



NORTH WHITEHALL TOWNSHIP ZONING OFFICE

3256 LEVANS ROAD COPLAY PA 18037

PHONE: 610 799 3411

FAX: 610 799 9629

CONDITIONAL USE PROCESS

Certain uses that are permitted by this Ordinance as "Conditional Uses" shall be required to follow the review and zoning approval procedures described below. The following procedures are outlined as per the 2002 North Whitehall Township Zoning Ordinance

1. A conditional use submission shall not be considered officially accepted for review until any needed zoning variance(s) or special exception approval that is directly relevant to the site layout and nature of the use is granted. The applicant may request an informal review by the Planning Commission of a site plan prior to requesting variances or a special exception.
2. A minimum of 17 copies of a site plan complying with the Submission Requirements For Site Plans shall be submitted to the Township. The Zoning Officer shall refuse to officially accept an incomplete application or incomplete site plan which does not provide sufficient information to determine compliance with this Ordinance.
3. Unless these reviews will be separately addressed under the Subdivision and Land Development Ordinance, the applicant shall prior to or within 3 working days after submittal to the Township, submit 1 copy of the site plan to any central water and sewer supplier.
4. The Township shall distribute copies of the site plan to the Planning Commission and the Board of Supervisors. A minimum of 1 copy shall be retained in the Township files. The Township Fire Services should be given an opportunity for a review, if deemed appropriate by the Zoning Officer.
5. The Zoning Officer shall report in writing or in person to the Planning Commission or Board of Supervisors stating whether the proposal complies with this Ordinance. The Zoning Officer may request a review by the Township Engineer.
6. The Planning Commission shall be given an opportunity to review the conditional use application and submit a recommendation to the Board of Supervisors.
7. The Board of Supervisors shall not act to approve or deny a conditional use application unless the supervisors have received the reports from the Zoning Officer and the Planning Commission. Where the Supervisors fail to hold the conditional use hearing within 60 days from the applicant's request for a hearing, the decision shall be deemed to have been in favor of the applicant unless the applicant has agreed in writing or stated on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure by the Supervisors to hold a hearing within the 60 days, North Whitehall Township shall give public notice of this decision within 10 days from the last day it could have rendered a decision in the same manner.

8. The Board of Supervisors shall approve, conditionally approve or disapprove the conditional use submission. In granting a conditional use, the Board of Supervisors may require such reasonable conditions and safeguards (in addition to those expressed in this Ordinance) as it determines are necessary to implement the purposes of this Ordinance. The Board of Supervisors shall approve any proposed conditional use if they find adequate evidence that the proposed use will comply with all of the following:

- A. Any specific standards for the proposed use listed in Sections 402 or 403 of the North Whitehall Township Zoning Ordinance;
- B. Other applicable sections of this Ordinance;
- C. The Subdivision and Land Development Ordinance, as applicable, except that engineering details regarding compliance with such Ordinance may be addressed as part of a subsequent approval under such Ordinance; and
- D. Comply with all of the standards listed in Section 119.C.3 of the North Whitehall Township Zoning Ordinance.

9. The Board of Supervisors shall render a written decision or when no decision is called for, make written findings on the conditional use application within 45 days after the last conditional use hearing before the Supervisors. The written decision shall be served to the applicant by person or mailed to the applicant no later than the day following its date. Where the application is contested or denied, each decision shall be accompanied by Findings of Fact or conclusions based thereon, together with any reasons therefore. Conclusions based on any provisions of PA Municipalities Planning Code or of any township ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found in the hearing. Failure of the Supervisors to render a written decision within the 45 days, the decision shall be rendered in favor of the applicant unless the applicant has agreed to extension of time in writing or on the record. It shall also be the right of any party to this hearing to appeal this decision to a court of competent Jurisdiction.

CONDITIONAL USE FEE----- 1000.00 including one-half of the stenographers cost per meeting. Make the Check Payable to: NORTH WHITEHALL TOWNSHIP

There is also an Escrow Fee that is due upon application.(See current Fee Schedule)



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SUBMISSION REQUIREMENTS FOR SITE PLANS

The following information, shall be submitted by the applicant for any conditional use or special exception along with appropriate and completed application form:

1. A statement describing the proposed use.
2. Layout. A site layout drawn to suitable scale (preferably 1"=50') showing the location, dimensions and area of each lot; the location, dimensions and height of proposed and any existing structures; the required setback areas; the proposed density of residential uses; the location and width of proposed or abutting streets; and the proposed areas to be used for different purposes within the development, including outdoor storage or display areas. If the plan involves one phase of what eventually may be a larger development, then the inter-relationships of those phases shall be shown.
3. Landscaping. The width of any buffer yard and the heights, spacing and general species of plants to be used for screening. General numbers, locations and types of landscaping to be provided in off-street parking lots, along streets and in other areas.
4. Parking The locations and numbers of parking spaces; the location and widths of aisles; the location and sizes of off-street loading areas. The method of calculating the off-street parking requirement, based upon Section 601.
5. Lighting and Signs. The height, location and approximate intensity of exterior lighting. The sign area, height, location and general method of lighting of signs.
6. Sidewalks. The location of any proposed sidewalks (with width) and curbing.
7. Utilities Note stating general proposed method of providing wastewater treatment and water supply (such as "On-Lot Well and On-Lot Septic Services").
8. Nuisances and Safety. A description of any proposed industrial or commercial operations or storage in sufficient detail to indicate potential nuisances and hazards regarding noise, large trucks, glare, air pollution, odors, dust, fire or toxic or explosive hazards or other hazards to the public health and safety; together with a description of proposed methods to control such hazards and nuisances.
9. Grading and Stormwater. Proposed and existing contours if earth disturbance is proposed. Identification of any slopes between 8% and 25% and greater than 25% proposed to be impacted. Proposed method of managing stormwater runoff. See steep slope provisions in Section 505 and the Township's Act 167 Stormwater Ordinances.

