

# ZONING ORDINANCE

Snydertown Borough  
Northumberland County, Pennsylvania

Borough Hall Copy

BUCHART-HORN



ZONING ORDINANCE

FOR

SNYDERTOWN BOROUGH

NORTHUMBERLAND COUNTY, PENNSYLVANIA

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## ARTICLE I

### PURPOSE AND JURISDICTION

#### SECTION 100 - TITLE

An ordinance regulating the use of land area, watercourses and water bodies; the size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures; areas and dimensions of land and bodies of water to be occupied by uses and structures, as well as areas, courts, yards and other open spaces and distances to be left unoccupied by uses and structures; and the density of population and intensity of use. This ordinance may be cited as the "Snydertown Borough Zoning Ordinance".

#### SECTION 110 - JURISDICTION

##### 111 - Grant of Power

Section 601 of the Pennsylvania Municipalities Planning Code (Act 247) provides that the governing body of Snydertown Borough may implement a comprehensive plan or accomplish any of the purposes of Act 247 by enacting a zoning ordinance within the municipality.

##### 112 - Applicability

This Ordinance requires that, within Snydertown Borough, in the County of Northumberland and the Commonwealth of Pennsylvania, no land, body of water or structure shall hereafter be used or occupied and no structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all the regulations and procedures herein specified for the district in which such land, body of water or structure is located.

##### 113 - County Authority

The Northumberland County Planning Commission is empowered under Section 304 of the Pennsylvania Municipalities Planning Code (Act 247) to submit its recommendations upon the proposed adoption, amendment or repeal of any municipal zoning ordinance or part thereof. Proposals shall be submitted to the County Planning Commission at least thirty (30) days in advance of action by the applicable municipality.

#### SECTION 120 - PURPOSES

##### 121 - General Purposes

The zoning regulations and districts herein set forth have been made in accordance with the Comprehensive Plan and are designed to:



- A. Promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, airports and national defense facilities, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public requirements, as well as to
- B. Prevent overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers.

#### 122 - Community Development Objectives

This Ordinance provides a legal basis and framework for future community development. Its provisions are guided by the goals, objectives and proposals contained in the Snyderstown Borough Comprehensive Plan.

### SECTION 130 - ENFORCEMENT

#### 131 - Remedies

In any case where any building, structure or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance or any duly enacted amendment hereof, the governing body or any owner of real estate within the district in which such building, structure or land is situate may, in addition to other remedies provided by law, institute 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.

#### 132 - Penalties

It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any regulation or provision of this Ordinance or any duly enacted amendment hereof. Any person, partnership or corporation who or which shall violate the provisions of this Ordinance shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than Five Hundred Dollars (\$500.00). In default of payment of the fine, such person, the members of such partnership or the officers of such corporation shall be liable to imprisonment for not more than sixty (60) days. Each day that a violation is continued shall constitute a separate offense. All fines collected for violation of this Ordinance shall be paid to the municipality whose ordinance has been violated.

## SECTION 140 - INTERPRETATION

### 141 - Conflict With Other Laws

The provisions of this Ordinance shall be held to be minimum requirements to meet the purposes stated herein. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than those of this Ordinance, the provisions of such statute, ordinance or regulation shall prevail.

### 142 - Validity

Should any section, subsection or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

### 143 - Repealer

All other municipal ordinances or parts of ordinances are hereby repealed insofar as they are inconsistent with the provisions of this Ordinance.

## ARTICLE II

### DEFINITIONS

#### SECTION 200 - GENERAL

##### 201 - Intent

Unless a contrary intention clearly appears, the following words and phrases shall have, for the purpose of this Ordinance, the meanings contained herein.

##### 202 - Inclusion

As used in these regulations, words expressed in their singular include their plural meanings; and words expressed in the plural include their singular meanings. The word "person" includes a corporation, unincorporated association and a partnership, as well as an individual. The words "building" and "street" are used generally and shall be construed as if followed by the phrase "or part thereof". The word "may" is permissive; the words "shall" and "will" are mandatory.

##### 203 - Organization

- A. Board - The word "Board" or the words "Zoning Hearing Board" always mean the Snyderstown Borough Zoning Hearing Board.
- B. Commission - The word "Commission" or the words "Planning Commission" shall always mean the Snyderstown Borough Planning Commission.
- C. Comprehensive Plan - The words "Comprehensive Plan" shall always mean the complete plan for the continuing development of Snyderstown Borough as recommended by the Planning Commission and currently adopted by the Borough Council.
- D. County - The word "County" shall always mean Northumberland County.
- E. Governing Body - The words "governing body" shall always mean the Borough Council.
- F. Municipality - The word "municipality" or "municipal" shall always mean Snyderstown Borough.
- G. Region - The word "region" shall always mean those member municipalities of the Susquehanna Regional Planning Commission, Northumberland County, Pennsylvania.

## SECTION 210 - DEFINITIONS

The following words or phrases, when used in these regulations, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any word or term not defined herein shall be used with a meaning of standard usage.

### 211 - Agent

Any person, other than the developer, who, acting for the developer, submits to the Commission and governing body plans for the purpose of obtaining approval thereof.

### 212 - Alley

A right-of-way providing secondary vehicular access to the side or rear of two or more properties.

### 213 - Alteration

As applied to a building or structure, a change or re-arrangement in the structural parts or an enlargement, whether by extending on a side or increasing in height, or the moving from one location or position to another.

### 214 - Area

- A. Building Area - The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps.
- B. Floor Area - The sum of the areas of the several floors of a building structure, including areas used for human occupancy and basements, attics and penthouses, measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, attics not used for human occupancy or any floor space in an accessory building or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance or any such floor space intended and designed for accessory heating and ventilating equipment.
- C. Lot Area - The area contained within the property lines of individual parcels of land shown on a subdivision plan, excluding any area within a street right-of-way, and including the area of any easement.

### 215 - Basement

A story, partly underground but having one-half or more of its height (measured from floor to ceiling) above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height

measurement or determining floor area only if the vertical distance between the ceiling and the average level of the adjoining ground is more than five (5) feet or if used for business or dwelling purposes.

#### 216 - Building

An erection or structure intended for use and occupancy as a habitation or for some purpose of trade, manufacture, ornament or other use; any structure affording shelter to persons, animals or property. The word "building" shall include any part thereof.

- A. Accessory Building - A subordinate building located on the same lot as a principal building and clearly incidental and subordinate to the principal building. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building.
- B. Principal Building - A building in which is conducted or intended to be conducted the principal use of the lot on which it is located.

#### 217 - Building Coverage

That percentage of the plot or lot area covered by the building area.

#### 218 - Building Height

A vertical distance measured from the mean 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 lines of mansard roofs and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

#### 219 - Building Setback Line

A line within a property defining the required minimum distance between any structure and the adjacent street line.

#### 220 - Cartway

The portion of a street or alley intended for vehicular use.

#### 221 - Cellar

A story, partly underground and having more than one-half of its height (measured from floor to ceiling) below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories or square footage nor shall it be used for dwelling purposes.

222 - Clear Sight Triangle

An area of unobstructed vision at street intersections defined by two street lines and by a line of sight between two points on the street lines at a given distance from the intersection.

223 - Conditional Use

A use which may be permitted in one or more zoning districts upon the recommendation of the Planning Commission to the governing body which may grant approval pursuant to applicable standards and criteria expressed in this Ordinance, the Subdivision and Land Development Ordinance and other applicable regulations.

224 - Dedication

The deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

225 - Developer

Any landowner, agent of such landowner or tenant with the permission of such landowner who makes or causes to be made a subdivision of land or a land development.

226 - District

A zoning district as laid out on the Zoning Map, along with the regulations pertaining thereto.

227 - Double Frontage Lot

A lot with front and rear street frontage.

228 - Driveway

A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

229 - Dwelling

A building containing one or more dwelling units.

- A. Dwelling Unit - Any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one family.

- B. Multiple Family Dwelling - A dwelling containing two or more dwelling units not having independent outside access and not having party walls forming a complete separation between individual dwelling units. Single family attached dwellings are specifically excluded from this definition.
- C. Single Family Attached Dwelling - A dwelling containing only one dwelling unit from ground to roof, independent outside access and a portion of one or two walls in common with adjoining dwellings.
- D. Single Family Detached Dwelling - A dwelling having only one dwelling unit from ground to roof, independent outside access and open space on all sides.

#### 230 - Family

One or more persons related by blood, marriage or adoption and any domestic servants or gratuitous guests thereof or a group of not more than five persons who need not be so related and any domestic servants or gratuitous guests thereof who are living together in a single non-profit dwelling unit and maintaining a common household with single cooking facilities. A roomer, boarder or lodger shall not be considered a member of a family.

#### 231 - Fence

Any structure constructed of wood, metal, wire mesh or masonry erected for the purpose of screening one property from another either to assure privacy or protect the property screened. For the purpose of this Ordinance, a masonry wall is considered to be a fence; also, for the purpose of this Ordinance, when the term "lot line" is used in relation to fences, it shall be synonymous with "rear yard", "side yard" and "front yard" line(s).

#### 232 - Future Right-of-Way

(1) The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; (2) a right-of-way established to provide future access to or through undeveloped land.

#### 233 - Landowner

The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee having a remaining term of not less than forty (40) years or other person having a proprietary interest in land shall be deemed to be a landowner for the purposes of this Ordinance.

#### 234 - Lot

A parcel of land used or set aside and available for use as the site of one or more buildings or buildings accessory thereto or for any other purpose,

in one ownership and not divided by a street and including any land within the limits of a public or private way upon which said lot abuts, but only when the ownership to such way is in the owner of the lot.

- A. Lot of Record - A lot which has been recorded in the Office of the Recorder of Deeds of Northumberland County, Pennsylvania.
- B. Corner Lot - A lot which has an interior angle of less than 135 degrees at the intersection of two street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersecting at an angle of less than 135 degrees.
- C. Through Lot - An interior lot having frontage on two parallel or approximately parallel streets.
- D. Lot Depth - The mean distance from the street line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.
- E. Lot Width - The distance measured between the side lot line at the required building setback line. In a case where there is only one side lot line, between such lot line and the opposite rear lot line or street line.

#### 235 - Lot Lines

Any boundary line of a lot.

- A. Rear Lot Line - Any lot line which is parallel to or within 45 degrees of being parallel to a street line, except for a lot line that is itself a street line and, in the case of a corner lot, the owner shall have the option of choosing which of the two lot lines that are not street lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one lot line furthest from any street shall be considered a rear lot line.
- B. Side Lot Line - Any lot line which is not a street line or a rear lot line.
- C. Street Line - See Section 247.

#### 236 - Marginal Access Street

Minor streets, parallel and adjacent to major traffic streets providing access to abutting properties and control of intersections with the major traffic street.



237 - Mobile Home

A vehicle so constructed as to permit its being used as a conveyance upon the public streets or highways and duly titled as such and constructed in such a manner as will permit occupancy as a dwelling or sleeping place for one or more persons; except, where such facility is placed on a permanent foundation, it shall not be considered a mobile home.

238 - Mobile Home Court

Any lot, parcel or plot of ground upon which three (3) or more mobile homes occupied for dwelling or sleeping purposes are located for more than thirty (30) days.

239 - Occupancy Permit

A permit stating that all work indicated on a building permit has been satisfactorily completed or, in cases not involving construction, a proposed new use is in conformity with the Ordinance and the building or lot may be occupied.

240 - Reverse Frontage Lot

A lot extending between and having frontage on an arterial or collector street and a local street with vehicular access solely from the latter.

241 - Right-of-Way

Land set aside for use as a street, alley or other means of travel.

242 - Roomer, Boarder or Lodger

A person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes, and paying compensation for lodging or board and lodging by pre-arrangement for a week or more at a time to an owner or operator. Any person occupying such room or rooms and paying such compensation without pre-arrangement or for less than a week at a time shall be classified, for purposes of this Ordinance, not as a roomer, boarder or lodger but as a guest of a commercial lodging establishment (motel, hotel, tourist home).

243 - Sewage Facility

Any sanitary sewer, sewage system, sewage treatment works or parts thereof designed, intended or constructed for the collection, treatment and satisfactory disposal of sanitary waste (including industrial waste).

