

- (vi.) Celluloid
- (vii.) Chlorine
- (viii.) Hydrochloric Acid
- (ix.) Hydrocyanic Acid
- (x.) Magnesium
- (xi.) Nitric Acid and Oxides of Nitrogen
- (xii.) Petroleum Products (gasoline, fuel oil, etc)
- (xiii.) Phosphorus
- (xiv.) Potassium
- (xv.) Sodium
- (xvi.) Sulfur and Sulfur Products
- (xvii.) Pesticides (including insecticides, fungicides and rodenticides)
- (xviii.) Radioactive substances, insofar as such substances are not otherwise regulated.

1402. VH Village - Historic District

(1.) Purposes

The V-H Village - Historic District is intended to assist in the orderly development of the Boiling Springs Historic Area in which there exists a large number of older structures of historic significance, by permitting conversions or adaptive uses thereof under conditions which will serve to protect the historic and architectural character of the neighborhood. This district is intended to stabilize and improve the existing values inherent in the already built environment and encourage upkeep of existing and development of new properties in keeping therewith. It is further intended to promote the use of properties for residential and compatible trade and service activities.

(2.) General Provisions

General provisions relating to the Village - Historic District are as follows:

- (a) No area within the Village - Historic District shall hereafter be used without full compliance with the terms of this Section and other applicable regulations.
- (b) The Village - Historic District established hereby shall be an overlay on any zoning district(s) now or hereafter enacted to regulate the use of land in South Middleton Township.
 - (i) The Village - Historic District shall have no effect on the permitted uses in the underlying zoning district, except where said uses are intended to be located within the boundaries of the Village - Historic District, as defined herein, and said uses are in conflict with the permitted uses in the Village - Historic District.
 - (ii) In those areas of the Township where the Village - Historic District applies, the requirements of the Village - Historic District, if more restrictive, shall supersede the requirements of the underlying zoning district(s).
 - (iii) Should the Village - Historic District boundaries be changed or eliminated as a result of legislative or administrative actions or judicial decision, the zoning requirements applicable to the area in question shall revert to the requirements of the underlying zoning district(s) without consideration of the provisions relating to the Village - Historic District.
 - (iv) For any parcel or any part thereof on which the Village - Historic District is an overlay, should the underlying zoning classification(s) be changed as a result of legislative or administrative actions or judicial decision, such change(s) in classification shall have no effect on the boundaries of the Village - Historic District, unless an amendment to said boundaries was included as part of the proceedings from which the subsequent change(s) originated.
- (c) The provisions hereof relating to the Village - Historic District shall not repeal, abrogate, or impair any existing easements,

covenants, or deed restrictions. However, where the provisions relating to the Village - Historic District impose greater restrictions, such provisions shall prevail.

(3.) Designation and Interpretation of District Boundary

- (a) The Village - Historic District consists of the historic area of the Village of Boiling Springs, which is delineated and defined on a map(s), which is hereby made a part of this Ordinance.
- (b) Boundary Interpretation and Appeals Procedure.
 - (i) Each application for construction, land development or subdivision containing land within the Village - Historic District shall be submitted in accordance with such other provisions of the Ordinances of South Middleton Township as are applicable thereto. Any area of the Village - Historic District that falls within the subject lot or lots shall be shown on the site plan through shading of such area or areas.
 - (ii) Any party seeking land development and/or subdivision approval in what might be a Village - Historic District shall have the burden to present evidence of the boundaries of the District in the area in question. This presentation must include applicable geographic data with respect to the property and any other pertinent documentation for consideration.

(4.) Permitted Uses in the Village - Historic District

Uses Permitted in the Village - Historic District. The following are the only uses permitted as of right in the Village - Historic District, provided they also are in compliance with the base zoning district and all other provisions of this Ordinance:

- (a) Single-family detached dwellings.
- (b) Two-family detached and single-family semi-detached dwellings.
- (c) Single-family attached dwellings (townhouses).

