur within seventy-two (72) hours but no less than fifteen (15) minutes apart.

E. No vibration shall be permitted on a regular or continuing basis which is detectable without instruments at the property line.

F. All lighting shall be designed so as to avoid unnecessary or unsafe spillover of light and glare onto operators of motor vehicles, pedestrians and land uses in proximity to the light source. Light sources shall comply with the following standards:

Type of Light Source	**Maximum Illumination Permitted at Property Line**	**Maximum Permitted Height of Light**
Globe light	0.20 Footcandles	15 Feet
>90% Cutoff	0.75 Footcandles	25 Feet
<90% Cutoff	2.00 Footcandles	30 Feet



No direct or sky-reflected glare, whether from floodlights or from high-temperature processes such as combustion or welding or other sources, so as to be visible at the property line on a regular or continuing basis, shall be permitted.

G. No emission shall be permitted on a regular or continuing basis from any chimney or otherwise, of visible gray smoke of a shade equal to or darker than No. 2 on the Power's Micro-Ringlemann Chart, published by McGraw-Hill Publishing Company, Inc., and copyright 1954.

H. No emission of fly ash, dust, fumes, vapors, gases and other forms of air pollution shall be permitted on a regular or continuing basis which can cause any damage to health, to animals, vegetation, or other forms of property, or which can cause any excessive soiling.

I. All activities involving the possible contamination of surface or ground water shall be provided with adequate safety devices to prevent such contamination. Details of the potential hazards (including the groundwater characteristics of the area in which the use is proposed) and planned safety devices and contamination response actions shall be provided by the developer.

J. Whenever a vehicle and equipment sales, mechanical and body repair use is proposed as a Conditional Use, or as an expansion of an existing non-conforming use, the following additional performance standards shall apply:

(1) All mechanical and body repair work shall be performed within buildings.

(2) All automobile or vehicle parts, new or used, shall be stored within buildings.

(3) Vehicles which are temporarily on the property awaiting to be repaired, shall be stored in an area which meets the minimum yard and buffer requirements applicable for the district and the use.

K. All industrial uses, processing and storage shall be within fully enclosed structures, and no tanks, cupolas, vents or other apparatus peculiar to the processing shall be visible outside the approved buildings. The facade of buildings and structures in industrial uses shall be compatible with adjacent development and shall be fully landscaped in accordance with the requirements therefore that are contained herein.

L. The Planning Commission or Board of Supervisors may require a landscape plan be prepared as part of any Conditional Use application. Such a plan may also be required whenever any non-residential and non-agricultural use is proposed in any district so as to buffer parking areas and buildings from the highway, each other and other uses. Where it is determined that a proposed Conditional Use would not have a significant impact on the natural environment, adjoining landowners or the view from a public highway, these requirements may be appropriately modified by the Planning Commission or Board of Supervisors. The landscape plan, if required, shall specify locations of all mature shade trees or other species of six (6) inch caliper or greater and indicate existing vegetation to be removed or preserved. It shall demonstrate how building materials, colors, and textures will be blended with the natural and man-made landscape. It shall also include visual depictions of the proposed landscape from the perspective of persons who will view the site from the highway or adjoining properties. Specific locations, varieties, sizes, winter hardiness, and schedules for all proposed plantings shall, too, be provided as part of the plan. The Township, in reviewing a landscape plan, may employ the assistance of design professionals and shall specifically consider the following in acting upon the Conditional Use application:

(1) The plan should promote attractive development, preserve existing vegetation to the maximum extent possible, enhance the appearance of the property and complement the character of the surrounding area.

(2) The plan should use landscaping to delineate or define vehicular and pedestrian ways and open space.

(3) The plant material selected should be of complementary character to buildings, structures and native plant species. It should be of sufficient size and quality to accomplish its intended purposes. All ornamental and shade trees should have a minimum caliper of two and one-half (2.5) inches measured four (4) feet above the ground and a minimum height of six (6) feet. All shrubs should be a minimum of two (2) feet in height excepting for ground cover species used as part of an overall plan including other shrubs and trees.

(4) The plan should effectively buffer the activity from adjoining land uses as may be necessary and soften the impact of other site development as contrasted with the natural environment.

(5) The plan should be realistic in terms of maintenance and use materials that, as a minimum, are winter hardy to Zone 4.

§ 125-17. Sign Regulations.

A. All signs shall comply with the standards provided below and permanently placed signs of twelve (12) square feet or more in surface area on one side shall require sign permits issued by the Zoning Officer. Nothing herein, however, shall prohibit the reverse side of any sign being used for advertising purposes and such additional surface area shall not be counted in measuring the total sign surface area.

B. An application for a permit to install or relocate a sign shall be submitted on a form obtained from the Zoning Officer, together with the fee required. Every application shall include a graphic presentation of the placement and appearance of the proposed sign. This presentation shall depict the location of the sign in

relation to buildings and property features, any method of illumination, the graphic design (including symbols, letter, materials and colors) and the visual message, text copy or content. Written consent of the property owner shall also be provided.

C. Permit applications. All free-standing signs and signs of twenty-four (24) square feet or more in total surface area on one side shall be submitted to the Township Planning Commission for review and approval prior to permit issuance.

D. All applications not requiring Planning Commission approval shall be acted upon by the Zoning Officer within fifteen (15) days of receipt. All applications submitted to the Planning Commission shall be acted upon within sixty-two (62) days of receipt.

E. The Planning Commission shall review sign applications relative to the appropriateness and compatibility of their design, shape, materials, colors, illumination, legibility, location and size. It may approve, approve with modifications, or disapprove signs. Approval shall be based on consistency with the design criteria listed below:

(1) Signs should be a subordinate part of the landscape viewed from the road;

(2) Signs within a given area should exhibit visual continuity, complementing each other rather than competing for attention;

(3) Multiple signs should be combined into one to avoid clutter;

(4) Signs should be as close to the ground as possible and ground signs shall ordinarily be preferred;

(5) A sign's design should be consistent with the architectural character of the building on which it is placed and not cover any architectural features on the building. It should be sized and located in proportion to the building to preserve a human perspective.

(6) Garish colors (e.g., fluorescent lime-green) and materials shall be avoided and vivid colors (e.g., bright red) shall not dominate a site.

(7) The sign should be located so as to not interfere in any way with the clear views required for public safety by highway travelers or pedestrians.

(8) The sign must not be an overhead danger or obstacle to persons below.

(9) The size of the sign shall be the minimum which will achieve ready visibility without becoming an unnecessary distraction from the highway view or detriment to the highway scenery.

(10) The sign shall not block the view of any other signs.

(11) The sign shall be of good construction quality that is easy to maintain in safe condition and good appearance.

(12) Sign materials and design shall be compatible with the surrounding natural landscape.

(13) The sign should not substantially interfere with the views to and from other enterprises or residences.

(14) All free-standing signs of twenty-four (24) square feet or more in surface area on one side shall require landscaping around the base of the sign. The size of the landscape area shall be approved as part of the sign permit. Landscape plans shall be submitted and shall include the size, species, location and spacing of plant materials, method of separating the planter from the adjacent area and the irrigation plan for maintaining the landscape materials.

(15) No homemade free-hand permanent signs shall be permitted.

F. The following regulations shall apply to all signs:

(1) All signs shall be immediately removed when the reasons for their erection no longer apply.

(2) Signs shall not be permitted on the roof or above the roof line of the building to which they are attached.

(3) No part of any sign shall project above the top or beyond the ends of the wall surface upon which it is located.

(4) Signs other than official traffic signs shall comply with side yard setbacks as established for principal structures in the District where the sign is located.

(5) No sign, except a public sign, visible from a public street, shall use the words "stop," "danger," or any other word, phrase, symbol or character which could be interpreted by a motorist as being a public safety warning or traffic sign.

(6) No light shall be permitted that by reason of intensity, color, location, movement or directions of its beam would be a distraction or would otherwise interfere with public safety. Flashing lights shall not be permitted in connection with any sign.

(7) No sign shall be attached to any tree, fence, utility pole or other object not intended for such use.

(8) A portable sign shall be considered a free-standing sign and be subject to all regulations pertaining to such signs. All portable signs shall require permits, however.

(9) No sign shall exceed in height one-half its distance from the highway right-of-way, notwithstanding any other height limitation which may also be applicable.

(10) Vehicles parked in specific highly visible locations for extended periods of time so as to serve in a signage capacity shall be subject to all the requirements contained herein.

G. Business and commercial property owners are encouraged to submit Master Signage Plans for their properties, which plans shall specify the location, dimensions, type, design and number of all signs to be erected on the property now or in the future. Such plans shall be prepared by a landscape architect, architect, sign designer, engineer or other qualified professional and shall identify existing signs, signs proposed for installation, anticipated future sign locations, temporary sign locations and the design criteria which shall apply to all signs to be erected on the property. These plans shall be adopted by the property owners, who shall agree that all signs to be constructed by them or any of their tenants or occupants now or in the future shall comply with the standards therein. A Master Signage Plan may also be submitted for multiple properties provided they are contiguous.

H. All Master Signage Plans shall be submitted for approval to the Planning Commission which shall, in reviewing and acting upon the Plans, be guided by the design review criteria provided above. The Board, in acting upon a Master Signage Plan, may waive any of the standards contained herein relating to numbers or sizes of any signs other than pole signs and projecting signs, provided it is satisfied the Master Signage Plan will meet the review criteria and the specific purposes of this local law. When the Commission has approved such a Plan, no further permits will be required for any sign which is in compliance with the Plan.

I. The owner, lessee or occupant of any parcel of land in the Township may erect and maintain on such land not more than one (1) free-standing sign or one (1) free-standing sign per two-hundred (200) linear feet of lot frontage up to a total of three (3) signs, whichever shall be greater.

(1) If such signs are pole signs or portable signs they shall not exceed thirty-two (32) square feet each in surface area or twenty (20) feet in height and shall be setback from the edge of the highway right-of-way line no less than twenty-five (25) feet. All pole signs shall be separated by a distance of no less than two-hundred (200) feet.

(2) If such signs are ground signs they shall be permitted provided they do not exceed sixty-four (64) square feet in surface area each or six (6) feet in height.

(3) Name plate signs shall be permitted on all lots provided they do not exceed two (2) square feet in surface area or one (1) in number per lot.

J. The signs actually physically attached to the supporting wall of a business building shall not be counted in the number of signs permitted hereunder but shall be limited in total coverage for all signs to a maximum of 10% of any wall surface area. This requirement may, however, be waived in cases where the entire wall is devoted to a single sign (e.g. "Mail Pouch Chewing Tobacco" type signs) otherwise meeting the review criteria contained herein.

K. Nothing herein contained shall prevent:

(1) Signs bearing the words "sold" or "rented" or similar phrases, together with the name of the person effecting sale or rental. Such signs shall be removed within fourteen (14) days after the sale, rental or lease.

(2) Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other person interested in such sale or development, provided:

(a) The size of such sign is not in excess of thirty-two (32) square feet;

(b) Not more than two (2) signs are placed upon any property unless such property fronts upon more than one (1) street, in which event two (2) such signs may be erected on each frontage;

(c) Such sign is not illuminated.

(d) Such signs are removed no more than thirty (30) days following completion of a sale.

L. Signs to provide for the normal and safe flow of traffic into and out of the place of business such as entrance, exit and parking signs shall be permitted in excess of the limitations provided herein (e.g. "Office Entrance This Way"). Such signs shall be of a size no greater than necessary for persons of normal vision to observe.