#### 244 - Special Exception

A use to be granted or denied a zoning permit on the basis of the standards and criteria specified in the table of use regulations for the use in question and upon the general standards included in Article XI. Special exceptions may not be granted for uses other than those expressly stated as subject to special exception by the Zoning Hearing Board.

#### 245 - Story

That part of a building located between a floor and the floor or roof next above. The first story of a building is the lowest story, having 75 percent or more of its wall area above grade level. A half-story is a story under a gable, hip or gambrel roof, the wall plate of which on at least two opposite exterior walls is not more than two (2) feet above such story.

#### 246 - Street

A strip of land, including the entire right-of-way, intended primarily as a means of vehicular and pedestrian travel. Streets are further classified as follows:

- A. Arterial Street - Streets serving large volumes of comparatively high-speed traffic, including those facilities designated Class 1 and 2 highways by the Pennsylvania Department of Transportation.
- B. Collector Street - Streets which, in addition to giving access to abutting properties, intercept minor streets and provide routes to community facilities and major traffic streets.
- C. Local Streets - Streets primarily used for access to abutting properties and generally serving internally developed areas.

#### 247 - Street Line

The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way; provided that, where a future right-of-way width for a road or street has been established, then that width shall determine the location of the street line.

#### 248 - Structure

Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

#### 249 - Trailer

A vehicle designed for human habitation not equipped with running water, bath facilities, flush toilet or appropriate sanitary connections.

#### 250 - Use

Any activity, occupation, business or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

- A. Accessory Use - A use located on the same lot with a principal use and clearly incidental or subordinate to and customary in connection with the principal use.
- B. Principal Use - The main use on a lot.

#### 251 - Variance

A modification of the regulations of this Ordinance granted by the Zoning Hearing Board on grounds of practical difficulties or unnecessary hardship, not self-imposed, pursuant to the provisions of this Ordinance and Section 912 of the Pennsylvania Municipalities Planning Code (Act 247).

#### 252 - Water Facility

Any water works, water supply works, water distribution system or part thereof designed, intended or constructed to provide or distribute potable water.

#### 253 - Yard

An open space unobstructed from the ground up, on the same lot with a structure, extending along a lot line or street line and inward to the structure. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street line.

- A. Front Yard - A yard between a structure and a street line and extending the entire length of the street line. In the case of a corner lot, the yards extending along all streets are front yards. In the case of a lot other than a corner lot that fronts on more than one street, the yards extending along all streets are front yards.
- B. Rear Yard - A yard between a structure and a rear lot line and extending the entire length of the rear lot line.
- C. Side Yard - A yard between a structure and a side lot line, extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

#### 254 - Zoning Officer

The duly appointed municipal official designated by all governing bodies as the administering and enforcing officer for this Ordinance.

255 - Zoning Permit

A building permit or occupancy permit or both, whichever is required in a specific circumstance.

## ARTICLE III

### ZONING DISTRICTS

#### SECTION 300 - DISTRICTS ESTABLISHED

##### 301 - Classification of Districts

Snydertown Borough is hereby divided into districts of different types, each being of such number, shape, kind and area and of such common unity of purpose and adaptability of use deemed most suitable to carry out the objectives of this Ordinance.

The districts are established and designated as follows:

- C Conservation Districts
- A Agricultural Districts
- AH Agricultural Holding Districts
- SR Suburban Residential Districts
- VC Village Center Districts
- HC Highway Commercial Districts
- I Industrial Districts

##### 302 - Zoning Map

The boundaries of the zoning districts are delineated on the map entitled "Snydertown Borough Zoning Map" which accompanies and, with all explanatory matters thereon, is hereby made a part of this Ordinance.

##### 303 - Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of a district as indicated on a zoning map, the following rules shall apply.

- A. Where district boundaries are indicated as approximately coinciding with the centerlines of streets, highways, railroad lines or streams, such centerlines shall be construed to be such boundaries.
- B. Where district boundaries are so indicated that they approximately coincide with lot lines, such lot lines shall be construed to be said boundaries; or where district boundaries are extensions of lot lines or connect the intersections of lot lines, such lines shall be said district boundaries.
- C. Where district boundaries are so indicated that they are approximately parallel to centerlines of streets and highways, such district boundaries shall be construed as parallel thereto and at such distances therefrom as indicated on the zoning map.

## SECTION 310 - STATEMENTS OF PURPOSE AND INTENT

### 311 - Conservation Districts (C)

In areas where major physiographic problems exist, accessibility is difficult or unique natural beauty exists, Conservation Districts are established to conserve the existing character of such areas by providing for low intensity residential, agricultural or recreational uses, thus guiding substantive land development into more appropriate zoning districts.

### 312 - Agricultural Districts (A)

In areas of highly productive soils and where agricultural activity remains strong, Agricultural Districts are established to protect and stabilize agriculture as an on-going economic activity by permitting only those land uses and activities which are either agricultural in nature or act in direct support thereof.

### 313 - Agricultural Holding Districts (AH)

In areas of marginal agricultural potential and activity as yet too remote to expect any substantial urban or suburban development, Agricultural Holding Districts are established. It shall be the purpose of these districts to maintain a rural character and low residential density in anticipation of future development but, at the same time, provide alternative economic activities to farming during the holding period.

### 314 - Suburban Residential Districts (SR)

In areas where residential development has already begun, reasonable access to industrial, commercial and public activities is available and a reasonable potential for public sewerage exists, Suburban Residential Districts are established. It shall be the purpose of these districts to promote and encourage a suitable and safe environment for family life by providing only for residential and residential support land uses.

### 315 - Village Center Districts (VC)

In established rural centers with reasonable expectation of continued vitality and a reasonable expectation of public sewerage, Village Center Districts are established. It shall be the purpose of such districts to maintain themselves as centers by providing for higher density residential uses, commercial uses serving the immediate area and appropriate public activities.

### 316 - Highway Commercial Districts (HC)

Highway Commercial Districts are established to accommodate retail or wholesale business activities which either serve a regional market, offer merchandise oriented to the highway uses or function best on large individual

land parcels and thus are not primarily part of an integrated shopping area or center.

317 - Industrial Districts (I)

Industrial Districts are established to contribute to the overall economy of the region. It shall be the purpose of such districts to encourage industrial development in areas of good highway accessibility, with the existence or reasonable expectation of sanitary sewerage and within reasonable proximity to supporting commercial activities.

## ARTICLE IV

### USE REGULATIONS

#### SECTION 400 - APPLICABILITY

Except as provided by law or in this Ordinance, no building, structure or land in each district shall be used or occupied except for the purposes permitted in the district in the section of this Article applicable thereto.

#### SECTION 410 - PERMITTED USES

##### 411 - Uses Permitted by Right

A use listed in Section 420 is permitted by right in any district under which it is denoted by the letter "P", subject to all applicable requirements contained within this Ordinance and after a zoning permit has been properly issued.

##### 412 - Conditional Uses

A use listed in Section 420 is permitted by right in any district under which it is denoted by the letter "C", provided the governing body, in accordance with Section 1014, authorizes the issuance of a zoning permit by the Zoning Officer and subject to all applicable requirements contained within this Ordinance.

##### 413 - Uses Permitted by Special Exception

A use listed in Section 420 is permitted in any district under which it is denoted by the letter "S", provided the Zoning Hearing Board authorizes the issuance of a zoning permit by the Zoning Officer, subject to the specific requirements of Sections 420 and 1113, as well as all other applicable requirements of this Ordinance and such further restrictions that said Board may establish.

Any use existing on the effective date of this Ordinance which is classified as permitted by special exception in the district in which the land occupied by the use is located shall be deemed to have been granted a special exception subject to maintaining the character and extent of operations and structures existing on that date. Any application for change in use or structure shall be subject to the procedure specified in Articles IX and X.

##### 414 - Uses Not Permitted

A use listed in Section 420 is not permitted in any district under which it is denoted by the letter "N".



SECTION 420 - TABLE OF USE REGULATIONS

C A AH SR VC HC I

421 - Agricultural Uses

- A. Animal Husbandry - P P P S N N S  
 The raising and keeping of livestock and poultry with the intent of producing capital gain or profit or the intent of selling any livestock or poultry products. The keeping of livestock or poultry as farm pets or for domestic purposes pursuant to the regulations of this Ordinance shall not be construed as animal husbandry; providing the minimum lot size shall not be less than ten (10) acres and, in SR and I Districts:
1. No raising of garbage-fed pigs or minks will be allowed.
  2. No barns, animal shelters, feed yards or other agricultural accessory buildings shall be located closer than one hundred (100) feet from any side or rear lot line.
  3. The construction of new buildings which, by their size or nature, will inhibit future residential or industrial developments should not be permitted.
- B. Kennel or Stable - P P P N N N N  
 Any lot on which animals are kept, boarded or trained for a fee, whether in special buildings or runways or not, including, but not limited to, dog and cat kennels, horse stables or riding academies; providing no animal shelters or runs shall be located closer than two hundred (200) feet from any lot line.
- C. Crop Farming - P P P P P P P  
 The raising, keeping and sale of field, truck and tree crops.
- D. Greenhouse - P P P P P P N  
 Provided any goods sold in connection with such greenhouse in C, A, AH and SR Districts be subject to the provisions of Section 428 C.

422 - Residential Uses

- A. Single Family Detached Dwelling - P P P P P N N
- B. Single Family Attached Dwelling - N N N C P N N  
 Providing:
1. Access to a sewage facility is immediately available.
  2. No more than six (6) dwelling units are attached in a single building.

3. Minimum lot area per dwelling unit shall not be less than four thousand (4,000) square feet for end units and two thousand (2,000) square feet for interior units.
4. One family attached dwellings are permitted in SR Districts only as a conditional use and as part of a cluster development under the provisions of Section 422 G.

C. Conversion - S S S S S S N  
One family dwellings converted for occupancy by not more than two families, subject to the following conditions.

1. The lot area per family should not be reduced thereby to less than that required for the district in which such lot is situated.
2. The yard, building area and other applicable requirements for the district shall not be reduced thereby.
3. No structural alteration of the building exterior shall be made except as may be necessary for purposes of safety.
4. Such conversions shall be authorized only for large buildings that have little economic usefulness as single family dwellings or for other conforming uses (i.e., barns) erected prior to the adoption of this Ordinance.

D. Multi-Family Dwelling - N N N C C N N  
Multiple family dwellings, providing the following requirements are met.

1. Access to a sewage facility is immediately available.
2. The maximum number of dwelling units per acre shall not exceed twelve (12).
3. A maximum of 0.25 square feet of floor area shall be permitted for each square foot of lot area.
4. Open Space -
  - a. At least 3 square feet of lot area per one foot of floor area shall be open space.
  - b. Open space is the total horizontal area of all uncovered open space. Covered open space is exterior space open on its sides to weather but not open above to the sky and weather; it includes roofed porches, roofed carports and covered balconies.

5. Multiple family dwellings shall in all cases be considered "Land Development" and be subject to the applicable provisions of the Subdivision and Land Development Ordinance.

E. Rooming House - N P P P P N N  
A single family dwelling designed to accommodate a single roomer.

F. Lodging House - N C N C P N N  
A building specifically designed for the accommodation of roomers, providing:

1. Such use shall be accessory to and located on the same lot with a parent agricultural, religious, educational, charitable or philanthropic institution.
2. The lot on which such building is located has a lot area, in addition to other area requirements of this Ordinance, of not less than fifteen hundred (1,500) square feet for each person for whom accommodation is provided therein.
3. Necessary health permits regarding water supply and waste disposal are obtained.

G. Cluster Development - N N N P P N N  
Planned development of single family dwellings on lots with modified dimensional requirements, providing:

1. The tract of land to be developed shall be five (5) acres or more in size.
2. Minimum lot sizes shall not be less than two thousand (2,000) square feet.
3. The maximum overall density shall not exceed eight (8) dwelling units per acre.
4. An amount of land shall be set aside as permanent usable open space. Such open space shall:
  - a. Be suitable for use as a park, playground, pedestrian access-way, school or other similar public purpose or, because of its topography, vegetation or other natural character, be left open with no particular use assigned to it.
  - b. Be suitable for the construction of single family homes under normal subdivision procedures. If a portion of such development is unusable either because of periodic flooding or for any

other reason, then the portion of such development declared to be unusable shall be excluded from any calculations for permissible density and usable open space.