Delineation of any floodplains from the Official Federal Emergency Management Agency Floodplain Maps and the delineation of wetlands must be on the plan. Soil types must be also delineated and shown on the plan.

10. Approximate lot lines of abutting lots within 50 feet of the project, with identification of abutting land uses.
11. Zoning district and major applicable requirements.
12. Name and address of the person who prepared the Site Plan, the applicant and the owner of record of the land.
13. Such other data or information as the Zoning Officer deems is reasonably necessary to determine compliance with Township ordinances and/or that is listed on the official Township application form.



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North Whitehall Township Conditional Use Application

Applicant's Name	
Street Address	Conditional Use #
City, State & Zip Code	Advertised Dates
Phone Number	Application Fee
	Date Received (For Official Use Only)

The following is a list of questions designed to assist you and the North Whitehall Township Board of Supervisors in the efficient and speedy review of your Conditional Use Application. Please thoroughly answer all questions which are applicable to your project. If you believe the question does not pertain to your project, please indicate on this form by answering "**Not Applicable**". **All questions must be answered to consider this application form complete.**

A complete site plan must be attached to this application. Please refer to the Submission Requirements For Complete Site Plans. Please return this form to the Zoning Officer when you file your application. Please type or print clearly.

Please complete the following questions:

1. What is the applicant's interest in the premises affected? (i.e. owner, equitable owner, tenant.)

2. If applicant is represented by an attorney or counsel please list their full name, address, phone and fax number.

3. If the property owner is not the applicant, list the full name, address and phone number of the owner.

4. Please provide the requested information about the property involved in this conditional use as described below;

Location:

(Street Address)

Tax Map ID: _____ Lot Sizes: _____

Present Uses: _____ Zoning District: _____

Date of when Present Use began: _____

Date of acquisition of this property by the owner: _____

Please list each structure and it's use currently located on this property:

5. What type of sewage and water facilities are present on the property?
If facilities are not present on this property please refer to question 16.

6. Are there any outstanding state or federal violations cited on this property at the time of this application? _____ If yes, please explain these violations below:

7. Has any previous zoning appeal been filed in connection with this property?

If yes, _____
(List applicants name, date and nature of appeal)

8. Does the applicant intend to file any other type of zoning appeal for this project? _____
If yes, please check the type of zoning appeal sought:

- 1) Variance Appeal _____
- 2) Special Exception Appeal _____
- 3) Interpretation of Zoning Ordinance
- 4) Enforcement Notice Appeal _____
- 5) Other Appeal _____

9. State in narrative form the nature of conditional use including the primary relevant facts intended to be presented to the North Whitehall Township Board of Supervisors. Please include a description of all explosive or toxic materials to be stored on this site. Please reference to your attachment if additional space is needed.

10. What is the exact use proposed for the property? List hours of operation, number and type of employees, business equipment to be used or stored at the site, nature of normal business operations. Please reference to your attachment if additional space is needed.

11. Are additional state, federal or other permits required to operate the proposed use of construct the structure? _____ If yes, please provide the list of permits (and their status) required to operate the proposed use of structure.

12. Describe the landscaping proposed for this project. Please indicate the type of landscaping buffering proposed, if any.

13. What is the character of the buildings and uses on abutting properties and what is the general character of the surrounding neighborhood? Please reference to your attachment if additional space is needed.

14. What will the impact of this use be on existing traffic patterns and volumes and has a traffic study been done which complies with the North Whitehall Township Ordinance for this Conditional Use? Also, please specify the amount of parking spaces and unloading areas as specified in the 1995 North Whitehall Township Zoning Ordinance.

15. What will the impact of this use be on existing stormwater infrastructure? Has a stormwater engineering study been done that complies with Act 167 and has this plan been submitted to Lehigh Valley Planning Commission for their review?

16. What will the impact of this use be on existing sewage or potable water infrastructure? Does this project comply with Act 537 and has the applicant secured DEP Sewage Facilities Planning Module approval? Will this project need municipal water or will individual wells be supplied to each dwelling unit or building? If a private water and sewer system is proposed, please indicate this within this section. An engineering study and plan should be done prior to the submission of this conditional use for sewer and water supplied in order to supply the information needed for the Board of Supervisors to determine conditional use approval. Please reference to your attachment if additional space is needed.

17. What degree will the proposed conditional use emit smoke, dust, odor or other air pollutants, noise, vibration, light, electrical disturbances, water pollutants, or chemical pollutants? Such evidence may include the proposed use of proven special structural or technological Innovations. Please provide specific and detailed Information on all of the aforementioned topics. Please reference to your attachment if additional space is needed.

18. Will the conditional use requested, if authorized, alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use of development of adjacent property, or be detrimental to the public welfare? Please give reasons for your answers to the aforementioned questions by explaining below, (Please reference to your attachment if additional space is needed.)

19. (I) (WE) believe that the Board should approve this request because, (Include the grounds for the conditional use or reasons both with respect to law and fact for granting the conditional use requested. Please reference to your attachment if additional space is needed.)

20. Comments, other relevant information or additional space for answering questions. Please indicate if additional attachments are with this appeal application:

I hereby certify that all of the above statements contained in this application and any papers or plans submitted on behalf of this conditional use to the North Whitehall Township Board of Supervisors herewith are true to the best of my knowledge and belief.

Date _____

(Signature of applicant)