M. Bus shelter signs shall be considered free standing signs and be subject to all regulations pertaining to such signs.

N. Special advertising or temporary business identification signs or banners not exceeding sixty-four (64) square feet in total surface area shall be permitted; including, but not limited to, signs announcing to the general public any special events such as commercial sales days, cultural or entertainment attractions, or charitable activities. These shall be permitted for the length of the activity, but in no case exceeding twenty (20) days after the event or thirty (30) days prior. Yard sale, political and other similar temporary signs may be permitted on a similar basis but shall not exceed twenty (20) square feet in size or two (2) in number per lot frontage. Such signs shall be removed within seven (7) days after the event to which they pertain.

O. Where permitted, signs shall be illuminated only by a steady, stationary (excepting for indicators of time and temperature), shielded light source directed solely at the sign, without causing glare for motorists, pedestrians or neighboring premises. The illumination shall not make the sign resemble traffic signals or be excessively bright.

P. Existing non-conforming signs may be repaired or reconstructed on the same site, but shall not be relocated or increased in size. All non-conforming signs shall be removed within five (5) years of the enactment of this law. During the interim any non-conforming sign connected with a change of business, abandoned for sign purposes for more than ninety (90) days or damaged to the extent of 50% or more of the replacement cost value, shall be immediately removed by the property owner.

Q. No owner of any sign or lessee or owner of any land upon which the sign is located shall permit such sign to

become unsightly or in disrepair so as to endanger the public or to become a public nuisance.

R. In the event such a sign is not repaired or properly restored or removed within thirty (30) days after written notice has been given to the owner of the sign or lessee of the land upon which the sign is located, the governing body may institute appropriate legal action to end the violation and abate the nuisance.

§ 125-18. Reserved.

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Article V - Supplementary Regulations Applicable to Specific Uses

§ 125-19. Multi-Family Dwellings.

Multi-family dwellings, where permitted, shall be subject to the standards of Section 100-36 of the Canaan Township Subdivision and Land Development Ordinance, the provisions of which are included herein by reference, and processed thereunder.

§ 125-20. Mobile Home Parks.

Mobile home parks, where permitted, shall be subject to the standards of Section 100-31 and 100-32 of the Canaan Township Subdivision and Land Development Ordinance, the provisions of which are included herein by reference, and processed thereunder.

§ 125-21. Recreational Land Developments.

Recreational land developments, where permitted, shall be subject to the standards of Section 100-33 and 100-34 of the Canaan Township Subdivision and Land Development Ordinance, the provisions of which are included herein by reference, and processed thereunder.

§ 125-22. Conservation Subdivisions.

Conservation subdivisions shall be permitted in all districts and shall be subject to the standards of Section 100-37 of the Canaan Township Subdivision and Land Development Ordinance, the provisions of which are included herein by reference, and processed thereunder. The Township Board of Supervisors shall have the authority to adjust minimum lot sizes and densities provided for herein to accommodate such conservation subdivisions.

§ 125-23. Kennels.

Kennels are permitted as a Conditional Use in the AG and RD Districts subject to the Canaan Township Dog Ordinance and the following conditions:

A. A minimum parcel of three (3) acres or 10,000 square feet per dog, whichever shall be greater, shall be required for any kennel.

B. No structure used for the keeping of dogs shall be located closer than 300 feet to any property line or right of way line of any public road.

C. Adequate off-street parking shall be provided pursuant to this Ordinance with one space for each non-resident employee and one space per four (4) dogs kept on the premises.

D. A noise barrier consisting of a solid fence not less than 6 feet in height or a dense vegetative planting of not less than 6 feet in height shall be provided at a distance not to exceed 15 feet and fully encircling all kennel areas not enclosed in a building.

E. Dogs shall be restricted from using kennel areas that are not fully enclosed in a building between the hours of 8:00 P.M. to 8:00 A.M..

§ 125-24. Adult Oriented Businesses.

Adult oriented businesses, which are permitted Conditional Uses in the Rural Development District, can have serious negative impacts on surrounding areas, including declines in property values, degradation of neighborhoods, increases in crime and deterioration of community character. This has been substantiated by a number of studies conducted throughout the United States. The Canaan Township Board of Supervisors has considered the findings of these studies and those incorporated in the cases of; a) City of Renton v. Playtime Theatres, Inc., 475 U.S. 41 (1986); b) Young v. American Mini Theatres, 426 U.S. 50 (1976); and c) Northend Cinema, Inc. v. Seattle, 585 P.2d 1153 (Wash.1978). The Township's intent in enacting this section is not to restrict speech protected by the

First Amendment but rather to provide for it in a way which is consistent with the demands of the U.S. Constitution, as expressed in the referenced cases. It is also, however, intended to address, in a practical way, the very real secondary affects of adult-oriented businesses on the peace, good order and safety of Township residents.

These prohibitions are further based on the findings of the U.S. Supreme Court in the case of Barnes v. Glen Theatre, 501 U.S. 560, 115 L.Ed 2d 504 (1991) and are intended to fulfill purposes identical to those upheld in that case. Moreover, there exists within adjoining areas substantial experience with these activities that indicates they, indeed, have the types of negative impacts on the community that the Indiana statute was designed to address and produce general deterioration of the character of the area in which they were located, leading to commercial and residential blight.

A. Purposes. The primary purposes of this section are as follows:

(1) To preserve the character and quality of life in the Township neighborhoods and business areas.

(2) To control such documented harmful and adverse secondary effects of adult oriented business on the surrounding areas such as: decrease in property value; attraction of transients; parking and traffic problems); increased crime (including prostitution, rape and assaults) in the vicinity of such businesses; loss of business for surrounding non-adult businesses; and deterioration of neighborhood.

(3) To maintain property values.

(4) To prevent crime.

(5) To protect retail trade.

(6) To restrict minors access to adult oriented businesses.

(7) To maintain the general welfare, safety and morals for Canaan Township residents.

B. Special Definitions.

Adult Oriented Business: Use of a building, structure or property for a business that has adult materials in a section or segment devoted to such materials or as substantial or significant portion of its stock in trade for the purposes of sale, lease, trade, gift or display of such adult materials. For the purposes of this law adult oriented businesses shall also mean and include any nightclub, bar, tavern, restaurant, eating and drinking establishment, arcade, theater, motel, hotel, or any other establishment that regularly features, for economic gain or other consideration, entertainment in any form which is characterized by nudity or the depiction or display of sexual activities.

Adult Materials: Adult materials shall include but not be limited to any literature, books, magazines, pamphlets, newspapers, papers, comic books, drawings, articles, computer or other images, motion pictures, mechanical devices, instruments, clothing or any other writings, materials or accessories which are distinguished or characterized by their emphasis on matter depicted, described or related to "specified sexual acts" or "specified anatomical areas" as defined herein, or an establishment with a segment or section exclusively devoted to the sale, lease, gift, trade, display of such materials or of any drug paraphernalia.

Nudity: Nudity means the showing of the human male or female genitals, pubic area, buttocks, or anus, any part of the nipple or any part of a female breast below a point immediately above the top of the areola with less than a fully opaque covering.

C. Permit required. No adult oriented business shall be commenced or continued without a conditional use permit being obtained from the Township pursuant to this chapter.

D. Zone in which permitted. Adult oriented business shall be permitted only in the RD Rural Development District of Canaan Township.

E. Geographical limitations. Because adult oriented businesses can lend themselves to ancillary unlawful and

unhealthy activities they shall be separated from other uses which could be severely impacted by their presence or which, in combination with the adult oriented business, accentuate the negative impacts on the area. No adult oriented business shall be located within 1,000 feet of any residence, residential facility, institution, health facility, church, synagogue, school, public or semi-public parks or recreational facility, any establishment which serves alcoholic beverages or any other existing adult oriented business. This setback is consistent with the open rural character of the Township within which numerous locations exist that can meet this standard.

F. Alcoholic beverages prohibited. Sale of alcoholic beverages at an adult oriented business shall not be permitted unless the business is being operated as a bona-fide restaurant or eating and drinking establishment.

G. Signs and displays. No exterior display or interior display which is visible from outside the business shall be made to identify or portray the type of activity which occurs at an adult oriented business excepting for one (1) approved ground sign not to exceed a surface area of thirty-six (36) square feet for both sides combined. Such sign shall be subject to all other limitations applicable to signs. It shall not incorporate any obscene material but shall be otherwise unlimited as to message.

H. Non-conforming buildings or lots. No non-conforming building or lot shall be used for an adult oriented business. No other existing building, lot or use shall be added to, enlarged, expanded in size or program or converted for purposes of conducting an adult oriented business unless application to do so has been made pursuant to this section.

I. Prohibited activities. Because they are known to encourage prostitution, increase sexual assaults and attract criminal activity, the following activities shall not be permitted in any adult oriented business within Canaan Township:

(1) Public appearance by a person knowingly or intentionally engaged in sexual intercourse, deviate sexual conduct or the fondling of the genitals of himself or another person, or the fondling of female breasts.

(2) The knowing and intentional public appearance of a person in a state of nudity.

Specified Sexual Activities:

(1) Fondling or other erotic touching of human genitals, pubic region, buttocks, anus [or] female breast.

(2) Sex acts, normal or deviant, actual or simulated, including intercourse, oral copulation or sodomy.

(3) Acts of human masturbation, actual or simulated;

(4) Excretory function as part of or in connection with any of the activities set forth in (1), (2) or (3) above.

Specified Anatomical Areas:

(1) Less than completely and opaquely covered:

(a) Human genitals, pubic region;

(b) Buttock; and

(c) Female breast below a point immediately above the top of the areola; and

(2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

§ 125-25. Agricultural Security Areas

The Canaan Township Board of Supervisors recognizes farming as an essential enterprise and an important industry that enhances the economic base, natural environment and quality of life in the Township. The Board of

Supervisors further declares that it shall be the policy of this Township to encourage agriculture and foster understanding by all residents of the necessary day to day operations involved in farming so as to encourage cooperation with those practices. This Ordinance is intended to maintain the rural traditions and character of the Township, to permit the continuation of agricultural practices and to protect the existence and operation of farms, to encourage the initiation and expansion of farms and agri-businesses. So as to maintain a viable farming economy in the Township it is necessary to limit the circumstances under which farming may be deemed to be nuisance and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction. Therefore, farmers, as well as those employed, retained, or otherwise authorized to act on behalf of farmers, may lawfully engage in sound agricultural practices within this Township's Agricultural Security Areas at all times as are reasonably necessary to conduct the business of agriculture. Agricultural practices conducted on farmland shall not be found to be a public or private nuisance within the meaning of this Ordinance if such agricultural practices are:

(1) Reasonable and necessary to the particular farm or farm operation,

(2) Conducted in a manner which is not negligent or reckless,

(3) Conducted in conformity with generally accepted and sound agricultural practices,

(4) Conducted in conformity with all local, state, and federal laws and regulations,

(5) Conducted in a manner which does not constitute a threat to public health and safety or cause injury to health or safety of any person, and

The Board of Supervisors shall also, in acting upon any Conditional Use application within or adjacent to any Canaan Township approved Agricultural Security Area, attach such conditions as may be required to protect the integrity of the Agricultural Security Area and achieve the purposes connected with their formal designation by the Township.

§ 125.26. Tele-communication Facilities

Tele-communication structures, shall be permitted in AG and RD Districts as Conditional Uses, and shall be subject to the standards of Section 100-35.E(1) of the Canaan Township Subdivision and Land Development Ordinance, the provisions of which are hereby fully incorporated in this Zoning Ordinance by reference.

§ 125-27. Storage and Warehouse Uses

A. Location. Self-storage units and/or warehouse uses may be located in AG, RD and ND Districts.

B. Site plan review criteria. Self-storage unit and warehouse uses shall be considered Conditional Uses wherever permitted and be subject to the following site plan review criteria:

(1) Site planning. The site shall have sufficient area to accommodate the number of units planned for storage use with allowance for spacing between units and the setback clearances required; along with spacing for fire truck and delivery truck access and unit clearances. No construction shall be permitted in areas prone to fire hazards or difficult to serve with fire fighting equipment and all flammable or otherwise hazardous materials shall be removed from the site.