- c. Comprise at least 25 percent of the total development.
- d. Be subject to the open space management provisions of the Subdivision and Land Development Ordinance.

H. Mobile Home Court - N N N P P N N  
 A parcel of land under single ownership which has been planned and improved for the placement of mobile homes occupied for dwelling or sleeping purposes and for non-transient use, providing the mobile home court development provisions contained in the Subdivision and Land Development Ordinance are met.

I. Travel Trailer Camp - P N P N N P N  
 A lot or part thereof occupied or designed for occupancy by one or more travel trailers or other travel units, providing:

1. Sections 562 A, C, D and E of the Subdivision and Land Development Ordinance are met.
2. Spaces for use of travel trailers shall be rented by the day, week or month only; and the occupant of such space shall remain in the same trailer park not more than ninety (90) days.
3. The minimum number of spaces completed and ready for occupancy before the first occupancy is permitted shall be ten (10).

423 - Institutional Uses

A. Cemeteries - P N P P P N N  
 B. Church - N N P P P N N  
 Including convents, parish houses and other housing for religious personnel, subject to the following provisions.

1. Minimum lot size shall be not less than two (2) acres.
2. Housing shall be subject to the regulations contained in this Ordinance applicable to the type of housing proposed.

C. School - N N P P P N N  
 Including religious and non-sectarian, denominational, private or public school not conducted as a private gainful business, subject to a minimum lot size of two (2) acres.

C A AH SR VC HC I

- D. Day Nursery - N N S S P N N  
Nursery school, kindergarten or other agency giving day-care to children, subject to the following provisions.
1. The use shall be conducted in a building designed for residential occupancy.
  2. Outdoor play areas shall be sufficiently screened and sound-insulated so as to protect the neighborhood from noise and other disturbance.
- E. Cultural Facilities - N N N S P N N  
Including art galleries, auditoriums, libraries, museums, community centers, adult education centers or other similar facility open to the public or connected with a permitted educational, philanthropic or religious use.
- F. Public Building - N N P P P P N  
Owned or operated by the municipality.
- G. Public Recreational Facility - P N P P P N N  
Owned and operated by an agency of the municipality or other government.
- H. Golf Course - P N P P N N N  
Not including a driving range or miniature golf course, providing:
1. The minimum lot size shall be forty (40) acres.
  2. All buildings shall be not less than one hundred (100) feet from any lot line.
- I. Private Recreation Facility - P N P P N N N  
Including camps, parks and facilities operated in conjunction with a private club or lodge, providing:
1. The minimum lot size shall be five (5) acres.
  2. All buildings shall be not less than one hundred (100) feet from any lot line.
- J. Private Club - N N N N P P N  
Operated for members only and not for profit.
- K. Licensed Hospital - N N N C C N N  
Providing:
1. A lot area of not less than five (5) acres shall be required.
  2. Direct access to a collector road shall be available.

3. Any such establishment providing convalescent care or care for the chronically sick shall provide an additional lot area of not less than one thousand (1,000) square feet per bed in use for such long-term care.
4. No building shall be located closer than one hundred (100) feet to any lot line.

L. Nursing Home - N N C C P N N  
A nursing home (also commonly known as a convalescent home) is a licensed establishment which provides full-time convalescent or chronic care or both for three or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a home; a hospital or sanitarium shall not be construed to be included in this definition. Providing, a lot area of not less than one (1) acre or two thousand (2,000) square feet per patient, whichever is greater, is provided.

424 - Office Uses

- A. Business Services - N N N N P P N  
Limited to offices for real estate, stock and bond brokers, accountants, adjusters, appraisers, utility companies, including other wholesale business services predominantly office-oriented.
- B. Professional Services - N N N C P P N  
Limited to offices of physicians, lawyers, clergymen, teachers, dentists, architects, engineers, insurance agents, opticians and medical and related offices which do not involve the actual storage, exchange or delivery of merchandise on the premises.
- C. Public Services - N N N C P P P  
Limited to governmental offices.
- D. Bank or Other Financial Institution - N N N N P P P
- E. Health Services - N N N N P P N  
Limited to medical or dental offices, laboratories and clinics.
- F. Veterinary Office or Animal Hospital - N P P N P P N  
Defined herein as any building used by a veterinarian for the treatment, housing or boarding of small domestic animals such as dogs, cats, goats, rabbits and birds or fowl, providing:
1. If only small animals are to be treated (dogs, cats, birds and the like), such hospital or office shall have a minimum lot area as specified in Section 500 in the district in which it is located.

2. If large animals are to be treated (cows, horses, pigs and the like), such office or hospital may be located only in an A or AH District and shall have a minimum lot size of five (5) acres.

425 - Commercial Uses

- A. Shops and Stores - N N N N P P N  
For the sale of antiques, books, beverages, confections, drugs, dry goods, flowers, foodstuffs, gifts, garden supplies, hardware, household appliances, jewelry, notions, periodicals, stationery, tobacco, paint, apparel and similar items.
- B. Personal Services - N N N N P P N  
Including barber shop, beauty parlor, laundry or cleaning agency, self-service laundry and similar uses.
- C. Repair Services - N N N N P P N  
For appliances, watches, guns, bicycles, locks and similar items.
- D. Restaurant - N N N N P P N  
Or other place for the sale and consumption of food and beverages but without drive-in or counter service (service at table or counter facilities only).
- E. Restaurant - N N N N N P N  
Or other place for the sale and consumption of food and beverages with drive-in or counter service.
- F. Trade or Professional School - N N C N P P N
- G. Mortuary or Funeral Home - N N N C P N N
- H. Public Entertainment Facilities - N N N N C P N  
An activity operated as a gainful business, open to the public, for the purpose of public entertainment or recreation, including, but not limited to, motion picture theaters, health clubs, miniature golf courses, etc., but specifically excepting bowling alleys in the VC Districts, providing:
  - 1. All outdoor facilities shall be limited to HC Districts.
  - 2. In VC Districts, adequate measures to prevent noise and other noxious influences from disturbing nearby residential properties must be taken.
- I. Motel/Hotel - N N N N N P N  
A building or group of buildings for the accommodation of transient guests (chiefly motorists) containing rooms for rent.

C A AH SR VC HC I

- J. Gasoline Service Station - N N N N P P C  
Where gasoline, oil, grease, batteries, tires and automobile accessories are sold at retail and normal mechanical repairs are performed, but not including body work, painting, spraying or welding or storage of automobiles not in operating condition, providing:
1. All activities except those required to be performed at the fuel pumps shall be performed within a completely enclosed building.
  2. Fuel pumps may be located within the front yard but shall be at least twenty (20) feet from any street line.
  3. All automobile parts, dismantled vehicles and similar articles shall be stored within a building.
- K. Automobile Washing Facility - N N N N N P N
- L. Automotive Repair Garage - N N S N C P N  
Providing:
1. Such use shall not include the storage of automobiles and other vehicles not in operating condition.
  2. In AH Districts, the conditions applicable to industrial uses permitted as conditional uses shall apply as well to automotive repair garages.
- M. Automotive Sales - N C C N C P N  
Including sale and rental of automobiles, trucks, farm equipment, trailers and boats.
- N. Combined Commercial Development - N N N N N N N  
Planned commercial development in the planning and developing of a tract of land under single ownership or agreement whereby various combinations of commercial uses utilize a reasonable degree of flexibility in the placement and inter-relationship of commercial uses and parking and loading facilities, providing permitted uses are limited to those permitted by this Ordinance in the district where such development is proposed.

426 - Utilities

- A. Fire Station - P P P P P P P
- B. Communication Facilities - P P P S S P P  
Telephone or telegraph exchange, radio or television broadcasting tower, micro-relay stations and the like, providing:



1. In SR and VC Districts, such uses should be permitted only if essential to service such district.
2. In C, A, AH, SR and VC Districts, no public business office nor any storage yard or storage building shall be operated in connection with such use.
3. Buffering in accordance with Section 620 shall be required.

C. Supply Utilities -

S S S S S S S

Including water supply works and storage, electric, gas or oil substations, plus necessary rights-of-way and transmission lines, providing:

1. Except in VC and HC Districts, no public business office shall be operated in connection with such use.
2. Storage yard or storage buildings may be operated in connection with such use only when such storage facility is essential to service customers in the district in which it is located.
3. Unless sufficient cause is shown to the contrary, all transmission lines shall be underground.
4. A seventy-five (75) foot buffer yard shall be provided along all property lines.

D. Sanitary Utilities -

P P P P P P P

Including sewerage works, sewage pumping station, plus associated collection lines and rights-of-way, but not including refuse dumps, incinerators or sanitary landfills, providing such facilities are intended to serve primarily residents of the (Township or Borough) area.

E. Bus, Taxi and Railroad Terminal -

N N N N P P N

F. Parking Lot -

P P P P P P P

When used as a primary use of the land, providing:

1. Such area will be used for the parking of cars of employees, customers or guests of existing establishments in the same district where the subject parking area is proposed.
2. No charge shall be made for parking.
3. No sales or service operation shall be performed.
4. Such area shall meet the design standards of the Subdivision and Land Development Ordinance.

427 - Industrial Uses

A. Manufacturing - Including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and other products.	N	N	S*	N	N	P	P
B. Warehousing - Including wholesale business.	N	S	S*	N	N	N	P
C. Research, Testing or Experimental Lab -	N	N	S*	N	N	N	P
D. Printing, Publishing and Binding -	N	N	S*	N	N	P	P
E. Truck Terminal -	N	N	S*	N	N	P	P
F. Contractor's Office and Storage - Such as building, cement, electrical, heating, plumbing, masonry, painting and roofing.	N	N	S*	N	N	P	P
G. Lumber Yard -	N	N	S*	N	N	P	P
H. Upholsterer or Cabinetmaker -	N	N	S*	N	S	P	P

\* When located in AH Districts, industrial uses A through H may be permitted by special exception but shall be subject to the following conditions.

1. The owner or other person having primary interest in the proposed industrial use shall reside on the same parcel of land therewith.
2. Unless cause is shown to the contrary and specific limits are established, the operation of any such proposed industrial use shall be contained within buildings in existence.
3. No property adjacent to the proposed use shall be adversely affected.

I. Mill - Where grain, lumber and similar products are stored or processed.	N	P	P	N	N	N	N
J. Junk Yard - Any land, structure or land and structure in combination used for the storage, baling, packing, sorting, handling, disassembling, purchase or sale of any material or materials which are used, salvaged, scrapped or reclaimed but are capable of being reused in some form, including, but not limited to, metals, bones, rags, fibers, paper, cloth, rubber, rope, bottles, machinery, tools, appliances, fixtures, utensils, lumber, boxes, crates, pipe, pipe fittings, tires, motor vehicles and motor vehicle parts. No material which fails to meet this definition because	C	N	C	N	N	N	N

it is discarded and incapable of being reused in some form shall be placed in any junk yard. Junk yards shall be subject to the following conditions.

1. No material shall be placed in any junk yard in such a manner that it is capable of being transferred out of the junk yard by wind, water or other natural cause.
2. The boundaries of any junk yard shall at all times be clearly delineated.
3. All paper, rags, cloth and other fibers and activities involving the same, other than loading and unloading, shall be within fully enclosed buildings.
4. All junk yard materials and activities not within fully enclosed buildings shall be surrounded by a fence at least eight (8) feet in height and maintained in good condition. Any gate in such fence shall be similarly constructed and maintained and kept locked at all times when the junk yard is not in operation. Additionally, screening shall be required in accordance with Section 623; and the yard requirements included in Article V for buildings shall be met. Also, no materials stored in such junk yard shall be visible from a public street.
5. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects or other vermin. When necessary, this shall be accomplished by enclosure in containers, raising materials above the ground, separating types of materials, preventing collection of stagnant water, extermination procedures or other means.
6. No burning shall be carried on in any junk yard except in suitable containers at appropriate locations and times. Fire hazards shall be prevented by organization and segregation of stored materials, with particular attention to the separation of combustibles from other materials and enclosure of combustibles where necessary, the provision of adequate aisles for escape and fire-fighting and other necessary measures.