- (d) Churches and similar places of worship.
 - (e) Government offices.
 - (f) Libraries and community activity buildings.
 - (g) Public schools.
 - (h) Greenways and trails.
 - (i) Municipal Buildings and Services.
 - (j) Customary accessory buildings and uses, except outdoor storage, incidental to any principal permitted use, including advertising signs subject to the provisions of Article XVII of this Ordinance; providing, however, that such signs shall not detract from the general intended purpose of this District.
- (5.) Conditional Uses in accordance with Article XX, Article XVI and the following:

Any of the following uses shall be permitted in the Village - Historic District as a conditional use when approved by the Board of Supervisors, subject to requirements of this Section.

- (a) Private schools such as nursery schools and business colleges.
- (b) Any retail business whose principal activity is the sale of new merchandise in an enclosed building, excepting uses such as the following which tend to detract from or interfere with a high intensity of pedestrian shopping activity: Automobile sales, boat sales, mobile home sales, motorcycle sales.

- (c) Retail sales in which both a workshop and a retail outlet or showroom are required (such as plumbing, electrician, interior decorating, dressmaking, tailoring, upholstering, photographic reproducing, radio and home appliance and similar establishments of no more objectionable character, subject to the following provision: not more than 25 percent of the total usable floor area of the establishment shall be used for servicing, repairing, manufacturing, or processing activities.
 - (d) Restaurants, tearooms, cafes and other establishments serving food and beverages, except those having the character of a "drive-in" type.
 - (e) Bed and Breakfast Inns.
 - (f) Personal services such as barbershops, laundromats, and dry cleaning pickup stations.
 - (g) Enclosed theaters, assembly halls, concert halls, and similar places of assembly or entertainment.
 - (h) Professional offices and banking facilities.
 - (i) Essential Services, excluding cellular telephone towers and other such communication towers and their facilities and accessory buildings.
 - (j) Uses that, in the opinion of the Board of Supervisors are of the same general character as those listed as permitted uses and which will not be detrimental to the intended purpose of this district.
- (6.) Special Exceptions
- (a) Customary Home Occupations in accordance with Section 1609 and Article XXIII.
 - (b) Conversion Apartments subject to Article XVI.
- (7.) Uses and/or Structures Rendered Nonconforming to the Village - Historic District.

Following the effective date of the Ordinance adopting the Village - Historic District, any use or structure which is situated within the boundaries of the Village - Historic District and which does not

conform to the permitted uses specified in Sections 1402 (4.), 1402 (5.) or 1402 (6.) shall become a nonconforming use or structure, regardless of its conformance to the District in which it is located without consideration of the Village - Historic District. The expansion or continuance of said nonconforming use or structure shall be governed by the requirements of Article XXIII of this Ordinance. However, the Zoning Hearing Board shall also ensure that the standards contained in this Section are applied to the expansion or continuance of said nonconforming use or structure.

(8.) Minimum Lot Area and Dimensional Standards

The Village - Historic District shall have the same minimum lot area and dimensional standards as the underlying zoning district(s).

1403. SS Steep Slope Conservation District

(1.) Purposes and General Provisions

The purposes of the establishment and control of the Steep Slope Conservation District are as follows:

- (a.) To promote the public health, safety and welfare by the protection of steep slope areas, which are subject to erosion when disturbed and which exacerbate stormwater run-off problems during and following construction.
- (b.) To permit only those uses of steep slope areas which are compatible with the conservation of natural conditions and which maintain stable soil conditions by (a) minimizing disturbances to vegetative ground covers; and (b) restricting the regrading of steep slope areas.
- (c.) To limit soil erosion, siltation of streams, and damage to private and public property.
- (d.) To protect low-lying areas from flooding by limiting the increase in stormwater run-off caused by grading of sloped areas, changes of ground cover, or the erection of structures.
- (e.) To maintain the ecological integrity of steeply sloped areas that could be adversely affected by disturbances.