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(2) Screening and Fencing. Warehouses and self-storage structures shall be screened by maintaining the natural vegetation to the greatest extent possible. Where natural vegetation does not provide adequate screening from adjacent properties and public right-of-ways, a dense planting of spruce, hemlock, or other such evergreens, approved by the Township Board of Supervisors, shall be planted along the property lines and/or berms setback area that will serve as a buffer between adjacent properties. Evergreens shall not be less than eight (8'-0") feet in height at the initial planting and shall be measured from the grade level at the earth or berm. Plantings shall be staggered and shall be maintained in good growing condition in order to maintain a continuous obstructed and blocked view between the property and adjacent properties. Whenever the view is unobstructed due to dead vegetation, the planting, not in good growing condition, shall be removed and replaced to insure

continued compliance with the intent of the approved screening requirements of this ordinance. No limbs or branches shall project beyond the property line onto adjoining property. Except for access drives there shall be no uses or structures in the buffer area. A landscaping plan shall be submitted with the conditional use application. The plan shall indicate the type and names of the vegetation planned for the screening. Perimeter fencing may be required by the Township to secure units and reduce any attractive nuisance aspects of the operation.

(3) Access. Any access road into the site shall be defined by curbing, landscaping, or other appropriate means so as to restrict access to the buildings and site. Access to any public road shall be no less than two hundred and fifty (250) feet from any public road intersection. All regulations of the Pennsylvania Department of Transportation shall be observed, and evidence that such regulations have been satisfied shall be presented as part of the Conditional Use application. Roadway access to the site from the public right-of-ways shall be paved with blacktop placed on a compacted sub-base capable of withstanding truck loads. The road bed shall be not less than twelve (12) feet in width and shall have an apron extending a minimum of six (6') feet into the site. All accesses shall also be gated. Gate openings shall be a minimum of ten (10) feet in width and all gates shall be on rollers.

(4) Parking and loading facilities. Parking and loading facilities shall, as a minimum, comply with the off-street parking requirements contained herein. No parking shall be permitted on the public right-of-ways and all parking shall be on site and within the confines of the property. For self-storage units no special areas are required to be designated for parking, loading, or unloading; however, for warehouses specific areas for parking shall be assigned. Areas for parking, loading, and unloading at warehouses shall be paved. Parking spaces shall be suitably marked.

C. Operation Standards.

(1) Storage of materials. There shall be no hazardous material stored on such sites or within any self-storage unit and/or warehouse without the express approval of the Township Board of Supervisors, Zoning Officer, Building Inspector and Fire Department. If permission is granted to store small quantities of hazardous material, the storage shall be in accordance with the NFPA Standards for the material to be stored. Any ventilation that is required shall be provided in a manner approved by the Authorities having jurisdiction and in accordance with the BOCA Code. Hazardous material shall be defined as any material or combination of materials that pose a substantial danger, now or in the future, to human, plant, or animal life, and which, therefore, cannot be handled or disposed of without special precautions. Any other material or waste that is defined as hazardous by the EPA because of the ignitability, corrosivity, reactivity or toxicity shall not be stored in the self-storage units. In addition any pressurized containers or aerosols shall be defined as hazardous material and shall not be stored in the self-storage units and/or warehouse.

No materials, supplies, equipment, or goods of any kind shall be stored outside the warehouse and/or the self-storage units except for a vehicle required for their operation and being used for unloading or loading storage material. Boats, RV's, and automobiles may be stored in a self-storage unit or in a warehouse provided all gasoline, propane gas, or other inflammables are removed from the tanks and batteries are removed. The vehicles shall be devoid of any toxic or hazardous liquids or materials that may have been in the vehicle.

(2) Performance standards. All warehouses and self-storage units structures shall comply with the performance standards for Commercial, Manufacturing, and other Non-Residential Uses as provided herein. However, all warehouses and self-storage units shall be provided with motion-controlled or permanent outdoor and/or site lighting for security purposes. Lighting shall be low level and low intensity and shall be directed to prevent glare on adjoining property. Fire alarm and smoke detection devices shall be required if the Building and/or Fire Department determines the same are necessary for the particular use proposed. Gate entrances shall be designed and/or equipped for fire and/or police entrance in the night hours to permit emergency access. A macadam, concrete or similar non-pervious floor shall be provided for each self-storage unit. There shall be not less than one telephone maintained on the site for connection to the police or fire company so that a call can be placed so they may respond to theft or fire on the premises. Telephones may be coin operated with a dial tone for

dialing 911 without depositing any coins. Fire alarm pull stations shall be provided at or near each entrance to or exit from the site. Alarms shall be connected to the County Communications Center or the Fire Department and in addition sound an alarm on the site. Pulling a fire alarm shall cause the gates to open to provide emergency access. In lieu of automatic operation the use of a lock and chain may be employed.

(3) Uses. No warehouse or self-storage shall be used for any purpose other than storage, including, without exception, any other kind of commercial activity such as, but not limited to art studios, business offices or practice areas producing annoying noises due to loudness or pitch. No warehouse or self-storage units shall be used for any residential purposes. No auctions for the liquidation of any material that was stored at the site shall be held, unless and until, a special permit is obtained from Canaan Township. The permit shall limit the time of the auction and could provide other restrictive covenants affecting the procedure for conducting the auction. Storage unit structures shall also not be used for the storage or keeping of animals, food, or any perishable material or substance. There shall be no automobile or other major or minor repairs performed on the site.

(4) Rubbish and garbage. No burning of rubbish shall be permitted on the site and no open fires shall be permitted on the site. Rubbish or garbage shall be removed from the site on a weekly basis. Dumpsters shall be concealed from view by enclosing within an approved fencing of treated wood or be contained in one of the storage units. Rubbish or other debris that has accumulated in the buffer zone between the screening and the fence shall be removed on a weekly basis so that the site is in pristine condition.

(5) Inspection. The Township Board of Supervisors shall be authorized to require, as a condition of approval of any application for a storage or warehouse use, periodic inspections by the Township's designated Code Enforcement Officer to determine compliance herewith, and to establish fees connected with such inspections.

§ 125-28. Junkyards

Junkyards shall be permitted in RD Rural Development Districts only as conditional uses. They shall also be subject to the requirements of the Canaan Township Junkyard Ordinance, as amended.

§ 125-29. Reserved

ARTICLE VI - NON-CONFORMING USES, STRUCTURES, AND LOTS

It is the purpose of this Section to limit the injurious impact of non-conforming uses, lots and structures on other adjacent properties within a particular district and the community as a whole, while recognizing that alterations, continuations and extensions of non-conforming uses and/or structures may not be contrary to the public interest or the general purpose of this Zoning Ordinance, when failure to allow such alteration, continuation or extension would itself lead to neighborhood or district deterioration. It is further the purpose of this Section to set forth those standards which are to be applied by the Township in determining the reasonableness of proposals to alter, continue or extend a non-conforming use and to establish when Township review and approval shall be required for such actions. The following are regulations which shall apply to the alteration, continuation or extension of non-conforming uses:

§ 125-30. Normal Maintenance and Repair Activities

Normal maintenance and repair activities, such as painting, replacing a roof or fixing gutters, shall be permitted, as well as alterations (i.e. adding or removing windows) and interior renovations that do not structurally alter buildings.

§ 125-31. Outside Storage

The outside storage or display of retail or wholesale inventory which, in the ordinary course of business would be sold within one year, and increases in the same shall be permitted, junkyards excepted, provided they do not eliminate parking spaces, unoccupied open spaces or accesses which are required by this Ordinance. Notwithstanding this provision, however, the Township Board of Supervisors, in reviewing any conditional use application for expansion or upon determining, with respect to any present use, that a condition exists which requires remedies, may establish limits on such storage or display or require removal of inventory (altogether or to another location on the site) to preserve adequate sight distances and residential buffers or otherwise protect the public health, safety and welfare.

§ 125-32 Changes and Additions

All changes and additions to non-conforming uses, excepting those identified above and accessory uses, shall be considered conditional uses, and permits for alterations, changes in use or additions shall be granted only after a determination by the Township Supervisors that the following conditions have been, or will be, satisfied.

A. Storage of materials. There shall be no expansion in the land area outside a non-conforming facility which is used for storage of materials, supplies and/or products, excepting with respect to those types of uses outlined in Section 125-31 above and Section 125-32.B below.

B. Screening. Where the non-conforming activity is one which necessarily results in the storage of large quantities of material, supplies or products outside (such as a wood products manufacturer), the use may only be expanded if a solid fence of wood and/or a dense evergreen screen, not less than six (6) feet in height, is present on all sides of the immediate area in use. Stored material shall not exceed the height of the screening material and nine (9) feet at the maximum.

C. Yards and setbacks. No addition, change or expansion of a non-conforming use shall further violate setback and/or height regulations of the district in which it is located.

D. Storm water. There shall be no increase in the amount of storm water runoff for the site over what was existing as of the date of the enactment of this Ordinance. The U.S.D.A. Soil Conservation Service, a Professional Engineer or other appropriate professional may be relied on to recommend appropriate measures to control storm water runoff which may be attached as conditions of approval by the Township.

E. Parking and traffic. In no case will a change, addition or expansion of a non-conforming use be allowed which would result in the diversion of traffic, or relocation of a driveway on the site to any point nearer a residence should one be located within 100 feet of the property line, or result in violation of any of the parking and unloading requirements of this Ordinance. If the total number of parking spaces for the site is to be increased more than 25% over those available as of the date of this Ordinance, the Township may require

vegetative screening of the parking area from nearby residential areas.

F. Extension onto other properties. The use may only be expanded or extended onto another property of record if; that property is immediately adjacent to the lot on which the original structure or use was located as of the effective date of this Ordinance or amendments hereto and the use is not one which has been altogether prohibited as a new use under this Ordinance.

G. Prohibited expansions. Should the use proposed for expansion or extension be one which is specifically prohibited as a new use in the Township or is a use judged by the Board of Supervisors with the advice of the Planning Commission to be one similar to such a use or of such a nature as to impose health, safety or welfare concerns which cannot be satisfied by the imposition of the conditions permitted under this Ordinance, the requested expansion or extension shall be denied.

§ 125-33 Re-Establishment, Restoration or Reconstruction

A non-conforming structure use may be re-established within a period of twelve (12) months after it has been discontinued or vacated, with an extension in time allowable where proven necessary. If less than 75% of the floor area of any non-conforming use is damaged, it may be restored or reconstructed within twelve (12) months of the date of the damage, with an extension in time allowable where proven necessary. If more than 75% is affected then the replacement or reconstruction shall be permitted by conditional use permit.

§ 125-34 Existing Lots of Record

A structure may be erected on any existing lot of record, providing the owner does not own adjoining property; no yard is reduced to less than fifty (50) percent of the requirement for the district in which it is located; and a sewage permit can be properly issued.

ARTICLE VII - ADMINISTRATION AND ENACTMENT

§ 125-35. Zoning Officer

It shall be the duty of a Zoning Officer, to be appointed by the Board of Supervisors, to enforce the provisions of this Ordinance. The Zoning Officer shall examine all applications for permits, issue permits for construction and uses which are in accordance with the requirements of this Ordinance, record and file all applications for permits with accompanying plans and documents and make such reports as the Board of Supervisors may require. Permits for construction and uses which are conditional uses shall be issued only upon written order of the Planning Commission and the Board of Supervisors. Permits for construction and uses which are a special exception or a variance to requirements of this Ordinance shall be issued only upon written order of the Zoning Hearing Board. The Zoning Officer shall administer this Ordinance in accordance with its literal terms and shall not have the power to permit any construction or any use or change of use which does not conform to this Ordinance.