K. Sanitary Landfill or Incinerator - C N C N N N N  
Subject to the following requirements.

1. Such facility shall be established and operated in accordance with the applicable requirements of all regulating bodies such as the Pennsylvania Department of Health.
2. A lot area of not less than twenty-five (25) acres shall be provided.
3. No sanitary landfilling operation or incineration shall take place within two hundred (200) feet of any street or property line.

- 4. The lot shall have direct access to either an arterial or collector highway as shown on the Zoning Map.
- 5. It shall be demonstrated that the use, because of its location and proposed method of operation, will not have an adverse effect upon any surrounding portions of the (Township or Borough) area.
- 6. Such facility is part of a solid waste plan approved by the applicable governing body.

L. Quarry -

C N C N N N N

- 1. Operations - Extractive operations shall meet all development and performance standards of Article VI, excepting buffering as required in Section 620 which shall be as the governing body prescribes.
- 2. Setbacks - No excavation, quarry wall, storage or area in which processing is conducted shall be located within fifty (50) feet of any lot line, one hundred (100) feet of any street line nor two hundred (200) feet of any SR or VC District boundary line.
- 3. Grading - All excavations, except stone quarries, shall be graded in such a way as to provide an area which is harmonious with the surrounding terrain and not dangerous to human or animal life.
- 4. Access - Truck access to any excavation shall be so arranged as to minimize danger to traffic and nuisance to surrounding properties.
- 5. Stone Quarries - Stone quarries whose ultimate depth shall be more than twenty-five (25) feet shall provide the following:
  - a. A screen planting within the setback area required in Paragraph 2 above shall be required. Such screen shall be no less than twenty-five (25) feet in width and set back from the excavation so as to keep the area next to the excavation planted in grass or ground cover and clear of any obstruction.
  - b. A chain link (or equal) fence at least ten (10) feet high and with an extra slanted section on top strung with barbed wire shall be placed at either the inner or outer edge of planting.
  - c. Warning signs shall be placed on the fence at intervals of not less than one hundred (100) feet completely surrounding the area.

428 - Accessory Uses

A. One Family Detached Dwelling -

N P P P P N N

Or mobile home for use as a residence by relatives, tenant farmer or employees of a farm or estate, provided:

1. Such detached dwelling or mobile home meets all requirements of this Ordinance and other applicable ordinances or regulations except location on a separate lot.
2. Only one of either an additional dwelling or mobile home is permitted unless permission is specifically granted by the Zoning Hearing Board by special exception.

B. Home Occupation -

S S S S S S N

Activities customarily carried on in a dwelling unit and the dwelling for residential purposes, providing:

1. The home occupation shall be carried on wholly indoors and within the principal building.
2. There shall be no maintenance of a stock in trade, no use of show windows or display or advertising visible outside the premises to attract customers or clients other than home occupation announcement signs as permitted and regulated in Article VII; and there shall be no exterior storage of materials.
3. No alterations, additions or changes to the structure shall be permitted in order to accommodate or facilitate a home occupation.
4. No articles shall be sold or offered for sale except as may be produced on the premises.
5. No repetitive servicing by truck for supplies and materials shall be required.
6. The home occupation shall be carried on only by members of the immediate family residing in the structure.

C. Drive-in Stand -

P P P P P P P

Not exceeding four hundred (400) square feet of gross floor area for the sale of farm, nursery or greenhouse products produced on the premises where offered for sale, provided.

1. The stand shall not be nearer than fifty (50) feet of any intersection nor within ten (10) feet of any right-of-way.
2. The stand shall be of temporary construction but maintained in good condition.

- |  |  |
|--|--|
|  | <u>C</u> <u>A</u> <u>AH</u> <u>SR</u> <u>VC</u> <u>HC</u> <u>I</u> |
| D. Principal Use as an Accessory Use - | S S S S S S S  |
- If any principal use listed in this table is proposed as an accessory use to another permitted principal use, permission to establish such proposed accessory use shall be granted only by special exception and providing clear demonstration that such use is related to, supporting of, yet clearly incidental to the principal use.
- |                    |               |
|--------------------|---------------|
| E. Accessory Use - | P P P P P P P |
|--------------------|---------------|
- Including, but not limited to, non-commercial greenhouses, tool sheds, private garages, swimming pools or similar accessory structures and other accessory uses customarily incidental to a permitted use and not normally conducted as an independent principal use; provided, that any use accessory to a use permitted only by special exception shall be established only if and as provided in such permit.
- |                                 |               |
|---------------------------------|---------------|
| F. Temporary Structure or Use - | P P P P P P P |
|---------------------------------|---------------|
- A temporary permit may be issued for structures or uses necessary during construction or other special circumstances of a non-recurring nature, subject to the following additional provisions.
1. The life of such permit shall not exceed six (6) months, renewable at three (3) month intervals.
  2. Temporary non-conforming uses shall be subject to authorization by the Zoning Hearing Board.
  3. Such structure or use shall be removed completely upon expiration of the permit without cost to the municipality.
- |                                 |               |
|---------------------------------|---------------|
| G. Outside Storage or Display - | N P P N N P P |
|---------------------------------|---------------|
- Other than storage as a primary use of the land, necessary but incidental to the normal operation of a primary use; provided, no part of the street right-of-way, no sidewalks or other areas intended or designed for pedestrian use, no required parking areas and no part of the required front yard shall be occupied by outside storage or display. In C, HC and I Districts only:
1. Outside storage and display areas shall occupy an area of less than one-half the existing building coverage.
  2. Outside storage and display areas shall be shielded from view from the public streets and adjacent residential districts.
- |                                    |               |
|------------------------------------|---------------|
| H. Mobile Home or Travel Trailer - | P P P P P P P |
|------------------------------------|---------------|
- Storage of, subject to the following conditions.

1. One unoccupied mobile home or travel trailer may be stored on a lot occupied by the owner of the trailer, provided such trailer shall be placed in such a position as to meet all dimensional requirements for the district within which it is located.
2. In addition, one mobile home may be occupied temporarily by the owner of the land upon which it is to be placed during the construction of a permanent dwelling thereon. The permit for each placement of a trailer shall be for a period of not more than ninety (90) days and shall be renewable for not more than two additional periods of 90 days each.

- I. Off-Street Parking - P P P P P P P P  
Subject to the provisions and requirements of Article VI.
- J. Signs - P P P P P P P P  
Subject to the provisions and requirements of Article VII.

## ARTICLE V

### DIMENSIONAL REQUIREMENTS

#### SECTION 500 - COMPLIANCE

The regulations for each district pertaining to minimum lot size, minimum lot width, maximum lot coverage, maximum height and minimum yard space shall be as specified in the "Table of Dimensional Requirements" included in this section. All uses and activities established after the effective date of this Ordinance shall provide for the minimum and not exceed the maximum dimensions specified. In cases where provisions of Article IV, Article XI or other sections of this Article provide dimensions differing from the general regulations specified in the table, such provisions shall take precedence.

Regulations applying to lots, buildings and uses in existence prior to the effective date of this Ordinance shall be governed by Article IX.

#### SECTION 510 - SPECIAL PROVISIONS

##### 511 - Height Exceptions

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, monuments, silos and domes not used for human occupancy nor to chimneys, ventilators, skylights, water tanks, bulkheads, similar features and necessary mechanical appurtenances normally built above the roof level. Such features, however, shall be erected only to such height as necessary to accomplish the purpose they are to serve and shall not exceed in cross-sectional area 20 percent of the ground floor area of the building.

##### 512 - Special Front Yard Requirements

- A. Exceptions - If the alignment of two or more abutting buildings on each side of a lot within a distance of fifty (50) feet of the proposed building and fronting on the same side of the same street in the same block is nearer to the street than the required front yard depth, the average of such existing alignment within that distance shall be the required front yard.
- B. Additional Setbacks - For those properties fronting on arterial and collector highways identified in the Comprehensive Plan, minimum front yards shall be fifty (50) feet in all districts, measured from the future right-of-way. Future rights-of-way shall be one hundred twenty (120) feet for arterial highways and eighty (80) feet for collector highways, measured equally from the centerline of the existing right-of-way.



SECTION 500 - TABLE OF DIMENSIONAL REQUIREMENTS

District	Min. Lot Size	Min. Lot Width (Ft.)	Max. Building Coverage (%)	Max. Building Height (Ft.)	Min. Yard Space (Ft.)		
					Front <sup>3</sup>	Side	Rear
Conservation (C)	3 Acres	300	5	25	50	50	50
Agricultural (A)	2 Acres	300	10	--	35	35	35
Agricultural Holding (AH)	1 Acres	200	10	--	35	35	35
Suburban Residential (SR)	1 Acre	150	15	25	35	10	40
	10,000 Sq. Ft. <sup>1</sup>	75	25				
Village Center (VC)	1 Acre	150	25	35	15	8	40
	6,000 Sq. Ft. <sup>1</sup>	60	50				
Highway Commercial (HC)	1 Acre <sup>2</sup>	150	25	25	35	10	10
Industrial (I)	1 Acre <sup>2</sup>	150	--	35	35	35	35

<sup>1</sup> With access to a sewage facility.

<sup>2</sup> Access to a sewage facility is required.

<sup>3</sup> Subject to additional requirements of Section 512 B.

### 513 - Traffic Visibility Across Corners

In all districts, no structure, fence, planting or other structure shall be maintained between a plane two (2) feet above curb level and a plane seven (7) feet above curb level so as to interfere with traffic visibility across the corner within that part of the required front or side yard which is within a triangle bounded by the front and side lot lines and a straight line drawn between points on each such lot line twenty (20) feet from the intersection of said lot lines or extension thereof.

### 514 - Permitted Uses in Yards

- A. Projections - Ground story terraces and unenclosed porches may project into any required yard not more than one-half its required dimension and not more than ten (10) feet in any case. Chimneys, flues, columns, sills and ornamental features may project not more than two (2) feet into a required yard.
- B. Fences - Subject to Section 513, yard provisions shall not apply to hedges, fences or walls less than six (6) feet high above the natural grade.
- C. Accessory Buildings - Completely detached accessory buildings may in no case occupy required front or side yard space directly adjacent to the principal building; but, in the case of rear yards, completely detached accessory buildings shall be permitted. Accessory buildings which are attached to the principal building may extend into the side or rear yard a distance of one-half the normal required yard but may in no case project into the front yard.
- D. Outdoor Storage and Off-Street Parking - Outdoor storage and off-street parking may project into any side or rear yard a distance of not more than one-half its required dimension.

### 515 - Multiple Frontage Lots

On corner or double frontage lots, each side of a lot having a street frontage shall meet the required front yard setback for that lot.

### 516 - Spacing of Non-Residential Buildings

Where two or more main buildings for non-residential uses are proposed to be build upon a property in one ownership, front, side and rear yards are required only at lot lines abutting other properties.

ARTICLE VI

PERFORMANCE STANDARDS

SECTION 600 - COMPLIANCE

All uses and activities established after the effective date of this Ordinance shall comply with the following standards.

SECTION 610 - ABATEMENT OF NOXIOUS INFLUENCES

611 - Noise

The sound level of any operation (other than the operation of motor vehicles or other transportation facilities, operations involved in the construction or demolition of structures, emergency alarm signals or time signals) shall not exceed the decibel levels in the designated octave bands stated below. The sound-pressure level shall be measured with a Sound Level Meter and an Octave Band Analyzer that conform to the specifications published by the American Standards Association. (American Standard Sound Level Meters for Measurement of Noise and Other Sounds, Z 24.3 - 1944, American Standards Association, Inc., New York, New York; and the American Standard Specification for an Octave-Band Filter Set for the Analysis of Noise and Other Sounds, Z 24.10 - 1953, American Standards Association, Inc., New York, New York shall be used.)

Sound-pressure levels shall be measured at the property line upon which the emission occurs. The maximum permissible sound-pressure levels for smooth and continuous noise shall be as follows: (All of the decibel levels stated below shall apply in each case.)

<u>Frequency Band</u> <u>(Cycles per Second)</u>	<u>Maximum Permitted</u> <u>Sound-Pressure Level (Decibels)</u>
0 - 150	67
150 - 300	59
300 - 600	52
600 - 1,200	46
1,200 - 2,400	40
2,400 - 4,800	34
Above 4,800	32

If the noise is not smooth and continuous or is radiated during sleeping hours, one or more of the corrections hereafter shall be added to or subtracted from each of the decibel levels given herein.