§ 125-36. Permits

A. Requirements of Permits. A building and/or zoning permit shall be required prior to the erection, addition, or alteration of any building or portion thereof (including accessory buildings or structures of 200 square feet or more in size) including in-ground swimming pools; prior to the use or change in use of a building or land; and prior to the change or extension of a non-conforming use, accessory uses excluded as provided herein for other uses. It shall be unlawful for any person to commence work for the land use until a permit has been duly issued therefore. No zoning permit and/or building permit shall be required in cases of normal maintenance activities (painting, replacement of siding or new roofing), minor repairs or alterations which do not structurally change a building, structure or change the use. Accessory uses not involving new construction, fences or uses and structures which are less than 200 square feet in size and portable shall also be exempt. In the case of accessory uses and building attachments, however, this shall not exempt one from otherwise conforming with the requirements of this Ordinance.

B. Applications for Permits. All applications for permits shall be accompanied by plot sketch in duplicate, drawn to show the actual shape and dimensions of the lot to be built upon, the exact size and location of any buildings existing on the lot, the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building or part of a building, the number of families or dwelling units the building is designed to accommodate and such information as may be necessary to determine compliance with this Ordinance and all other pertinent ordinances. All applications with accompanying plans and documents shall become a public record after a permit is issued or denied. Applications for uses which also necessitate approvals under the Canaan Township Subdivision and Land Development Ordinance shall be processed in the manner provided for plat approval under that Ordinance. Such applications shall also contain all information or data normally required for a submission under the Canaan Township Subdivision and Land Development Ordinance. A zoning permit shall not be issued until the proposed use has been granted a Preliminary Approval under the Canaan Township Subdivision & Land Development Ordinance.

C. Issuance of Permits. No permit shall be issued until the Zoning Officer has certified that the proposed building, addition or alteration, complies with all the provisions of this Ordinance as well as with all the provisions of other applicable regulations. A permit issued hereunder shall become void twenty-four (24) months after the issuance date if no activity has taken place.

D. Temporary Permit. A temporary permit may be authorized by the Board of Supervisors for a non-conforming structure or use which it deems necessary to promote the proper development of the community, provided that such non-conforming structure or use shall be completely removed upon expiration of the permit for a specified period of time not to exceed one (1) year and may be renewed annually for an aggregate period not exceeding three (3) years.

§ 125-37. Fees

The Board of Supervisors shall establish a uniform schedule of fees, charges and expenses, as well as a collection procedure for zoning permits, special permits, variances and other matters pertaining to this Ordinance. Such fees may be waived by the Board of Supervisors for good cause.

Said schedule of fees shall be posted in the office of the Zoning Officer.

Permits, special exceptions and variances shall be issued only after fees have been paid in full, and the Zoning Hearing Board shall take no action on appeals until preliminary charges have been paid in full.

§ 125-38. Inspection

A. Inspection by the Zoning Officer. It shall be the duty of the Zoning Officer, or his duly appointed representative, to make the following minimum number of inspections on property for which a permit has been issued:

(1) At the beginning of construction: A record shall be made indicating the time and date of the inspection and the finding of the Zoning Officer in regard to conformance of the construction with plans submitted with the application for the building. If the actual construction does not conform to the application, a written notice of the violation shall be issued by the Zoning Officer, and such violation shall be discontinued. Upon proper correction of the violation and receipt of written notice from the Zoning Officer, construction shall proceed.

(2) At the completion of construction: A record shall be made indicating the time and date of the inspection; the findings of the Zoning Officer in regard to the issuance of Certificate of Use Permit.

§ 125-39. Certificate of Use

A. A Certificate of Use shall be a statement issued by the Zoning Officer setting forth either that a building, structure or parcel of land complies with the provisions of this Ordinance; or that a building or structure lawfully may be employed for specified uses under the provisions of this Ordinance, or both.

B No vacant land shall be occupied or used, and no structure or part of a structure, hereafter erected, structurally altered or changed in use shall be occupied or used, until a Certificate of Use shall have been issued therefore by the Zoning Officer.

C. A Certificate of Use, either for the whole or part of a new building or for the alteration of an existing building, shall be applied for co-incidentally with the application for a building permit, and shall be issued within fifteen (15) days after the erection or alteration of such building or part shall have been completed in conformity with the provisions of this Ordinance.

D. A Certificate of Use for the use or occupancy of vacant land or for a change in the use of land, or for a change in the use of an existing building, shall be applied for and issued before any such land shall be occupied or used or such land or building changed in use, and such Certificate shall be issued within fifteen (15) days after application has been made, provided such proposed use is in conformity with the provisions of this Ordinance.

E. A Certificate of Use for changing or extending a non-conforming use, existing at the time of the passage of this Ordinance or of an amendment thereto, shall be applied for and issued before any such non-conforming use shall be changed or extended. Such Certificate shall be issued within fifteen (15) days after application has been made, provided such proposed change or extension is in conformity with the provisions of this Ordinance.

F. A record of all Certificates of Use shall be kept on file in the administrative offices of the Township and a copy shall be furnished on request to any person having a proprietary or tenancy interest in the building or land affected.

§ 125-40. Violations

Failure to comply with any provision of this Ordinance, failure to secure or comply with a decision of the Board of Supervisors or Zoning Hearing Board or the failure to secure a permit, when required, prior to or (when ordered) after the erection, construction, extension, or addition to a building or prior to or after the use or change of use of

land; or failure to secure a Certificate of Use Permit, shall be violations of this Ordinance. When written notice of a violation of any of the provisions of this Ordinance has been served by the Zoning Officer on the owner, occupant and/or contractor, such violation shall be discontinued immediately.

§ 125-41 Penalties and Remedies

It shall be unlawful to erect, construct, reconstruct, alter and maintain or use any building or structure or to use any land in violation of any provisions of this Ordinance or amendment thereto. Any person, partnership or corporation who or which shall violate any of the provisions of this zoning ordinance or prior enabling laws shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than five hundred ($500) dollars. Upon being found liable therefor in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than $500 (plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to Canaan Township.

In case any building, structure, or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of any ordinance the Board of Supervisors or, with the approval of the Board of Supervisors, an officer of the Township, in addition to other remedies, may institute in the name of the Township any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, or land, or to prevent in or about such premises, any act, conduct, business or use constituting a violation.

§ 125-42. Zoning Hearing Board

The Board of Supervisors shall appoint a Zoning Hearing Board, which shall have the number of members of such powers and authority as set forth in Article IX of the Pennsylvania Municipalities Planning Code as enacted or hereafter amended. The duties of the Zoning Hearing Board shall be limited to the following:

A. The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of a valid ordinance or map or any valid rule or regulation governing the action of the Zoning Officer.

B. The Board shall hear challenges to the validity of a Zoning Ordinance or map excepting cases where there has been an alleged defect in the process of enactment or adoption and where a landowner, on substantive grounds, desires to challenge the validity of an ordinance or map or any provision thereof which prohibits or restricts the use or development of land in which he has an interest.

C. The Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant.

D. The Board shall hear and decide requests for special exceptions pursuant to the criteria also applying to conditional uses and outlined in Section 125-44.

E. The Board shall hear other appeals as provided by the Pennsylvania Municipalities Planning Code.

In all its actions, the Zoning Hearing Board shall follow procedures as provided in Article IX and X-A of the Pennsylvania Municipalities Planning Code as amended. The Board may, pursuant to the Municipalities Planning Code, promulgate rules and regulations governing its proceedings.

§ 125-43. Appeals and Notices

An appeal of this Ordinance, appeal of the decision of the Zoning Officer, request for special exception or request for

variance shall be made in writing to the Chairman of the Zoning Hearing Board and shall state:

A. The name and address of the applicant.

B. The name and address of the owner of the real estate to be affected by such proposed special exception, or variance.

C. A brief description and location of real estate to be affected by such proposed change.

D. A statement of the present zoning classification of the real estate in question, the improvements thereon, and the present use thereof.

E. A statement of the section of this Ordinance under which the variance, or special exception requested, may be allowed, and reasons why it should be granted.

F. Any reasonably accurate description of the present improvements, and the additions intended to be made under this application, indicating the size of such proposed improvements, material, and general construction thereof. In addition, there shall be attached a plot plan of the real estate to be affected, as required to accompany applications for building permits, indicating the location and size of the lot, and size of improvements now erected, and proposed to be erected thereon.

If the Zoning Hearing Board finds the appeal or request outside its scope of jurisdiction, it shall return the application for the same to the Zoning Officer for proper processing. Appeals shall otherwise be processed in conformance with the requirements of Article X-A of the Pennsylvania Municipalities Planning Code. Notices, shall be required to be given by the petitioner, in the case of all variances, special exceptions, conditional uses, zoning changes, interpretations or other appeals, to all owners of property within 500 feet of the nearest line of the property for which the action is sought, and to such other property owners as the Chairman of the Zoning Hearing Board or Chairman of the Board of Supervisors may direct. Said notice is to be given by certified mail, return receipt requested, or by personal service to each and every owner.

§ 125-44. Variances

The Zoning Hearing Board shall have the right to authorize such variances from this Ordinance as are permitted under the Pennsylvania Municipalities Planning Code. The Board may grant a variance provided the following findings are made where relevant in a given case:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located;

B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

C. That such unnecessary hardship has not been created by the applicant.

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, not to be detrimental to the public welfare; and

E. That the variance, if authorized, will represent the minimum variance, that will afford relief and will represent the least modification possible of the regulation in issue.

In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of Article VI of the Pennsylvania Municipal Planning Code and the Zoning Ordinance.

§ 125-45. ENACTMENT

Any existing Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance is hereby repealed insofar as the same effects this Ordinance.

This Canaan Township Zoning Ordinance is hereby enacted into law this 2nd day of October, 2002, pursuant to the authority granted under the Pennsylvania Municipalities Planning Code, to be effective five days hereafter.

ATTEST:

Township Secretary

Chairman, Board of Supervisors

Canaan Township Zoning Ordinance - Schedule of District Regulations

DISTRICTS	PRINCIPAL PERMITTED USES	ACCESSORY USES	CONDITIONAL USES	DEVELOPMENT STANDARDS
AG AGRICULTURAL DISTRICT: This district is intended to be an area providing for agricultural uses and and development compatible with such uses, limiting activities that could conflict with farming and establishing lower densities for such activities as are allowed.	All agricultural land uses, buildings and activities including the growing of crops, dairying, and other livestock operations Cemeteries Churches & related activities Conservation subdivisions Essential services Forestry uses (except wood processing operations) Mobile homes Nurseries and greenhouses One-family detached dwellings Parks and playgrounds Public and private schools Public and semi-public uses Stables (riding)	Accessory farm buildings Garages and parking and unloading areas Home occupations, professions and trades Roadside stands for sale of agricultural products produced primarily on the premises. Signs Stables (private) Storage sheds Other accessory uses and structures customarily appurtenant to a principal permitted or conditional use	Campgrounds and RV parks Community buildings, country clubs, lodges and fraternal organizations Eating and drinking places Energy generation facilities Farm or construction machinery sales Hotels, motels and bed and breakfasts Kennels Lawn & garden sales Light industrial uses Mining and excavation Recreation facilities, including golf courses, ski areas, racetracks and other commercial recreation facilities. Self-storage & warehouse uses Shooting ranges Tele-communications facilities Vehicle and equipment sales & service Wood processing operations	Minimum Lot Area: 43,560 sq. ft. Minimum Yards: Front Yard 50 feet Side Yards (both combined) 75 feet Side Yard (one yard) 20 feet Rear Yard 50 feet Minimum Average Lot Width: 150 feet Minimum Average Lot Depth: 200 feet Maximum Lot Coverage: 15% Maximum Building Height: 35 feet* *Farm structures excepted.
RD RURAL DEVELOPMENT DISTRICT: This district is intended to be an area providing for larger scale types of development compatible with a rural environment, allowing the Township to accommodate a wide variety of land uses on with significant flexibility as to location.	All agricultural land uses, buildings and activities including the growing of crops, dairying, and other livestock operations Cemeteries Churches & related activities Conservation subdivisions Essential services Forestry uses (except wood processing operations) Mobile homes Nurseries and greenhouses One-family detached dwellings Parks and playgrounds Public and private schools Public and semi-public uses Stables (riding) Two-family dwellings	Accessory farm buildings Garages and parking and unloading areas Home occupations, professions and trades Roadside stands for sale of agricultural products produced primarily on the premises. Signs Stables (private) Storage sheds Other accessory uses and structures customarily appurtenant to a principal permitted or conditional use	Adult oriented uses Campgrounds and RV parks Community buildings, country clubs, lodges and fraternal organizations Eating and drinking places Energy generation facilities Farm or construction machinery sales Hotels, motels and bed and breakfasts Kennels Lawn & garden sales Light industrial & warehousing uses Mining and excavation Mobile home parks Recreation facilities, including golf courses, ski areas, racetracks and other commercial recreation facilities. Self-storage & warehouse uses Shooting ranges Public and private airports Tele-communications facilities Vehicle and equipment sales & service Wood processing operations	Minimum Lot Area: With Off-Site Sewer & Water 32,670 sq. ft. With Off-Site Sewer or Water 43,560 sq. ft. Without Off-Site Sewer & Water 43,560 sq. ft. Minimum Yards: Front Yard 50 feet Side Yards (both combined) 50 feet Side Yard (one yard) 20 feet Rear Yard 50 feet Minimum Average Lot Width: 150 feet Minimum Average Lot Depth: 200 feet Maximum Lot Coverage: 20% Maximum Building Height: 35 feet* *Farm structures excepted.

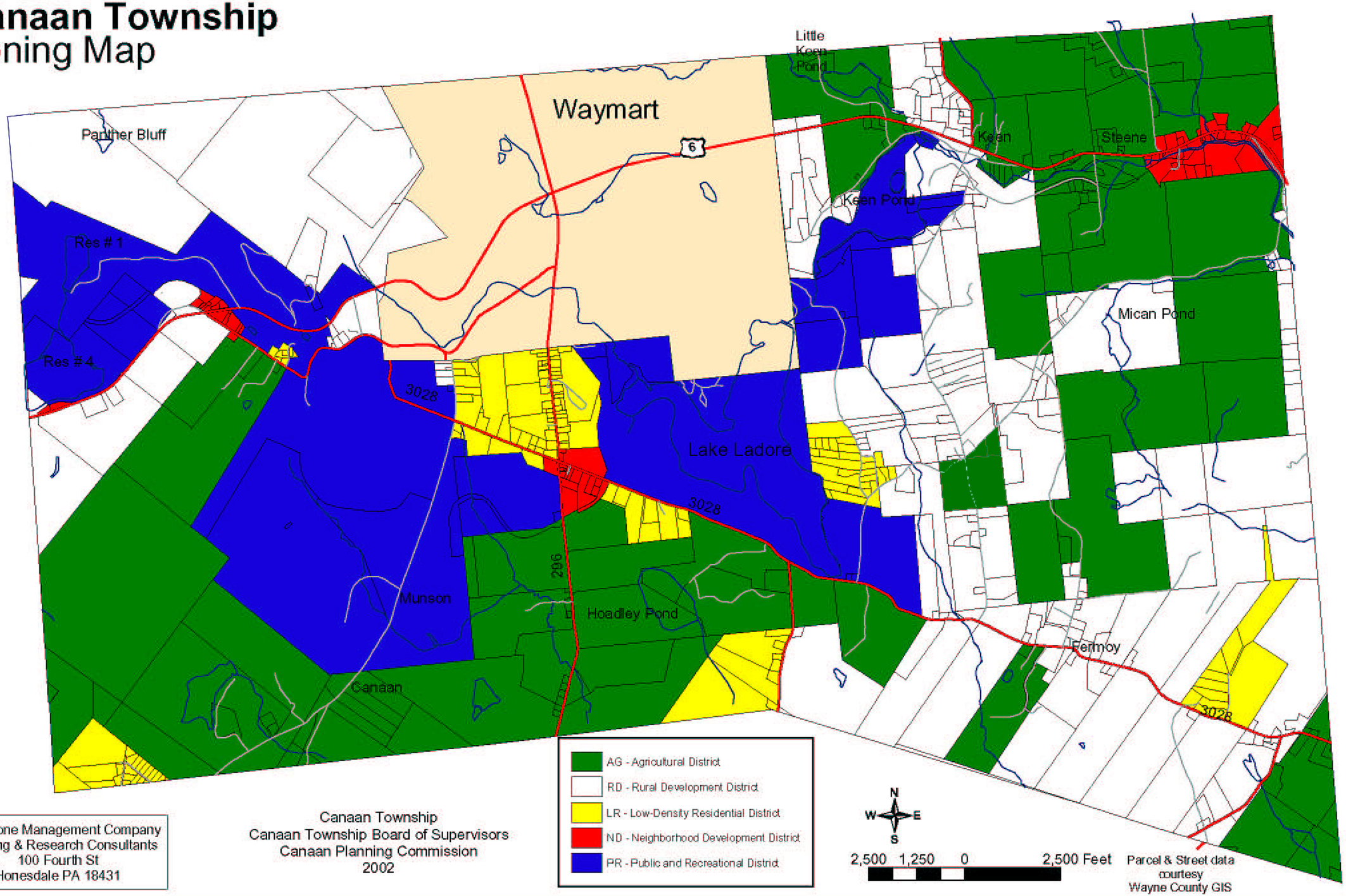
Canaan Township Zoning Ordinance - Schedule of District Regulations

ND NEIGHBORHOOD DEVELOPMENT DISTRICT: This district is intended to provide areas for commercial and other uses of controllable impacts which are compatible with residential activity based on thorough prior evaluation of those impacts. Conditions will be imposed to ensure residences are protected. The combination of uses is intended to provide a quality residential environment while also offering the convenience of readily available services, with the latter being a priority for those residents who choose to make this district their home.	Bed & breakfast facilities Churches & related activities Conservation subdivisions Essential services Forestry uses (except wood processing operations) One-family dwellings Parks and playgrounds Public and semi-public uses Public schools Specialty shops Two-family dwellings	Home occupations, professions and trades Private garages & parking areas Signs Stables (private) Storage sheds Other accessory uses and structures customarily appurtenant to a principal permitted or conditional use	Community buildings, country clubs, lodges and fraternal organizations Eating and drinking places Health service facilities Hotels and motels Multi-family dwelling projects Nurseries and greenhouses Private schools Professional services and offices Retail and service establishments Self-storage & warehouse uses Vehicle and equipment sales & service Wood processing operations	Minimum Lot Area: With Off-Site Sewer & Water 21,780 sq. ft. With Off-Site Sewer or Water 32,670 sq. ft. Without Off-Site Sewer & Water 43,560 sq. ft. Minimum Yards: Front Yard 35 feet Side Yards (both combined) 25 feet Side Yard (one yard) 10 feet Rear Yard 20 feet Minimum Average Lot Width: 100 feet Minimum Average Lot Depth: 100 feet Maximum Lot Coverage: 50% Maximum Building Height: 35 feet
LR LOW-DENSITY RESIDENTIAL DISTRICT: This district is intended to provide safe and healthy living areas for residential use, free from intrusions of incompatible commercial and other uses which could have negative impacts on the welfare of homeowners and tenants. Specifically, this district is intended for a low to medium density development where access to services, while important, is not as critical as maintaining the character of the area.	Bed & breakfast facilities Churches & related activities Conservation subdivisions Forestry uses (except wood processing operations) One-family dwellings Parks and playgrounds Public and semi-public uses Public schools Two-family dwellings Essential services	Home occupations, professions & trades Private garages & parking areas Real estate & home occupation signs Stables (private) Storage sheds Other accessory uses and structures customarily appurtenant to a principal permitted or conditional use	Community buildings, country clubs, lodges and fraternal organizations Multi-family dwellings Private schools Two-family dwellings Private noncommercial outdoor recreation facilities such as tennis clubs and swim clubs	Minimum Lot Area: With Off-Site Sewer & Water 21,780 sq. ft. With Off-Site Sewer or Water 32,670 sq. ft. Without Off-Site Sewer & Water 43,560 sq. ft. Minimum Yards: Front Yard 35 feet Side Yards (both combined) 25 feet Side Yard (one yard) 10 feet Rear Yard 25 feet Minimum Average Lot Width: 100 feet Minimum Average Lot Depth: 100 feet Maximum Lot Coverage: 30% Maximum Building Height: 30 feet

Canaan Township Zoning Ordinance - Schedule of District Regulations

PR PUBLIC INSTITUTIONAL AND RECREATIONAL DISTRICT: This district is intended to provide an area in the Township specifically for private and public institutional and recreational activity as well as other uses that could be compatible therewith.	Churches & related activities Community buildings, country clubs, lodges and fraternal organizations Conservation subdivisions Forestry uses (except wood processing operations) Essential services Public and semi-public uses Stables (riding)	Garages and parking and loading areas Signs Stables (private) Storage sheds Other accessory uses and structures customarily appurtenant to a principal permitted or conditional use	Recreational facilities and resorts Hotels, motels and bed and breakfasts Multi-family dwelling projects of 10 or less dwelling units Restaurants & food-service establishments, not including drive-in or fast-food establishments Professional services and office buildings Private schools	Minimum Lot Area: With Off-Site Sewer & Water 21,780 sq. ft. With Off-Site Sewer or Water 32,670 sq. ft. Without Off-Site Sewer & Water 43,560 sq. ft. Minimum Yards: Front Yard 50 feet Side Yards (both combined) 50 feet Side Yard (one yard) 25 feet Rear Yard 50 feet Minimum Average Lot Width: 150 feet Minimum Average Lot Depth: 200 feet Maximum Lot Coverage: 10% Maximum Building Height: 35 feet

Canaan Township
Zoning Map



Parcel & Street data courtesy Wayne County GIS

Shepstone Management Company
Planning & Research Consultants
100 Fourth St
Honesdale PA 18431

Canaan Township
Canaan Township Board of Supervisors
Canaan Planning Commission
2002

Canaan Township Dog Ordinance

An Ordinance of Canaan Township defining disturbing of the peace and establishing requirements, pursuant to §1506, §1527, §1529 and §1530 of the Second Class Township Code, for the control of nuisances and the restraining of dogs from running at large within the Township limits and prescribing penalties for violations.

§ 10-01. General Restrictions.

A. It shall be unlawful for any owner of any dog in Canaan Township to permit or allow such dog to:

(1) Run at large other than on premises owned or operated by the owner, unless it is accompanied by its owner or a responsible person able to control it by command. For the purpose of this chapter, a dog or dogs hunting in company of a hunter or hunters shall be consider as accompanied by its owner, and a dog or dogs performing farm or livestock duties shall be considered as accompanied by its owner.

(2) Engage in habitual loud howling, barking, crying or whining or conduct itself in such a manner so as to unreasonably and habitually disturb the comfort or repose of any person other than the owner of such dog. (See also § 10-03 hereof.)

(3) Uproot, dig or otherwise damage any vegetables, lawns, flowers, garden beds or other property not belonging to the owner of such dog.

(4) Chase, jump upon or at or otherwise harass any person in such a manner as to reasonably cause intimidation or fear or to put such person in reasonable apprehension of bodily harm or injury.

(5) Habitually chase, run alongside or bark at motor vehicles while on a public street or highway or upon public or private property other than the property of the owner or harborer of said dog.

(6) Create a nuisance by defecating, urinating or digging on public property or private property other than the property of said owner.

B. Establishment of the fact or facts that the owner of a dog has allowed or permitted such dog to commit any of the acts prohibited by Subsection A of this section shall be presumptive evidence against the owner or harborer of such dog that he has failed to properly confine or control his dog.

§ 10-02. Limitations on numbers of dogs harbored.

It shall be unlawful to keep more than six (6) dogs of six (6) months of age or more on any property, regardless of the number of owners, unless there is minimum of 10,000 square feet of lot area per dog and a license has been obtained from Canaan Township to operate a kennel on said premises. Kennels shall be located a minimum of three-hundred (300) feet from any adjoining property line and in granting a license the Township Board of Supervisors shall be authorized to impose special setbacks, buffers and other measures to limit noise, odor, water pollution and other impacts on adjacent properties. No kennel shall be operated on any property which lacks a full-time manager or resident manager to deal with problems of noise and other impacts on adjoining properties. All existing kennels shall be required to comply with the operational requirements of this Ordinance and make application for a license to operate a kennel, which application shall be made within thirty (30) days of the effective date of this Ordinance. Applications shall be accompanied by a fee of $100, which amount may be amended from time to time by resolution of the Board of Supervisors. A license shall be good for twelve (12) months and may be renewed by the Board of Supervisors pending an inspection to determine that all operational standards continue to be met. A license may be revoked at any time if such standards are not being met, provided the owner has been given a warning and opportunity to remedy any problems, and no party shall operate a kennel without such license.

Canaan Township Dog Ordinance

§ 10-03. Limitations on dog barking.

A. Disturbing the peace.

It shall be unlawful to own, harbor or keep in custody any dog that disturbs the peace by barking between the hours of 7 AM and 9 PM for more than one-half (1/2) hour or between 9 PM and 7 AM barking for more than five (5) minutes. Such behavior shall be deemed to disturb the peace and create a nuisance by causing the annoyance and discomfort of persons in Canaan Township.

B. Warning procedure.

(1) Any resident of the Township may request, in writing, that the Board of Supervisors warn any person who shall own, harbor or keep in custody any dog which disturbs the peace by barking.

(2) Any such request shall identify the owner of the premises, the keeper or custodian of the dog and the name and address of the person making the request. Upon receipt of such request the Board of Supervisors or their designated agent shall investigate the complaint and, upon satisfaction that there is probably cause that such complaint is valid, shall give the owner, keeper or custodian of the dog a warning.

(3) The warning shall consist of personal delivery of a copy of these provisions to such owner, keeper or custodian, or to someone in their household, or by mailing a copy of these provisions if the violator resides outside of Canaan Township, together with a written notice that no further warning shall be given and that any future complaints shall be prosecuted according to law.

(4) A violation of this provision shall be deemed to have occurred upon a second or subsequent violation of § 10-03.A above which occurs after the date of delivery of the aforesaid warning.

§ 10-04. Violations

Any person violating the provisions of this Ordinance shall be subject to a fine of not more than Three Hundred ($300.00) dollars and costs of prosecution, and, in default of payment of said fine and costs, to imprisonment for not more than thirty (30) days. Each day of violation shall be considered a separate violation. Such proceeding shall be enforced by summary proceeding brought in the name of Canaan Township before a Pennsylvania District Justice having appropriate jurisdiction. Responsibility for enforcement of this Ordinance shall rest with such official as may be designated by resolution of the Canaan Township Board of Supervisors or, in the absence of such designation, with any peace officer or officer of the court. The Township Board of Supervisors shall also be authorized to pursue such civil remedies as may be available under Commonwealth law including securing of an injunction to enjoin a property owner or other violator from continuing a violation or engaging in action that would consitute a violation.

§ 10-05. Waivers

The Township Board of Supervisors may, by resolution and for good cause, waive any of the requirements contained herein or establish classes of exemption.

§ 10-06. Separability

If any section, paragraph, clause or provision of this Ordinance be held invalid, the validity thereof shall not affect any of the other provisions of this Ordinance.

§ 10-07. Repeal

The enactment of this Ordinance shall serve as a repeal of any other Ordinance inconsistent herewith.

Canaan Township Dog Ordinance

§ 10-08. Effective Date

The Ordinance shall be effective five (5) days from the date of adoption.

ENACTED AND ORDAINED INTO LAW THIS 1st DAY OF MARCH, 2000 BY THE BOARD OF SUPERVISORS OF CANAAN TOWNSHIP, WAYNE COUNTY, PENNSYLVANIA

ATTEST:

_____ _____

Township Secretary

_____

_____

Board of Supervisors

Canaan Township Junkyard Ordinance

An ordinance establishing regulations governing the operation of junkyards in Canaan Township.

Be it enacted by the Board of Supervisors of Canaan Township, Wayne County, Pennsylvania as follows:

§ 20-01 Purpose.

This ordinance is enacted for the purpose of establishing minimum health and safety standards for junkyards in Canaan Township. It is further intended to control their location so as to limit incompatibility with other activities. All new junkyards shall also be considered land developments and be subject to the Canaan Township Subdivision and Land Development Ordinance. The regulations contacted are enacted pursuant to the authority granted by the Commonwealth of Pennsylvania in Sections 1506, 1529 and 1532(4) of the Second Class Township Code.

§ 20-02 Jurisdiction and Scope.

This ordinance shall apply to all junkyards now existing or hereafter proposed in Canaan Township. No junkyard shall be created except in conformance with the standards herein, and all junkyards shall be required to conform to said standards or be removed at the owner's expense.

The following land uses shall be exempt from the requirements of this Ordinance provided they are not maintained in the manner of a junkyard and do not include a junkyard operation:

A. Storage areas for officially recognized and operable antique or classic automobiles or other operable special purpose vehicles.

B. Operable agricultural equipment that is utilized as part of an active farming operation or operable contractors' construction equipment that is part of an active contracting business.

C. Automobile repair businesses or automobile, vehicle and equipment sales operations managed by State licensed dealers.

No right to establish or continue a junkyard operation shall be conveyed by the existence of a State license or the presence of any of the above activities on a site.

§ 20-03 Definitions.

The term "junkyard" shall, for purposes of this Ordinance, be considered synonymous with "salvage yard." These terms shall be interpreted and are hereby defined as follows:

A. An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used materials, including but not limited to wastepaper, rags, metal, glass, building materials, house furnishings, machines, vehicles or parts thereof, with or without the dismantling, processing, salvage, sale or other disposition of the same.

B. Any place where two (2) or more old, secondhand, abandoned, partially disassembled, dilapidated or unlicensed vehicles or parts of vehicles, no longer intended or in condition for legal operation on the public highways, are stored outside for any purpose for a period of six (6) months or more. The Canaan Township Board of Supervisors(s) shall determine when a vehicle or part thereof shall meet these conditions and it shall be the burden of the landowner in such instance to demonstrate conclusively, within a period of ten (10) days after notice, that a vehicle is legally operable at the present time if he or she shall disagree with the Board of Supervisors' determination.

§ 20-04 License Required.

A. No person, partnership, association or corporation, being the owner or occupant of any land within Canaan Township, shall use or allow the use of such land for a junkyard unless a license has been obtained and maintained as herein provided, which license shall be applied for concurrently with application for land development approval pursuant to the Wayne County Subdivision and Land Development Ordinance.

B. The Board of Supervisors of Canaan Township shall issue a license within ten (10) days after approval of the application by the County Planning Commission pursuant to criteria contained herein and the land development criteria contained in the Wayne County Subdivision and Land Development Ordinance. Said license shall be effective from the date of issuance until surrendered by the licensee or revoked by the Code Enforcement for failure to comply with these regulations.

C. No license shall be issued until the Board of Supervisors has received;

(1) A written application from the applicant on the form provided by the Township Board of Supervisors.

(2) The required fee as herein provided. Such fees shall be set by resolution of the Board of Supervisors.

D. The license may be transferred to a new owner of a junkyard provided all of the requirements of this Ordinance are met and provided the Township is so notified.

E. Any disprovals shall be in writing and include the reasons therefore. The Board of

Supervisors shall not issue a license in any instance where the Planning Commission has not approved the land development.

F. The Board of Supervisors shall enforce all of the provisions of this Ordinance and shall have the right, at all reasonable times, to enter and inspect any junkyard.

G. If the Board of Supervisors finds that a junkyard for which a license has been issued, is not being operated in accordance with the provisions of this Ordinance, he may serve, personally or by certified mail to the holder of the license, a written order which will require the holder of the license to correct the conditions specified in such order within fourteen (14) days after the service of such order. The Board of Supervisors shall, for purposes of determining compliance with this Ordinance, be authorized to make periodic inspections of all junkyards and shall be provided entry to accomplish that task. The Board of Supervisors shall specify the frequency of such inspections and set fees to cover costs involved.

H. If the holder of such license shall refuse or fail to correct the condition or conditions specified in such order within fourteen (14) days after the service of such order, the Board of Supervisors may suspend or revoke such license and the holder of the license shall thereupon terminate the operation of such junkyard.

I. Any license which is not used for the purpose intended within one (1) years of the date of issuance shall automatically expire.

J. Junkyard owners shall be required to renew licenses every year. Information required for renewal, however, shall be limited to ownership data, the number of vehicles stored on site, copies of State and other permits required and evidence regarding compliance with previously established conditions of site plan approval and/or license issuance. An inspection of the junkyard premises by the Township Board of Supervisors and/or other Township officials shall be made to ascertain compliance with these regulations and the license requirements as a condition of renewal. The Board of Supervisors shall establish fees for license renewals.

K. The Board of Supervisors may require performance bonds to secure the continued compliance with the standards herein, such bonds to be limited to the Township Engineer's estimate of the costs associated therewith with a 10% per year escalation clause where the bond is intended to cover a multiyear construction period.

§ 20-05 Standards Applicable to New Junkyards.

All new junkyards shall conform to the following standards:

Canaan Township Junkyard Ordinance

A. If a junkyard is to be located adjacent to a federal aid primary highway, it shall comply with all regulations of the Federal Highway Administration and the Pennsylvania Department of Transportation and provide evidence of the same to Canaan Township.

B. New junkyards shall be located no closer than five-hundred (500) feet to an existing public right-of-way or five-hundred (500) feet to any adjoining property.

C. Junkyards shall comply in all respects with the provisions of the Canaan Township Zoning Ordinance and be limited to RD Rural Development Districts as provided therein. Junkyards shall be considered Conditional Uses.

D. All new junkyards must erect and maintain a eight (8) foot fence or dense natural screening along the boundaries of the property adequate to discourage the entrance of children or others into the area and to contain, within such fence, all materials in which the owner or operator deals. Such fence or screening shall also substantially screen the junkyard from public view.

E. No new junkyard or portion of a new junkyard shall be located on a slope exceeding twelve percent (12%) in grade or so situated on a bluff as to be not screenable (visible from an adjacent public highway or residence located above or below the level of the junkyard).

F. No junkyard shall be used as a dumping area for refuse or as a place for the burning or disposal of trash.

G. All dismantling operations with regard to new junkyard operations shall take place inside an enclosed structure and any parts of vehicles or equipment shall similarly be stored inside an enclosed structure. All vehicles awaiting dismantling or retained for sale or use intact shall be stored in improved parking areas specifically designated for this purpose.

H. The Board of Supervisors, in acting upon the license application for any new junkyard, shall specifically consider aesthetics and the impacts on surrounding property, among other factors.

I. All materials stored in new junkyards shall be maintained within buildings or on hard surfaces to avoid grass fire hazards.