<u>Type of Operation or Character of Noise</u>	<u>Corrections in Decibels</u>
Noise occurs between the hours of 10 P.M. and 7 A.M.	- 3
Noise occurs less than 5 percent of any one-hour period.	+ 5
Noise is of periodic character (hum, scream, etc.) or impulsive character (hammering, etc.). (In the case of impulsive noise, the correction shall apply only to the average pressure during an impulse; and impulse peaks shall not exceed the basic standards given above.)	- 5

#### 612 - Smoke and Gases

- A. No smoke shall be emitted from any chimney or other source of visible gray opacity greater than No. 1 on the Ringlemann Smoke Chart published by the U.S. Bureau of Mines, except that smoke of a shade not darker than No. 2 on the Ringlemann Chart may be emitted for not more than 4 minutes in any 30-minute period.
- B. The emission of dust, dirt, fly ash, fumes, vapors or gases which can cause any damage to human health, animals, vegetation or property or which can cause any soiling or staining of persons or property at any point beyond the lot line of the use creating the emission is herewith prohibited.
- C. No emission of liquid or solid particles from any chimney or other source shall exceed three-tenths (0.3) grains per cubic foot of the covering gas at any point beyond the lot line of the use creating the emission. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of 500 degrees F. and 50 percent excess air in stack at full load.

#### 613 - Odor

No use shall emit odorous gases or other odorous matter in such quantities as to be offensive at any point on or beyond its lot lines. The guide for determining such quantities of offensive odors shall be the most restrictive provisions of Table III (odor thresholds) in Chapter 5, "Air Pollution Abatement Manual", copyright 1951 by Manufacturing Chemists Association, Inc., Washington, D.C.

#### 614 - Heat

No use shall produce heat perceptible beyond its lot lines.

#### 615 - Glare

No use shall produce a strong dazzling light or a reflection of a strong dazzling light beyond its lot lines.

## 616 - Vibrations

No use shall cause earth vibrations or concussions detectable beyond its lot lines, without the aid of instruments, with the exception of vibration produced as a result of construction activity.

## SECTION 620 - BUFFERING

### 621 - When Required

In general, buffering, either in the form of yard space or screening, is required in commercial and industrial districts along district boundaries between themselves and residential districts.

- A. Buffer yards shall be required in HC and I Districts when abutting SR and VC Districts.
- B. Where streets, highways, railroads or rivers serve as district boundaries, no buffering is required along such boundary.
- C. Where streams or other bodies of water serve as district boundaries, such stream or river may serve to meet the buffering requirements, providing approved by special exception.

### 622 - Buffer Yards

A buffer yard is yard space as defined in Section 253 but whose dimension normally exceeds the normal building setback requirement.

- A. Buffer yards shall be at least fifty (50) feet in width, measured from the applicable district boundary line. Buffer yards may be coterminous with required front, side or rear yards but in no case shall the combined width be less than fifty (50) feet.
- B. In all buffer yards, the exterior twenty-five (25) foot width shall be planted with grass seed, sod or ground cover and maintained and kept clean of all debris, rubbish, weeds and tall grass in conformance with existing regulations.
- C. No structure, manufacturing or processing activity or stoppage of materials shall be permitted in the buffer yard; however, parking of passenger automobiles shall be permitted in the portion of the buffer yard exclusive of the exterior twenty-five (25) foot width.
- D. Within the exterior twenty-five (25) feet, screening in accordance with Section 623 shall be included.

### 623 - Screening

Screening is the provision of a barrier to visibility, airborne particles, glare and noise between adjacent properties composed entirely of trees, shrubs or other plant materials.

- A. Plant materials used in the screen planting shall be at least four (4) feet in height when planted and of such species as will produce, within two years, a complete visual screen of at least eight (8) feet in height.
- B. The screen planting shall be maintained permanently, and any plant material which does not live shall be replaced within one year.
- C. The screen planting shall be so placed that, at maturity, it will be not closer than three (3) feet from any street or property line.
- D. In accordance with the provisions of Section 513, a clear-sight triangle shall be maintained at all street intersections and where private access-ways intersect public streets.
- E. The screen planting shall be broken only at points of vehicular or pedestrian access.

### SECTION 630 - FLOODWAY REGULATIONS

#### 631 - Purposes

The purposes of these regulations are:

- A. To prevent the construction of improvements in locations where they would likely be damaged by floods or washed away and cause damage to downstream properties.
- B. To prevent encroachments on floodways which would cause damage to other properties on the watercourse by increasing the height of the velocity of floods.
- C. To prevent pollution of watercourses during floods by preventing the placing or storing in the floodway of unsanitary or dangerous substances.

#### 632 - Establishment of the Floodway

The floodway can generally be described as the relatively flat land adjoining a watercourse and subject to overflow therefrom. For watercourses other than the Susquehanna River, the floodway shall include land areas containing bottom land soils identified in the Soil Survey of Montour and Northumberland Counties dated September, 1955. For the Susquehanna River, the floodway is established as all land areas except those subsequently protected, included within a boundary recorded on a profile of the 1936 flood, identified as Susquehanna River Mile 108 to 124 prepared by U.S. Engineer Office, Baltimore, Maryland dated July 24, 1937.

All notations, references and data shown therein are hereby incorporated into this Ordinance and shall be as much a part of this Ordinance as if all were fully described herein.

### 633 - Floodway Requirements

Premises in the floodway may be used for the purposes specified for the particular zoning district in which they are located, subject to all pertinent regulations of this Ordinance and the following additional restrictions.

#### A. Building Elevation -

1. No building or any portion thereof shall be erected unless the finished surface of the ground is higher than or raised by filling to an elevation of at least one (1) foot above the elevation of the outer limits of the floodway as herein defined, except as provided in Sub-section E below.
2. No first, basement or cellar floor of any building shall be constructed at an elevation of less than one (1) foot above the elevation of the outer limits of the floodway as herein defined.

B. Structure Anchoring - Any structure placed in the floodway shall be firmly anchored to prevent flood waters from carrying it downstream. Such anchoring shall be sufficient to withstand a flood velocity of six (6) feet per second. The Zoning Officer shall require the applicant to submit the written opinion of a registered professional engineer that the proposed structural design meets this standard.

C. Private Sewage Disposal Systems - No part of any private sewage disposal system shall be constructed within the floodway as herein defined.

D. Storage of Materials - No materials that can float, are explosive or are toxic to humans, animals or vegetation shall be stored in the floodway.

E. When permitted as a special exception by the Zoning Hearing Board, any building within the floodplain at the time of enactment of this Ordinance may be altered or extended, provided:

1. The alteration or extension conforms with all applicable regulations of this Ordinance.
2. Any increase in volume or area shall not exceed an aggregate of more than 25 percent of such volume or area during the life of the structure.
3. No increase of any on-lot sewer system presently located either wholly or partially in the floodplain shall be required.

F. Installation of Fill Materials - Fill may be placed within the outer limits of the floodway only when allowed as a special exception by the Zoning Hearing Board. An application for a special exception shall be accompanied by detailed plans showing existing and proposed conditions. If a structure is to be placed on the fill, the plans shall show the structure as well. In considering the application for a special exception, the Board shall determine whether the proposed fill meets the general standards for special exceptions set forth in Section 1113 of this Ordinance and the following additional standards.

1. Fill shall consist of soil or rock materials only; sanitary landfills shall not be permitted in the floodway.
2. The cross-sectional area of the floodway shall not be reduced by more than 3 percent on either side of the centerline of the water-course.
3. The Board shall require written evidence of approval of the proposed fill by the Division of Dams and Encroachment of the Water and Power Resources Board of the Pennsylvania Department of Environmental Resources.



## ARTICLE VII

### SIGNS

#### SECTION 700 - DEFINITIONS

##### 701 - Sign

Any permanent or temporary structure or part thereof or any device attached, painted or represented directly or indirectly on a structure or other surface that shall display or include any letter, word, insignia, flag or representation used as or which is in the nature of an advertisement, announcement, visual communication, direction or is designed to attract the eye or bring the subject to the attention of the public.

##### 702 - Area of Signs

- A. The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing incidental to the display itself.
- B. Where the sign consists of individual letters or symbols attached to a building, wall or window, the area shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.
- C. In computing square foot area of a double-face sign, only one side shall be considered, provided both faces are identical. If the interior angle formed by the two faces of the double-faced sign is greater than 45 degrees, then both sides of such sign shall be considered in calculating the sign area.

##### 703 - Illumination of Signs

- A. Directly Illuminated Sign - A sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign, including, but not limited to, neon and exposed lamp signs. Festoon lighting is a directly illuminated sign comprised of either:
  - 1. A group of incandescent light bulbs hung or strung overhead or on a building or structure or
  - 2. Light bulbs not shaded, hooded or otherwise screened to prevent the direct rays of the light from shining on an adjacent property or right-of-way.

- B. Indirectly Illuminated Sign - A sign illuminated with a light so shielded that no direct rays therefrom are visible elsewhere on the lot where said illumination occurs. If such shielding device is defective, such sign shall be deemed to be a directly illuminated sign.
- C. Flashing Sign - An illuminated sign on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use.
- D. Non-Illuminated Sign - A sign not illuminated either directly or indirectly.

704 - Location of Signs

- A. On-Premises Sign - A sign which directs attention to an activity conducted on the same lot.
- B. Off-Premises Sign - A sign which directs attention to an activity not conducted on the same lot.
- C. Advertising Sign - An off-premises sign which advertises or otherwise directs attention to a commodity, business, industry, home occupation or other similar activity sold, offered or conducted elsewhere than on the lot upon which such sign is located.
- D. Business Sign - An on-premises sign which directs attention to a business, commodity, service, industry or other activity sold, offered or conducted other than incidentally on the premises upon which such sign is located or to which it is affixed.

705 - Types of Signs

- A. Free-Standing Sign - A self-supporting sign resting on or supported by means of poles or standards either on the ground or roof of a building. The height of free-standing signs shall be measured from the curb level.
- B. Parallel Sign - A sign mounted parallel to a wall or other vertical building surface. Parallel signs shall not extend beyond the edge of any wall or other surface to which they are mounted nor project more than eight (8) inches from its surface.
- C. Projecting Sign - Any sign mounted to a wall or other vertical building surface other than a parallel sign. Projecting signs shall not project more than two (2) feet from the wall or surface to which they are mounted nor in any way interfere with normal pedestrian or vehicular traffic.

## SECTION 710 - GENERAL SIGN REGULATIONS

### 711 - Prohibition

Flashing signs, festoon lighting, free-standing roof signs and advertising signs shall not be permitted in any district.

### 712 - Obstruction

No sign shall be erected or maintained within a distance of fifty (50) feet from the intersection of any street lines or the intersection of a street line and the edge of a private accessway unless the location of the sign is situated at least

### 713 - Maintenance

All signs permitted in this Article must be constructed of durable materials and kept in good condition and repair. Any sign which is allowed to become dilapidated shall be removed by the municipality at the expense of the owner or lessee of the property on which it is located.

### 714 - Non-Conforming Signs

Signs existing at the time of passage of this Ordinance and which do not conform to the requirements of the Ordinance shall be considered non-conforming signs and, once removed, shall be replaced only with conforming signs; however, non-conforming signs may be repainted or repaired, provided such repainted or repaired sign does not exceed the dimensions of the existing sign.

### 715 - Separate Frontage

If an establishment has walls fronting on two or more streets, the sign area for each street may be computed separately.

### 716 - Official Signs

No signs except those of a duly constituted governmental body, including traffic signs and similar regulatory notices, shall be allowed within street lines. This provision may be waived for parallel and projecting signs in areas where no yard setback is required.

### 717 - Yard Requirements

No portion of any free-standing sign shall be located closer to any lot line than one-half the required yard for the district in which it is located. If this requirement cannot be met, then free-standing signs shall be prohibited on such properties.

### 718 - Traffic Safety

No sign shall be permitted which interferes with highway safety (such as direct beams or excessive intensity which may impair highway visibility) or any light or sign which may be interpreted as a traffic control signal or emergency vehicle.

719 - Permits Required

All on-premises signs over six (6) square feet in area and all off-premises signs regardless of size shall require the issuance of a zoning permit before erection or replacement. All signs must comply with all of the regulations contained herein, regardless of whether or not a permit is required.

SECTION 720 - SIGNS IN AGRICULTURAL AND RESIDENTIAL DISTRICTS

721 - On-Premises Signs

In C, A, AH and SR Districts, no on-premises sign shall be permitted except as follows:

- A. One non-illuminated sign advertising for sale agricultural produce raised on the premises where such sale is permitted, not to exceed twelve (12) square feet in area.
- B. Non-illuminated signs displayed strictly for the direction, safety or convenience of the public, including signs which identify restrooms, telephone booths, parking area entrances or exits, freight entrances or the like, provided the area of any such sign shall not exceed two (2) square feet.
- C. Flags representing governmental, educational or religious organizations.
- D. One non-illuminated sign posted in conjunction with door bells or mail-boxes, provided that the area of any such sign shall not exceed thirty-six (36) square inches.
- E. One non-illuminated sign or indirectly illuminated sign displaying only the name and address of the occupant of a premises, provided that the area of any such sign shall not exceed two hundred (200) square inches. The provisions of Section 721 H do not apply to this type of sign.
- F. One non-illuminated or indirectly illuminated sign for home occupations or accessory offices indicating only the names of persons and their occupations, provided that the area of any such sign shall not exceed two (2) square feet.
- G. One non-illuminated or indirectly illuminated bulletin or announcement board or identification sign for a permitted non-residential building or use, provided that the area of any such sign shall not exceed twenty (20) square feet.
- H. One non-illuminated or indirectly illuminated sign in connection with a lawfully maintained non-conforming use, provided that the area of any such sign shall not exceed twelve (12) square feet.

- I. One non-illuminated sign advertising the sale or rental of the premises upon which said sign has been erected or one sign indicating that said premises have been sold or rented, provided that the area of any such sign shall not exceed six (6) square feet and shall be removed within twenty (20) days after an agreement of sale or rental has been entered into.
- J. One temporary non-illuminated sign erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other persons interested in such sale or development, provided that the area of any such sign shall not exceed twenty-four (24) square feet and shall be removed within twenty (20) days after the last structure has been initially occupied or upon expiration of the building permit, whichever is sooner.
- K. Temporary non-illuminated sign of mechanics or artisans may be erected and maintained during the period such persons are performing work on the premises upon which such signs are erected, provided that such signs shall be removed upon completion of work by the mechanic or artisan and the total area of all such signs shall not exceed twenty-four (24) square feet.
- L. Signs announcing no trespassing; signs indicating the private nature of a road, driveway or premises; and signs controlling fishing or hunting on the premises, provided that the area of any such sign shall not exceed four (4) square feet.
- M. Non-illuminated or directly illuminated memorial signs or historical signs or tablets.

#### 722 - Off-Premises Signs

Off-premises signs are not permitted except as follows: (Signs permitted within this section may also be on-premises signs.)

- A. Signs necessary for the direction, regulation and control of traffic; street name signs; legal notices; warnings at railroad crossings; and other official signs which are similarly authorized or erected by a duly constituted governmental body.
- B. Temporary signs advertising political parties or candidates for election may be erected or displayed and maintained, provided that:
  1. The size of any such sign is not in excess of four (4) square feet.
  2. The signs shall not be erected or displayed earlier than seventy (70) days prior to the election to which they pertain.
  3. The erector of such sign or an authorized agent of the political party or candidate applies for and obtains a permit from the Zoning Officer

and deposits, with his application, the sum of Twenty-five Dollars (\$25.00) per each one hundred (100) such signs or fraction thereof as a guarantee that all such signs will be removed promptly within twenty (20) days after the date of the election to which such signs relate. At the time of deposit, the erector or authorized agent shall indicate upon which streets such signs are to be located. If such signs are not removed at the end of the 20-day period, the applicable municipality shall have them removed and keep the full sum deposited to reimburse the expenses incurred by it and for general municipal purposes.

- C. Temporary non-illuminated signs directing persons to temporary exhibits, shows, events or proposed development located in the area may be erected, subject to the following requirements.
  - 1. Signs shall not exceed twelve (12) square feet in area.
  - 2. Signs shall not be posted earlier than two (2) weeks before the occurrence of the event to which it relates and must be removed within one week after the date of the exhibit, show or event. When related to a proposed development, such sign must be removed immediately upon sale or rental of the final unit in such development.
- D. Non-illuminated signs used for directing patrons, members or an audience to service clubs, churches or other non-profit organizations, provided the signs shall indicate only the name of the facility and the direction to the facility and shall not exceed four (4) square feet in area.

#### 723 - Types of Signs in Residential Districts

- A. Free-standing ground signs may not exceed six (6) feet in height.
- B. Parallel and projecting signs or portions of such signs shall not be located above the ceiling of the ground floor of any building or more than twelve (12) feet above the upper surface of the nearest curb, whichever is less.

### SECTION 730 - SIGNS IN VILLAGE CENTER DISTRICTS

#### 731 - On-Premises Signs

In VC Districts, no on-premises signs shall be permitted except as follows:

- A. All signs permitted in Section 721 at the standards prescribed therein, except as otherwise provided in this section.
- B. Parallel and projecting business signs, providing:

1. The total area of all parallel and projecting signs for each establishment shall not exceed four (4) square feet of length of the front building wall or length of that portion of such wall devoted to such establishment.
2. If such establishment does not occupy any floor area on the ground level of the building other than an entryway, the maximum area per foot of length of the front building wall (or portion) shall be only one (1) square foot.
3. Signs painted on or affixed to the inside or outside of windows shall be included in this computation if their combined area exceeds 50 percent of the area of the window which they occupy.
4. In no case, however, may the total area of parallel and projecting signs exceed 25 percent of the area of the wall (including windows, door area and cornices) to which they are attached.

C. Free-standing business signs, provided:

1. Only one such sign shall be permitted on each property, except as provided in Section 715.
2. The area of any such sign shall not exceed one (1) square foot for each two (2) feet of lot frontage or sixty (60) square feet, whichever is smaller.
3. Free-standing signs mounted or otherwise affixed to the roof of a building are not permitted.
4. The maximum height of free-standing business signs shall not exceed fourteen (14) feet.

D. Non-illuminated, indirectly illuminated or directly illuminated business signs.

732 - Off-Premises Signs

All off-premises signs permitted in Section 722 at the standards prescribed therein are permitted in VC Districts.

SECTION 740 - SIGNS IN HIGHWAY COMMERCIAL AND INDUSTRIAL DISTRICTS

741 - On-Premises Signs

No on-premises signs shall be permitted in HC and I Districts except as follows:

- A. All signs permitted in Section 721 at the standards prescribed therein.
- B. Parallel business signs, subject to the following provisions.
  - 1. The total area of any parallel sign shall not exceed two (2) square feet for each foot of length of the front building wall or length of that portion of such wall devoted to such establishment or one hundred fifty (150) square feet, whichever is smaller.
  - 2. No parallel sign shall be painted on or affixed to the inside or outside of windows in such districts.
- C. Free-standing business signs, provided:
  - 1. The area of all such signs shall not exceed one (1) square foot for each two (2) feet of lot frontage, whichever is smaller.
  - 2. Signs mounted or otherwise affixed to the roof of a building are permitted on one story buildings, provided such sign does not extend more than four (4) feet above the roof line.
  - 3. The maximum height of free-standing business signs shall not exceed fourteen (14) feet.
- D. Non-illuminated, indirectly illuminated or directly illuminated business signs.

742 - Off-Premises Signs

All off-premises signs permitted in Section 722 to the standards prescribed therein are permitted in HC and I Districts.



## ARTICLE VIII

### OFF-STREET PARKING AND LOADING

#### SECTION 800 - OFF-STREET PARKING

##### 801 - Required Spaces

Off-street parking spaces shall be provided and satisfactorily maintained in accordance with the following provisions for each building which, after the effective date of this Ordinance, is erected, enlarged or altered for use for any of the following purposes in any district.

<u>Reference Section</u>	<u>Use</u>
421	Agriculture - One (1) off-street parking space for each employee.
422 428 A.	Residential Uses - Two (2) off-street parking spaces for each dwelling unit, plus one (1) for each bed in an authorized rooming or lodging house.
423 B.	Churches - One (1) off-street parking space for each four (4) seats provided for patron use or at least one (1) parking space for each fifty (50) square feet of gross floor area used or intended to be used for service to patrons, guests or members, whichever requires the greater number of off-street parking spaces, plus one (1) additional space for each full-time employee.
423 C, D. 425 F.	Schools - One (1) off-street parking space for each faculty member and employee, plus one (1) space per two (2) classrooms and offices, plus one (1) space per ten (10) students of projected building capacity for high school or post high school education.
423 E.	Cultural Facilities - One (1) off-street parking space five (5) seats or one (1) space per two hundred fifty (250) square feet of gross floor area where no seats are provided.
423 F.	Municipal Building - As required by the governing body.
423 G, H, I.	Recreational Facilities and Golf Courses - One (1) off-street parking space for each five (5) persons of total capacity.

Reference Section

Use

- 423 J. Private Club or Lodge (not operated as a private gainful business) - One (1) off-street parking space for every five (5) members of total capacity or at least one (1) space for each fifty (50) square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of spaces, plus one (1) additional space for each full-time employee.
- 423 K. Licensed Hospital - One (1) off-street parking space for each patient or inmate bed, plus at least one (1) additional space for each staff and visiting doctor, plus one (1) additional space for each employee (including nurses) on the two major shifts.
- 423 L. Nursing Home - One (1) off-street parking space for every three (3) patients or inmate beds, plus at least one (1) additional space for each staff and visiting doctor, plus one (1) additional space for each employee (including nurses) on the two major shifts.
- 424 A, B, C. Business, Professional or Governmental Offices - One (1) off-street parking space for each two hundred (200) square feet of gross floor area, plus one (1) additional space for every two (2) full-time employees.
- 424 E, F. Medical or Veterinary Office - Four (4) off-street parking spaces per doctor, plus one (1) for each employee.
- 424 D.  
425 A, B, C. Banks; Retail, Personal and Repair Services - One (1) off-street parking space for each one hundred (100) square feet of gross floor area used or intended to be used for servicing customers, plus one (1) additional space for every two (2) full-time employees.
- 425 D. Eating Place (for the sale and consumption of food and beverages without drive-in and counter service) - One (1) off-street parking space for each fifty (50) square feet of total floor area, plus one (1) additional space for each full-time employee.
- 425 E. Eating Place (for the sale and consumption of food and beverages with some drive-in and counter service) - One (1) off-street parking space for every two (2) seats or one (1) space for every one hundred (100)

Reference Section

Use

square feet of gross floor area, whichever is larger, plus no less than five (5) spaces for every one hundred (100) square feet of gross floor area.

Eating Place (for the sale and consumption of food and beverages with only drive-in or counter service) - No less than six (6) off-street parking spaces for each one hundred (100) square feet of gross floor area.

425 G, H.

Mortuary; Public Entertainment Facility - One (1) off-street parking space for each four (4) seats provided for patron use or at least one (1) space for each fifty (50) square feet of gross floor area used or intended to be used in the operation of the establishment, whichever requires the greater number of off-street parking spaces, plus one (1) additional space for each full-time employee.

425 I.

Motel; Hotel - One (1) off-street parking space for each rental room or suite, plus one (1) additional space for each full-time employee.

425 J, K, L.

Automotive Service - One (1) off-street parking space for every three hundred (300) square feet of gross floor area or two (2) spaces for each service bay, whichever is larger, plus one (1) additional space for each full-time employee. Said off-street parking spaces are not to be a part of nor interfere with service accessways.

425 M.

Automotive Sales or Rental - One (1) off-street parking space for each one hundred (100) square feet of gross floor area, plus one (1) additional space for each full-time employee.

425 N; 428 D.

As required by individual uses involved.

426 A.

Fire Station - Four (4) off-street parking spaces for each fire truck where no community room is a part of the building; where a community room is provided, two (2) spaces for each fire truck, plus one (1) space for each one hundred (100) square feet of gross floor area.

426 B, C, D.

Utility Station - One (1) off-street parking space for each vehicle normally required to service such facility.