J. A cleared fire lane of no less than twenty-five (25) feet shall be maintained through or around the entire perimeter of any new junkyard to facilitate access by firefighting equipment.

K. No hazardous wastes shall be stored within any junkyard and all hazardous materials shall be stored in approved containers meeting fire standards. The local fire company shall be made aware of any such materials and their location onsite. Evidence of the same may be required by the Township Board of Supervisors at any time.

L. Junkyards shall not be extended within two-hundred (200) feet of any stream, lake or pond.

M. Vehicles shall be not be stacked more than two high or, if crushed, six (6) feet high.

O. All fuel and other liquids shall be drained from any vehicle prior to storage or disposal and no more than ten (10) gallons of waste oil or fuel shall be stored on site except in approved containers.

§ 20-06 Standards Applicable to Existing Junkyards.

All existing junkyards shall conform to the following standards:

A. Existing nonconforming junkyards shall, within a period of ninety (90) days following the effective date of this ordinance, be removed unless a license shall have been obtained for continued operation and the facility has been made to conform to the regulations provided below, excepting that existing junkyards with approved licenses and site plans shall have a period of three (3) years to comply with the regulations following, provided a specific schedule for the same has been approved by the Township and met by the applicant.

B. Applications for licenses to continue operating existing nonconforming junkyards shall, unless the owners thereof have indicated in writing their intention to discontinue operations as provided above, be made within six (6) months following the effective date of this ordinance.

C. Applications for licenses to continue operation of existing nonconforming junkyards shall include a professionally prepared site plan depicting the existing operation and any planned improvements as may be required by this ordinance. The Board of Supervisors may require additional detail in the event a site plan offers insufficient detail to determine conformance with these regulations.

D. The plan shall comply with the operational requirements (as opposed to design or development standards) applicable to new junkyards to the maximum extent practical and shall include provisions for screening of the view of the junkyard from adjacent property as well as the public highway. A six (6) foot high fence or vegetative screen of planted or natural materials along the side and rear boundaries of the property adequate to discourage the entrance of children or others into the area and to contain, within such fence, all

materials in which the owner or operator deals shall be required unless physical circumstances would make such fencing wholly impractical or unnecessary.

E. All fencing must be approved by Canaan Township Board of Supervisors and produce a screen through which one generally cannot see and children cannot enter. Dense evergreen screening shall be preferred and may be required in combination with other fencing. The Board of Supervisors shall be responsible for taking measures, including securing injunctive relief, to ensure maintenance of such fencing or screening.

F. The license application and site plan for the existing nonconforming junkyard shall be processed by the Township Board of Supervisors in a manner identical to that for land development applications under the Canaan Township Subdivision and Land Development Ordinance and shall include other information as may be required to determine compliance with this ordinance. The Board of Supervisors, in acting upon the application, may consult with the Canaan Township Planning Commissions, however, and shall consider the following:

(1) The impacts of the use on the enjoyment and use of adjoining properties as well as the community as a whole.

(2) The degree to which the use can economically be made to comply with requirements for new junkyards.

(3) The effectiveness of screening available or to be provided, visibility from the highway and the extent to which the operator's plans address various health, safety and aesthetic concerns.

(4) Whether or not vehicles awaiting dismantling or retained for sale or use intact are or will be stored in improved parking areas specifically designated for this purpose.

G. Existing junkyards that are made to comply with the above requirements, continue to meet all licensing standards and for which the owners have implemented approved site plans may be expanded within the bounds of the existing parcels on which they are located but not onto new properties or new land area unless the requirements applicable to new junkyards are fully met. No change in the licensed area of an existing junkyard that would lessen its conformity with these regulations or with approved site plans shall be permitted. The Board of Supervisors may also waive license renewal fees for owners of existing junkyards who offer specific evidence of progress in the implementation of approved site plans and meeting of the regulations contained herein.

H. No junkyard shall be used as a dumping area for refuse or as a place for the burning or

disposal of trash.

§ 20-07 Site Plans, Notifications and Fees.

A. Any person or persons proposing to establish or expand a junkyard in Canaan Township shall prepare site plans of the same to be submitted to the Canaan Township Planning Commission under the land development procedures of the Canaan Township Subdivision and Land Development Ordinance. They shall be in sufficient detail to document compliance in every respect with the standards of this ordinance as well.

B. Existing junkyards shall be identified and notified of any non-conformities with this ordinance within sixty (60) days of the effective date of this ordinance. The Canaan Township Board of Supervisors shall be responsible for this procedure and shall, additionally, inform all owners of existing nonconforming junkyards of the action which must be taken to comply with this ordinance, the time available to take those actions and the consequences of violations.

C. The Board of Supervisors may establish and, from time to time, revise a fee schedule for junkyard plan submissions.

§ 20-08 Variation of Standards.

Variations to the standards contained herein may be approved by the Board of Supervisors upon recommendation of the Canaan Township Planning Commissions to accommodate unusual site conditions.

§ 20-09 Penalties for Offenses.

A. Any person, partnership, association or corporation who violates any provision of this ordinance shall be guilty of an offense against this ordinance and subject to a fine of not more than five-hundred ($500) dollars. Each day of continued violation after notice thereof shall constitute a separate and distinct violation.

B. In addition to the above-provided penalties, the Board of Supervisors may also maintain an action or proceeding in the name of the township in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of any portion of this ordinance.

§ 20-10 Severability.

Should any section of provisions of this ordinance be decided by the courts to be

unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

§ 20-11 Repeal.

This ordinance shall completely repeal Canaan Township Ordinance No. 103 pertaining to junk dealers and scrap yards and all amendments thereto adopted from December 30, 1969 to present day.

§ 20-12 Effective Date.

This ordinance shall be effective October 7, 2002.

ENACTED AND ORDAINED INTO LAW THIS 2ND DAY OF OCTOBER, 2002 BY THE BOARD OF SUPERVISORS OF CANAAN TOWNSHIP, WAYNE COUNTY, PENNSYLVANIA

ATTEST:

_____ _____

Township Secretary

_____

_____

Board of Supervisors

Table DP-1. Profile of General Demographic Characteristics: 2000

Geographic area: Canaan township, Wayne County, Pennsylvania

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Subject	Number	Percent
Total population	**1,916**	**100.0**
SEX AND AGE		
Male	1,523	79.5
Female	393	20.5
Under 5 years	38	2.0
5 to 9 years	62	3.2
10 to 14 years	61	3.2
15 to 19 years	50	2.6
20 to 24 years	68	3.5
25 to 34 years	361	18.8
35 to 44 years	567	29.6
45 to 54 years	365	19.1
55 to 59 years	106	5.5
60 to 64 years	89	4.6
65 to 74 years	101	5.3
75 to 84 years	38	2.0
85 years and over	10	0.5
Median age (years)	40.2	(X)
18 years and over	1,721	89.8
Male	1,424	74.3
Female	297	15.5
21 years and over	1,698	88.6
62 years and over	199	10.4
65 years and over	149	7.8
Male	93	4.9
Female	56	2.9
RACE		
One race	1,916	100.0
White	1,374	71.7
Black or African American	396	20.7
American Indian and Alaska Native	1	0.1
Asian	12	0.6
Asian Indian	2	0.1
Chinese	4	0.2
Filipino	1	0.1
Japanese	-	-
Korean	-	-
Vietnamese	2	0.1
Other Asian [1]	3	0.2
Native Hawaiian and Other Pacific Islander	-	-
Native Hawaiian	-	-
Guamanian or Chamorro	-	-
Samoan	-	-
Other Pacific Islander [2]	-	-
Some other race	133	6.9
Two or more races	-	-
Race alone or in combination with one or more other races: [3]		
White	1,374	71.7
Black or African American	396	20.7
American Indian and Alaska Native	1	0.1
Asian	12	0.6
Native Hawaiian and Other Pacific Islander	-	-
Some other race	133	6.9

Subject	Number	Percent
HISPANIC OR LATINO AND RACE		
Total population	**1,916**	**100.0**
Hispanic or Latino (of any race)	136	7.1
Mexican	3	0.2
Puerto Rican	61	3.2
Cuban	1	0.1
Other Hispanic or Latino	71	3.7
Not Hispanic or Latino	1,780	92.9
White alone	1,372	71.6
RELATIONSHIP		
Total population	**1,916**	**100.0**
In households	811	42.3
Householder	309	16.1
Spouse	198	10.3
Child	254	13.3
Own child under 18 years	179	9.3
Other relatives	30	1.6
Under 18 years	13	0.7
Nonrelatives	20	1.0
Unmarried partner	12	0.6
In group quarters	1,105	57.7
Institutionalized population	1,105	57.7
Noninstitutionalized population	-	-
HOUSEHOLD BY TYPE		
Total households	**309**	**100.0**
Family households (families)	237	76.7
With own children under 18 years	102	33.0
Married-couple family	198	64.1
With own children under 18 years	76	24.6
Female householder, no husband present	19	6.1
With own children under 18 years	12	3.9
Nonfamily households	72	23.3
Householder living alone	59	19.1
Householder 65 years and over	33	10.7
Households with individuals under 18 years	111	35.9
Households with individuals 65 years and over	89	28.8
Average household size	2.62	(X)
Average family size	3.03	(X)
HOUSING OCCUPANCY		
Total housing units	**369**	**100.0**
Occupied housing units	309	83.7
Vacant housing units	60	16.3
For seasonal, recreational, or occasional use	37	10.0
Homeowner vacancy rate (percent)	0.7	(X)
Rental vacancy rate (percent)	5.1	(X)
HOUSING TENURE		
Occupied housing units	**309**	**100.0**
Owner-occupied housing units	272	88.0
Renter-occupied housing units	37	12.0
Average household size of owner-occupied units	2.72	(X)
Average household size of renter-occupied units	1.95	(X)

- Represents zero or rounds to zero. (X) Not applicable.

[1] Other Asian alone, or two or more Asian categories.

[2] Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.

[3] In combination with one or more of the other races listed. The six numbers may add to more than the total population and the six percentages may add to more than 100 percent because individuals may report more than one race.

Source: U.S. Census Bureau, Census 2000.