<u>Reference Section</u>	<u>Use</u>
426 E.	As required by the governing body.
427	Industrial Uses - Three (3) off-street parking spaces for every four (4) employees on the largest shift, plus one (1) space for each company vehicle normally stored on the premises.
428 B.	Home Occupation - Two (2) off-street parking spaces in addition to spaces otherwise required or one (1) space for each one hundred (100) square feet of floor space devoted to such use, whichever is greater.
428 C.	Drive-In Stand - A sufficient number of off-street parking spaces to accommodate the maximum number of vehicles stopping at any one time but in no case fewer than three (3) such spaces.
422 I; 423 A; 426 F; 428 E, F, G, H, I, J.	None required.

#### 802 - Existing Parking

Structures and uses in existence at the date of adoption of this Ordinance shall not be subject to the requirements of this Article so long as the kind or extent of use is not changed, provided that any parking facility now serving such structures or uses shall not in the future be reduced below such requirements.

#### 803 - Change in Requirements

Whenever there is an alteration of a structure or a change or extension of a use which increases the parking requirements according to the standards of Section 801, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of that section.

#### 804 - Conflict With Other Uses

No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.

#### 805 - Continuing Obligation

All required parking facilities shall be provided and maintained so long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provision, except upon the approval of the Zoning Hearing Board and then only after proof that, by reason of diminution in floor area, seating area, the number of employees or

change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this Article. Reasonable precautions are to be taken by the owner or sponsor of particular uses to assure the availability of required facilities for the employees or other persons whom the facilities are designed to serve. They shall at no time constitute a nuisance, hazard or unreasonable impediment to traffic.

For parking areas of three (3) or more vehicles, the area not landscaped and so maintained, including driveways, shall be graded, surfaced with asphalt or other suitable material and drained to the satisfaction of the Zoning Officer to the extent necessary to prevent dust, erosion or excessive water flow across streets or adjoining property. All off-street parking spaces shall be marked so as to indicate their location.

#### 806 - Joint Use

Two or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually. However, the number of spaces required in a common parking facility may be reduced below this total only as a special exception under Article XI if it can be demonstrated to the Zoning Hearing Board that the hours or days of peak parking needed for the uses are so different that a lower total will provide adequately for all uses served by the facility.

#### 807 - Fractional Spaces

Where the computation of required parking space results in a fractional number, any fraction of the next highest number shall be counted as one.

#### 808 - Location of Space

Required off-street parking spaces shall be on the same lot or premises with the use served.

#### 809 - Design Standards

Design standards included in Section 520 of the Subdivision and Land Development Ordinance shall be considered minimum requirements for the purposes of this Ordinance.

### SECTION 810 - OFF-STREET LOADING

#### 811 - Required Berths

Off-street loading berths shall be provided on any lot upon which a building exceeding six thousand (6,000) square feet of gross floor area for business or industry is hereafter erected. Spaces shall be provided according to the following table.

Gross Floor Area

6,000 - 20,000  
20,000 - 80,000  
80,000 and Over

Berths Required

One (1)  
Two (2)  
Two (2) plus one (1) additional berth in each  
additional 60,000 square feet.

812 - Specifications

Off-street loading facilities shall be designed to conform to the following specifications.

- A. Each required space shall be not less than twelve (12) feet in width, forty (40) feet in length and fourteen (14) feet in height, exclusive of drives and maneuvering space and located entirely on the lot being served.
- B. There shall be appropriate means of access to a street or alley as well as adequate maneuvering space.
- C. The maximum width of driveways and sidewalk openings measured at the street lot line shall be thirty-five (35) feet; the minimum width shall be twenty (20) feet.
- D. All accessory driveways and entrance ways shall be graded, surfaced and drained to the satisfaction of the engineer to the extent necessary to prevent nuisances of dust, erosion or excessive water flow across public ways.

## ARTICLE IX

### NON-CONFORMITIES

#### SECTION 900 - DEFINITIONS

##### 901 - Non-Conforming Structure or Lot

A structure or lot that does not conform to a dimensional regulation prescribed by this Ordinance for the district in which it is located or to regulations for signs, off-street parking or accessory buildings but which structure or lot was in existence at the time it was established.

##### 902 - Non-Conforming Use

A use of a building or lot that does not conform to a use regulation prescribed by this Ordinance for the district in which it is located but which was in existence at the time the use regulation became effective and was lawful at the time it was established.

#### SECTION 910 - NON-CONFORMING STRUCTURES

##### 911 - Continuation

Any lawful structure existing on the effective date of this Ordinance may remain although such structure does not conform to the dimensional requirements of this Ordinance.

##### 912 - Restoration

A non-conforming building wholly or partially destroyed by fire, explosion, flood or other phenomenon or legally condemned may be reconstructed, provided that reconstruction of the building shall be commenced within one (1) year from the date the building was destroyed or condemned, shall be carried on without interruption and shall be completed within two (2) years.

##### 913 - Extension or Alteration

A structure that does not conform with the setback, yard, building height or other dimensional requirements of the district in which it is located may be extended, provided the extension conforms with all dimensional requirements of this Ordinance and all other applicable regulations of this Ordinance.

#### SECTION 920 - NON-CONFORMING LOTS

##### 921 - Continuation

Any lawfully created lot existing on the effective date of this Ordinance may

be continued although such lot does not conform to the lot requirements for the district in which it is located.

#### 922 - Construction

The provisions of this Ordinance shall not prevent the construction of a structure, providing the yard, height and other applicable dimensional requirements are met, or the establishment of a use on any non-conforming lot. However, this provision shall not apply to any two or more contiguous lots in single ownership as of or subsequent to the effective date of this Ordinance where replotting or replatting could create one or more conforming lots.

### SECTION 930 - NON-CONFORMING USES

#### 931 - Continuation

Any lawful use of a building or land existing at the effective date of this Ordinance may be continued although such use does not conform to the provisions of this Ordinance.

#### 932 - Extension

A use that does not conform to the use regulations of the district in which it is located may be extended, provided that:

- A. The proposed extension shall take place only upon the lot or contiguous lots held in the same ownership as that existing at the time the use became non-conforming. Permission to extend a non-conforming use as described in this Article shall not be construed to mean that new or similar uses may be established which, in fact, would become either commercial or planned industrial development as defined in Section 425 N.
- B. The proposed extension shall conform with the area, building height, parking, sign and other requirements of the district in which said extension is located, as contained in Articles V, VI and VII.

#### 933 - Changes

Once changed to a conforming use, no structure or land shall be permitted to revert to a non-conforming use. A non-conforming use may be changed to another non-conforming use only under the following conditions.

- A. Such change shall be permitted only as a special exception under the provisions of Article XI.
- B. The applicant shall show that a non-conforming use cannot reasonably be changed to a permitted use.



C. The applicant shall show that the proposed change will be less objectionable in external effects than the existing non-conforming use with respect to:

1. Traffic generation and congestion, including truck, passenger car and pedestrian traffic;
2. Noise, smoke, dust, fumes, vapors, gases, heat, odor, glare or vibration;
3. Storage and waste disposal;
4. Appearance.

934 - Abandonment

If a non-conforming use of a building or land ceases and is abandoned for a continuous period of one (1) year or more, subsequent use of such building or land shall be in conformity with the provisions of this Ordinance. For the purposes of this Ordinance, abandonment shall commence when reasonable efforts to re-establish (such as lease, rental, sale, etc.) a non-conforming use have ceased.

## ARTICLE X

### ADMINISTRATION

#### SECTION 1000 - ZONING OFFICER

##### 1001 - Duties

The provisions of this Ordinance shall be administered and enforced by the Zoning Officer who shall be appointed by the governing body. It shall be the duty of the Zoning Officer and he shall have the power to:

- A. Receive all applications for zoning permits; issue permits when there is compliance with the provisions of this Ordinance, other municipal ordinances and the laws of the Commonwealth of Pennsylvania.
- B. Receive applications for special exceptions and refer these applications to the Zoning Hearing Board for action thereon.
- C. Following refusal of a permit, receive applications for appeals from alleged error of the Zoning Officer and variances and forward these applications to the Zoning Hearing Board for action thereon.
- D. Conduct investigations to determine compliance or non-compliance with the terms of this Ordinance.
- E. Order, in writing, correction of all conditions found to be in violation of the provisions of this Ordinance. Such written orders shall be served personally or by registered mail upon persons, firms or corporations deemed by the Zoning Officer to be violating the terms of this Ordinance.
- F. Institute, with the approval of the governing body, proceedings in courts of proper jurisdiction for the enforcement of this Ordinance.
- G. Keep a permanent record of all plans and applications for permits and all permits issued, with a notation as to conditional uses attached thereto.
- H. Maintain a map or maps showing the current zoning classification of all land in the area.
- I. Upon the request of the Planning Commission, Zoning Hearing Board or governing body, present to such body facts, records or any similar information to assist such body in reaching a decision.

## 1002 - Limits of Authority

- A. The Zoning Officer shall have the authority to issue permits only for construction and uses which are in accordance with the requirements of this Ordinance. Construction and uses which require special exception or variance shall be issued zoning permits only upon order of the Zoning Hearing Board. Construction or uses subject to conditional use approval shall be issued zoning permits only upon order of the governing body.
- B. The Zoning Officer shall issue no permits for the construction or use of any land and buildings unless it conforms to all municipal ordinances and the laws of the Commonwealth of Pennsylvania.

## SECTION 1010 - BUILDING PERMITS

### 1011 - Permits Required

Hereafter, no structure shall be erected, constructed, ~~reconstructed~~, extended, moved or ~~razed~~ until a building permit has been secured from the Zoning Officer. Permit requirements for signs are governed by Section 718.

Upon completion of changes in use or construction, reconstruction, extension or moving of structures, the applicant shall notify the Zoning Officer of such completion. No permit shall be considered complete or permanently effective until the Zoning Officer has noted on the permit that the work or occupancy and use have been inspected and approved as being in conformity with the provisions of this Ordinance.

### 1012 - Permit Approval

If the specifications set forth by the applicant in his application are in conformity with the provisions of this Ordinance, the municipal building code (if any) and the applicable statutes, the Zoning Officer shall issue a permit. If a building permit is refused, the Zoning Officer shall state such refusal in writing, with the cause, and shall immediately thereupon mail notice of such refusal to the applicant at the address indicated on the application. The Zoning Officer shall grant or deny the permit not later than ten (10) days following application, except in cases of special exception or conditional usage where further proceedings are necessary.

Except upon written order of the Zoning Hearing Board authorizing a variance, no building permit shall be issued for any structure where said erection, construction, reconstruction, extension, moving, razing or use thereof would be in violation of any of the provisions of this Ordinance. Moreover, any permit issued in error shall in no case be construed as waiving any provisions of this Ordinance.

### 1013 - Application Requirements

All applications for zoning permits shall be made in writing by the owner or authorized agent on a form supplied by the Zoning Officer and shall be filed with the Zoning Officer. The application shall include:

- A. A statement as to the proposed use of the building or land.
- B. A site layout showing the location, dimensions and height of proposed structures or uses and any existing buildings in relation to property and street lines.
- C. The number, location and design of parking and loading spaces, if applicable.

### 1014 - Life of a Permit

Any construction requiring a building permit under this Article shall be completed within one (1) year from date of issuance of the permit. However, the right to proceed with construction may be extended annually without payment of additional fees for an aggregate period of not more than three (3) years, provided that the construction or change pursuant to said permit has commenced within the first 1-year period.

## SECTION 1020 - OCCUPANCY PERMIT

### 1021 - Permit Required

No land or buildings shall be used or changed in use and no building hereafter erected, constructed, altered or extended shall be occupied until an occupancy permit shall have been issued by the Zoning Officer stating that the building or proposed uses fully comply with the provisions of this Ordinance.

### 1022 - Permit Approval

- A. In cases where a building permit is required, all occupancy permits shall be applied for coincident with the application for the building permit. The application shall be retained by the Zoning Officer until such time as the building in question shall have been approved as complying with the provisions of this Ordinance; issuance of the approved permit shall not exceed ten (10) days following inspection by the Zoning Officer to ascertain compliance.
- B. In cases involving establishment of a use upon land or a change of use upon land or within structures, application for an occupancy permit alone shall suffice. The Zoning Officer shall grant or deny such use within ten (10) days following application, except in cases of special exception or conditional usage where further proceedings are necessary. If a permit is denied, the Zoning Officer shall state in writing the cause for such denial and shall immediately thereupon mail notice of such denial to the applicant.