Table DP-2. Profile of Selected Social Characteristics: 2000

Geographic area: Canaan township, Wayne County, Pennsylvania

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent
SCHOOL ENROLLMENT		
Population 3 years and over enrolled in school	**224**	**100.0**
Nursery school, preschool	11	4.9
Kindergarten	12	5.4
Elementary school (grades 1-8)	90	40.2
High school (grades 9-12)	89	39.7
College or graduate school	22	9.8
EDUCATIONAL ATTAINMENT		
Population 25 years and over	**1,612**	**100.0**
Less than 9th grade	144	8.9
9th to 12th grade, no diploma	449	27.9
High school graduate (includes equivalency)	714	44.3
Some college, no degree	169	10.5
Associate degree	52	3.2
Bachelor's degree	46	2.9
Graduate or professional degree	38	2.4
Percent high school graduate or higher	63.2	(X)
Percent bachelor's degree or higher	5.2	(X)
MARITAL STATUS		
Population 15 years and over	**1,784**	**100.0**
Never married	551	30.9
Now married, except separated	705	39.5
Separated	141	7.9
Widowed	41	2.3
Female	22	1.2
Divorced	346	19.4
Female	34	1.9
GRANDPARENTS AS CAREGIVERS		
Grandparent living in household with one or more own grandchildren under 18 years	**16**	**100.0**
Grandparent responsible for grandchildren	8	50.0
VETERAN STATUS		
Civilian population 18 years and over	**1,750**	**100.0**
Civilian veterans	360	20.6
DISABILITY STATUS OF THE CIVILIAN NONINSTITUTIONALIZED POPULATION		
Population 5 to 20 years	**161**	**100.0**
With a disability	13	8.1
Population 21 to 64 years	**490**	**100.0**
With a disability	81	16.5
Percent employed	51.9	(X)
No disability	409	83.5
Percent employed	80.2	(X)
Population 65 years and over	**120**	**100.0**
With a disability	36	30.0
RESIDENCE IN 1995		
Population 5 years and over	**1,890**	**100.0**
Same house in 1995	712	37.7
Different house in the U.S. in 1995	1,086	57.5
Same county	440	23.3
Different county	646	34.2
Same state	570	30.2
Different state	76	4.0
Elsewhere in 1995	92	4.9

Subject	Number	Percent
NATIVITY AND PLACE OF BIRTH		
Total population	**1,918**	**100.0**
Native	1,843	96.1
Born in United States	1,783	93.0
State of residence	1,387	72.3
Different state	396	20.6
Born outside United States	60	3.1
Foreign born	75	3.9
Entered 1990 to March 2000	27	1.4
Naturalized citizen	23	1.2
Not a citizen	52	2.7
REGION OF BIRTH OF FOREIGN BORN		
Total (excluding born at sea)	**75**	**100.0**
Europe	14	18.7
Asia	15	20.0
Africa	-	-
Oceania	-	-
Latin America	40	53.3
Northern America	6	8.0
LANGUAGE SPOKEN AT HOME		
Population 5 years and over	**1,890**	**100.0**
English only	1,760	93.1
Language other than English	130	6.9
Speak English less than "very well"	54	2.9
Spanish	84	4.4
Speak English less than "very well"	39	2.1
Other Indo-European languages	44	2.3
Speak English less than "very well"	15	0.8
Asian and Pacific Island languages	-	-
Speak English less than "very well"	-	-
ANCESTRY (single or multiple)		
Total population	**1,918**	**100.0**
Total ancestries reported	*999*	*52.1*
Arab	-	-
Czech[1]	4	0.2
Danish	-	-
Dutch	5	0.3
English	134	7.0
French (except Basque)[1]	10	0.5
French Canadian[1]	-	-
German	183	9.5
Greek	-	-
Hungarian	-	-
Irish[1]	137	7.1
Italian	70	3.6
Lithuanian	6	0.3
Norwegian	9	0.5
Polish	154	8.0
Portuguese	-	-
Russian	27	1.4
Scotch-Irish	3	0.2
Scottish	13	0.7
Slovak	16	0.8
Subsaharan African	-	-
Swedish	2	0.1
Swiss	2	0.1
Ukrainian	9	0.5
United States or American	70	3.6
Welsh	33	1.7
West Indian (excluding Hispanic groups)	-	-
Other ancestries	112	5.8

-Represents zero or rounds to zero. (X) Not applicable.

[1]The data represent a combination of two ancestries shown separately in Summary File 3. Czech includes Czechoslovakian. French includes Alsatian. French Canadian includes Acadian/Cajun. Irish includes Celtic.

Source: U.S. Bureau of the Census, Census 2000.

Table DP-3. Profile of Selected Economic Characteristics: 2000

Geographic area: Canaan township, Wayne County, Pennsylvania

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent
EMPLOYMENT STATUS		
Population 16 years and over	**1,780**	**100.0**
In labor force	438	24.6
Civilian labor force	438	24.6
Employed	419	23.5
Unemployed	19	1.1
Percent of civilian labor force	4.3	(X)
Armed Forces	-	-
Not in labor force	1,342	75.4
Females 16 years and over	**318**	**100.0**
In labor force	202	63.5
Civilian labor force	202	63.5
Employed	198	62.3
Own children under 6 years	**44**	**100.0**
All parents in family in labor force	30	68.2
COMMUTING TO WORK		
Workers 16 years and over	**416**	**100.0**
Car, truck, or van - - drove alone	340	81.7
Car, truck, or van - - carpooled	36	8.7
Public transportation (including taxicab)	2	0.5
Walked	25	6.0
Other means	4	1.0
Worked at home	9	2.2
Mean travel time to work (minutes)[1]	19.3	(X)
Employed civilian population 16 years and over	**419**	**100.0**
OCCUPATION		
Management, professional, and related occupations	98	23.4
Service occupations	77	18.4
Sales and office occupations	91	21.7
Farming, fishing, and forestry occupations	12	2.9
Construction, extraction, and maintenance occupations	47	11.2
Production, transportation, and material moving occupations	94	22.4
INDUSTRY		
Agriculture, forestry, fishing and hunting, and mining	27	6.4
Construction	28	6.7
Manufacturing	45	10.7
Wholesale trade	12	2.9
Retail trade	67	16.0
Transportation and warehousing, and utilities	31	7.4
Information	10	2.4
Finance, insurance, real estate, and rental and leasing	11	2.6
Professional, scientific, management, administrative, and waste management services	15	3.6
Educational, health and social services	98	23.4
Arts, entertainment, recreation, accommodation and food services	30	7.2
Other services (except public administration)	19	4.5
Public administration	26	6.2
CLASS OF WORKER		
Private wage and salary workers	313	74.7
Government workers	48	11.5
Self-employed workers in own not incorporated business	53	12.6
Unpaid family workers	5	1.2

Subject	Number	Percent
INCOME IN 1999		
Households	**303**	**100.0**
Less than $10,000	6	2.0
$10,000 to $14,999	20	6.6
$15,000 to $24,999	58	19.1
$25,000 to $34,999	56	18.5
$35,000 to $49,999	58	19.1
$50,000 to $74,999	55	18.2
$75,000 to $99,999	28	9.2
$100,000 to $149,999	14	4.6
$150,000 to $199,999	6	2.0
$200,000 or more	2	0.7
Median household income (dollars)	37,614	(X)
With earnings	254	83.8
Mean earnings (dollars)[1]	45,675	(X)
With Social Security income	95	31.4
Mean Social Security income (dollars)[1]	11,006	(X)
With Supplemental Security Income	6	2.0
Mean Supplemental Security Income (dollars)[1]	6,833	(X)
With public assistance income	2	0.7
Mean public assistance income (dollars)[1]	1,350	(X)
With retirement income	67	22.1
Mean retirement income (dollars)[1]	10,233	(X)
Families	**238**	**100.0**
Less than $10,000	-	-
$10,000 to $14,999	9	3.8
$15,000 to $24,999	41	17.2
$25,000 to $34,999	46	19.3
$35,000 to $49,999	47	19.7
$50,000 to $74,999	47	19.7
$75,000 to $99,999	28	11.8
$100,000 to $149,999	12	5.0
$150,000 to $199,999	6	2.5
$200,000 or more	2	0.8
Median family income (dollars)	41,750	(X)
Per capita income (dollars)[1]	15,460	(X)
Median earnings (dollars):		
Male full-time, year-round workers	21,986	(X)
Female full-time, year-round workers	19,632	(X)

Subject	Number below poverty level	Percent below poverty level
POVERTY STATUS IN 1999		
Families	**5**	**2.1**
With related children under 18 years	5	4.6
With related children under 5 years	-	-
Families with female householder, no husband present	**2**	**8.3**
With related children under 18 years	2	16.7
With related children under 5 years	-	-
Individuals	**25**	**3.1**
18 years and over	17	2.7
65 years and over	2	1.7
Related children under 18 years	8	4.8
Related children 5 to 17 years	8	5.7
Unrelated individuals 15 years and over	10	11.5

-Represents zero or rounds to zero. (X) Not applicable.

[1]If the denominator of a mean value or per capita value is less than 30, then that value is calculated using a rounded aggregate in the numerator. See text.

Source: U.S. Bureau of the Census, Census 2000.

Table DP-4. Profile of Selected Housing Characteristics: 2000

Geographic area: Canaan township, Wayne County, Pennsylvania

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent
Total housing units	**369**	**100.0**
UNITS IN STRUCTURE		
1-unit, detached	283	76.7
1-unit, attached	5	1.4
2 units	17	4.6
3 or 4 units	-	-
5 to 9 units	-	-
10 to 19 units	-	-
20 or more units	-	-
Mobile home	64	17.3
Boat, RV, van, etc	-	-
YEAR STRUCTURE BUILT		
1999 to March 2000	5	1.4
1995 to 1998	21	5.7
1990 to 1994	39	10.6
1980 to 1989	58	15.7
1970 to 1979	86	23.3
1960 to 1969	34	9.2
1940 to 1959	44	11.9
1939 or earlier	82	22.2
ROOMS		
1 room	-	-
2 rooms	-	-
3 rooms	23	6.2
4 rooms	41	11.1
5 rooms	101	27.4
6 rooms	95	25.7
7 rooms	68	18.4
8 rooms	23	6.2
9 or more rooms	18	4.9
Median (rooms)	5.7	(X)
Occupied housing units	**309**	**100.0**
YEAR HOUSEHOLDER MOVED INTO UNIT		
1999 to March 2000	28	9.1
1995 to 1998	49	15.9
1990 to 1994	44	14.2
1980 to 1989	79	25.6
1970 to 1979	45	14.6
1969 or earlier	64	20.7
VEHICLES AVAILABLE		
None	9	2.9
1	70	22.7
2	155	50.2
3 or more	75	24.3
HOUSE HEATING FUEL		
Utility gas	2	0.6
Bottled, tank, or LP gas	30	9.7
Electricity	51	16.5
Fuel oil, kerosene, etc	183	59.2
Coal or coke	14	4.5
Wood	29	9.4
Solar energy	-	-
Other fuel	-	-
No fuel used	-	-
SELECTED CHARACTERISTICS		
Lacking complete plumbing facilities	2	0.6
Lacking complete kitchen facilities	2	0.6
No telephone service	-	-

Subject	Number	Percent
OCCUPANTS PER ROOM		
Occupied housing units	**309**	**100.0**
1.00 or less	303	98.1
1.01 to 1.50	4	1.3
1.51 or more	2	0.6
Specified owner-occupied units	**151**	**100.0**
VALUE		
Less than $50,000	10	6.6
$50,000 to $99,999	63	41.7
$100,000 to $149,999	54	35.8
$150,000 to $199,999	17	11.3
$200,000 to $299,999	7	4.6
$300,000 to $499,999	-	-
$500,000 to $999,999	-	-
$1,000,000 or more	-	-
Median (dollars)	102,400	(X)
MORTGAGE STATUS AND SELECTED MONTHLY OWNER COSTS		
With a mortgage	79	52.3
Less than $300	-	-
$300 to $499	6	4.0
$500 to $699	29	19.2
$700 to $999	26	17.2
$1,000 to $1,499	11	7.3
$1,500 to $1,999	5	3.3
$2,000 or more	2	1.3
Median (dollars)	756	(X)
Not mortgaged	72	47.7
Median (dollars)	239	(X)
SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999		
Less than 15.0 percent	70	46.4
15.0 to 19.9 percent	36	23.8
20.0 to 24.9 percent	25	16.6
25.0 to 29.9 percent	5	3.3
30.0 to 34.9 percent	3	2.0
35.0 percent or more	12	7.9
Not computed	-	-
Specified renter-occupied units	**29**	**100.0**
GROSS RENT		
Less than $200	-	-
$200 to $299	-	-
$300 to $499	19	65.5
$500 to $749	4	13.8
$750 to $999	2	6.9
$1,000 to $1,499	-	-
$1,500 or more	-	-
No cash rent	4	13.8
Median (dollars)	383	(X)
GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME IN 1999		
Less than 15.0 percent	4	13.8
15.0 to 19.9 percent	6	20.7
20.0 to 24.9 percent	7	24.1
25.0 to 29.9 percent	3	10.3
30.0 to 34.9 percent	-	-
35.0 percent or more	5	17.2
Not computed	4	13.8

-Represents zero or rounds to zero. (X) Not applicable.

Source: U.S. Bureau of the Census, Census 2000.