### 1023 - Application Requirements

All applications for occupancy permits shall be made in writing by the owner or authorized agent on a form supplied by the Zoning Officer, setting forth information listed in Section 1012 and other data the Zoning Officer may require.

### 1024 - Life of a Permit

An occupancy permit shall become void ninety (90) days from the date of issuance unless occupancy, use or change of use is commenced.

## SECTION 1030 - CONDITIONAL USE PERMITS

### 1031 - Procedures

Applications for conditional uses permitted by this Ordinance shall be made in writing to the Zoning Officer by the owner or authorized agent on a form supplied by the Zoning Officer. The Zoning Officer shall simultaneously refer such application to the Planning Commission and the governing body. The Planning Commission shall review the application and, within thirty (30) days of receipt, submit its recommendations to the governing body for decision. At its next regular meeting following receipt of the Planning Commission's recommendations or expiration of the 30-day period, whichever is sooner, the governing body shall review the application and, indicating its approval or disapproval thereof, return the application to the Zoning Officer. The Zoning Officer in turn shall, within ten (10) days of decision by the governing body, forward, if approved, an approved building permit or occupancy permit, as appropriate, to the applicant; if disapproved, so notify the applicant.

### 1032 - Criteria

The recommendations of the Planning Commission and the decision of the governing body shall be based on, but not limited to, the following standards and criteria.

- A. Compatibility - The proposed use will be reviewed as to its relationship to and effect upon surrounding land uses and existing environmental conditions regarding the pollution of air, land and water; noise; potential of hazards and congestion; illumination and glare; restrictions to natural light and circulation of air.
- B. Purpose - Review the intended purpose of the proposed use as it relates to the area's development objectives established in the Comprehensive Plan.
- C. Suitability - The nature of activity and population served, numbers of participating population, frequency of use, adequacy of space and spatial

requirements, potential generation and impact of congestion will be reviewed as suitably related to the proposed location of potential use.

- D. Accessibility - Ingress and egress to the site of the proposed use, circulation and movement of pedestrian and vehicular traffic, parking requirements and accessibility to the existing and proposed area highway system will be reviewed.
- E. Servicability - Reviews will be made as to the adequacy and availability of utility services and facilities such as sanitary and storm sewers, water, trash and garbage collection and disposal and the ability of the area to supply such services.

#### SECTION 1040 - FEES

The applicant for a zoning permit shall, at the time of making application, pay to the Zoning Officer, for the use of the municipality, a fee in accordance with a fee schedule adopted by resolution of the governing body upon the enactment of this Ordinance or as such schedule may be amended.

## ARTICLE XI

### ZONING HEARING BOARD

#### SECTION 1100 - GENERAL PROVISIONS

##### 1101 - Establishment of Board

A Zoning Hearing Board is established in order that the objectives of this Ordinance may be fully and equitably achieved and a means for competent interpretation of this Ordinance provided.

##### 1102 - Membership of Board and Election of Officers

The Zoning Hearing Board shall consist of three (3) members appointed by the governing body for overlapping three (3) year terms. Members of the Board shall hold no other office in the municipality except that one member may also be a member of the Planning Commission.

The Board shall elect a chairman, vice-chairman and secretary from its membership who shall serve annual terms and may succeed themselves. The Board shall promptly notify the governing body of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term.

##### 1103 - Removal of Members

Any Board member may be removed for malfeasance, misfeasance or non-feasance in office or for other just cause by a majority vote of the governing body, taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A public hearing shall be held in connection with the vote if the member shall request it in writing.

#### SECTION 1110 - POWERS AND DUTIES

##### 1111 - Interpretation Appeals

Any person aggrieved by any decision of the Zoning Officer shall have the right to appeal to the Zoning Hearing Board within a reasonable time by filing with the Zoning Officer, specifying the grounds thereof and including the following:

- A. The name and address of the applicant or appellant;
- B. The name and address of the owner of the zoning lot to be affected by such proposed change or appeal;

- C. A brief description and location of the zoning lot to be affected by such proposed change or appeal;
- D. A statement of the present zoning classification of the zoning lot in question, the improvements thereon and the present use thereof;
- E. A statement of the section of this Ordinance under which the appeal is made and reasons why it should be granted or a statement of the section of this Ordinance governing the situation in which the alleged erroneous ruling is being appealed and the reasons for this appeal; and
- F. A reasonably accurate description of the present improvements and the addition or changes intended to be made under this application, indicating the size, material and general construction thereof. In addition, there shall be attached a plot plan of the real property to be affected, indicating the location and size of the lot and size of improvements existing thereon and proposed to be erected thereon.

#### 1112 - Variance Appeals

Upon appeal from a decision by the Zoning Officer, the Board shall hear requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship upon the applicant. The Board shall prescribe the form of application and require preliminary application to the Zoning Officer. 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 this 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 this Ordinance and the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- C. That such unnecessary hardship had not been created by the appellant;
- 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 nor be detrimental to the public welfare; and



- E. That the variance, if authorized, will represent the minimum variance which will afford relief and the least modification possible of the regulation in issue.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance.

### 1113 - Special Exception Applications

In this Ordinance, special exceptions may be granted or denied by the Board pursuant to express standards and criteria. The Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purposes of this Ordinance. The Board shall pursue the following procedure.

- A. The Board's decision to grant a permit for special exception use shall be made only after public notice and hearing. Such permit shall apply specifically to the application and plans submitted and presented at said public hearing. Any subsequent amendments or additions shall be subject to review and public hearing by the Zoning Hearing Board as a special exception use.
- B. No application for a permit shall be granted by the Zoning Hearing Board for any special exception use until said Board has first received and considered an advisory report thereon from the Planning Commission with respect to the location of such use in relation to the needs and growth pattern of the area and, where appropriate, with reference to the adequacy of the site area and arrangement of buildings, driveways, parking areas, off-street truck loading spaces and other pertinent features of the site plan. The Planning Commission shall have thirty (30) days from the date of its receipt of the application within which to file its report thereon. In the event that said Commission shall fail to file its report within such 30 days, such application shall be deemed to have been approved by said Planning Commission.

The Commission may have representation at the public hearing held by the Zoning Hearing Board on such application. After receipt of the report, The Zoning Hearing Board shall hear the application in the same manner and under the same procedure as it is empowered by law and ordinance to hear cases and make exceptions to the provisions of this Ordinance. The Zoning Hearing Board may thereafter direct the Zoning Officer to issue such permit if, in its judgment, the use meets all specific provisions and criteria contained in this Ordinance and the following general provisions.

1. In accordance with the Comprehensive Plan and consistent with the spirit, purposes and intent of this Ordinance;
2. In the best interest of the community, the public welfare and a substantial improvement to the property in the immediate vicinity;
3. Suitable for the property in question and designed, construction, operated and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;
4. In conformance with all applicable requirements of this Ordinance;
5. Suitable in terms of effects on highway traffic and safety, with adequate access arrangements to protect streets from undue congestion and hazard; and
6. In accordance with sound standards of subdivision practice, where applicable.

The Zoning Hearing Board may impose whatever conditions regarding layout, circulation and performance it deems necessary to insure that any proposed development will secure substantially the objectives of this Ordinance.

#### 1114 - Challenge to Validity of Ordinance

Except as provided for in Section 1112 relating to variances, the Board shall have no power to pass upon the validity of any provision of an ordinance or map adopted by the governing body. Recognizing that challenges to the validity of an ordinance or map may present issues of fact and interpretation which may lie within the special competence of the Board and to facilitate speedy disposition of such challenges by a court, the Board may hear all challenges wherein the validity of the ordinance or map presents any issue of fact or interpretation not hitherto properly determined at a hearing before another competent agency or body and shall take evidence and make a record thereon. At the conclusion of the hearing, the Board shall decide all contested questions of interpretation and make findings on all relevant issues of fact, which shall become part of the record on appeals to court.

#### SECTION 1120 - RULES AND PROCEDURES

##### 1121 - Parties Appellant Before Board

Appeals from a decision of the Zoning Officer and proceedings to challenge the validity of the ordinance may be filed with the Board, in writing, by any officer or agency of the municipality or any person aggrieved. Requests

for a variance or special exception, however, must be filed with the Board by any landowner or any tenant with the permission of such landowner.

#### 1122 - Hearings Required and Notice of Hearings

The Board shall conduct hearings on any interpretation, variance, special exception, challenge or other matter requiring the Board's decision or other official action.

Upon the filing with the Zoning Hearing Board of an appeal or application, the Board shall fix a reasonable time and place for a public hearing thereon and give notice as follows:

- A. At least fifteen (15) days prior to the date fixed for the public hearing, publish a notice describing the location of the building or lot, the general nature of the question involved and the time and place for the public hearing in a newspaper of general circulation in the area.
- B. Give written notice to parties in interest who shall be at least those persons whose property adjoin or are across public roads from the property in question.

#### 1123 - Conduct of Meetings

The Board shall prescribe rules for the conduct of its meetings, such rules to be in conformance with the Pennsylvania Municipalities Planning Code and this Ordinance. Meetings shall be held at the call of the Chairman and at such other times as the Board may specify in its rules of procedure. Meetings shall be open to the public, and a quorum of two (2) members shall be required for the Board to take action.

#### 1124 - Records and Decisions

The Board shall keep a record of the proceedings, either stenographically or by sound recording; and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.

The Board shall keep full public records of its business and shall submit a report of its activities to the governing body once a year.

The Board shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days. Each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefor.

1125 - Appeals to Court

Any person aggrieved by any decision of the Zoning Hearing Board may, within thirty (30) days after such decision of the Board, appeal to the Court of Common Pleas of Northumberland County, by petition duly verified, setting forth that such decision is arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law and specify the grounds upon which he relies. Such appeals shall be made in accordance with Article X of the Pennsylvania Municipalities Planning Code (Act 247).

## ARTICLE XII

### AMENDMENTS

#### SECTION 1200 - AMENDMENT PROCEDURES

##### 1201 - Power of Amendment

The governing body may, from time to time, amend, supplement, change, modify or repeal this Ordinance, including the Zoning Map. When doing so, the governing body shall proceed in the manner prescribed in this Article.

##### 1202 - Initiation of Amendments

Proposals for amendment, supplement, change or modification or repeal may be initiated by the governing body on its own motion, the Planning Commission or petition of one or more owners of property to be affected by the proposed amendment, subject to the following provisions.

- A. **Proposals Originated by Governing Body** - The governing body shall refer any proposed amendment, supplement, change, modification or repeal originated by said body to the Planning Commission. Within thirty (30) days of the submission of said proposal, the Planning Commission shall submit to the governing body a report containing the Commission's recommendations, including any additions or modifications to the original proposal.
- B. **Proposals Originated by the Planning Commission** - The Planning Commission may at any time transmit to the governing body any proposal for the amendment, supplement, change, modification or repeal of this Ordinance.
- C. **Proposals Originated by a Citizen's Petition** - Each petition by one or more owners of property to be affected by a proposal for amendment, supplement, change or modification shall be submitted in writing to the Secretary of the governing body, together with a fee of \$100.00 to cover costs, no part of which shall be returnable to a petitioner. On receipt of said petition, the governing body shall transmit a copy of the petition to the Planning Commission. Within thirty (30) days of this submission to the Planning Commission, the Commission shall submit to the governing body a report containing the Commission's recommendations, including any additions or modifications of the original proposal.

##### 1203 - Public Hearing

Upon receipt of the Planning Commission's recommendation and before voting on any proposed amendment to the Ordinance, the governing body shall hold a public hearing thereon pursuant to public notice.

Public notice shall be given not more than thirty (30) days and not less than fourteen (14) days in advance of any hearing. Such notice shall be published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.

1204 - Action Upon Amendment

Enactment of any proposed amendment shall be by the favorable vote of the governing body. It is the clear intention of this Ordinance to coordinate plans, standards and procedures of the municipality.

SECTION 1210 - EFFECTIVE DATE

The effective date of this Ordinance shall be August 7, 1972.

Enacted and Ordained the 7  
day of August, 1972.

Attest:

SNYDERTOWN BOROUGH COUNCIL

Myrtle Smink  
Secretary

William E. Mowery  
President

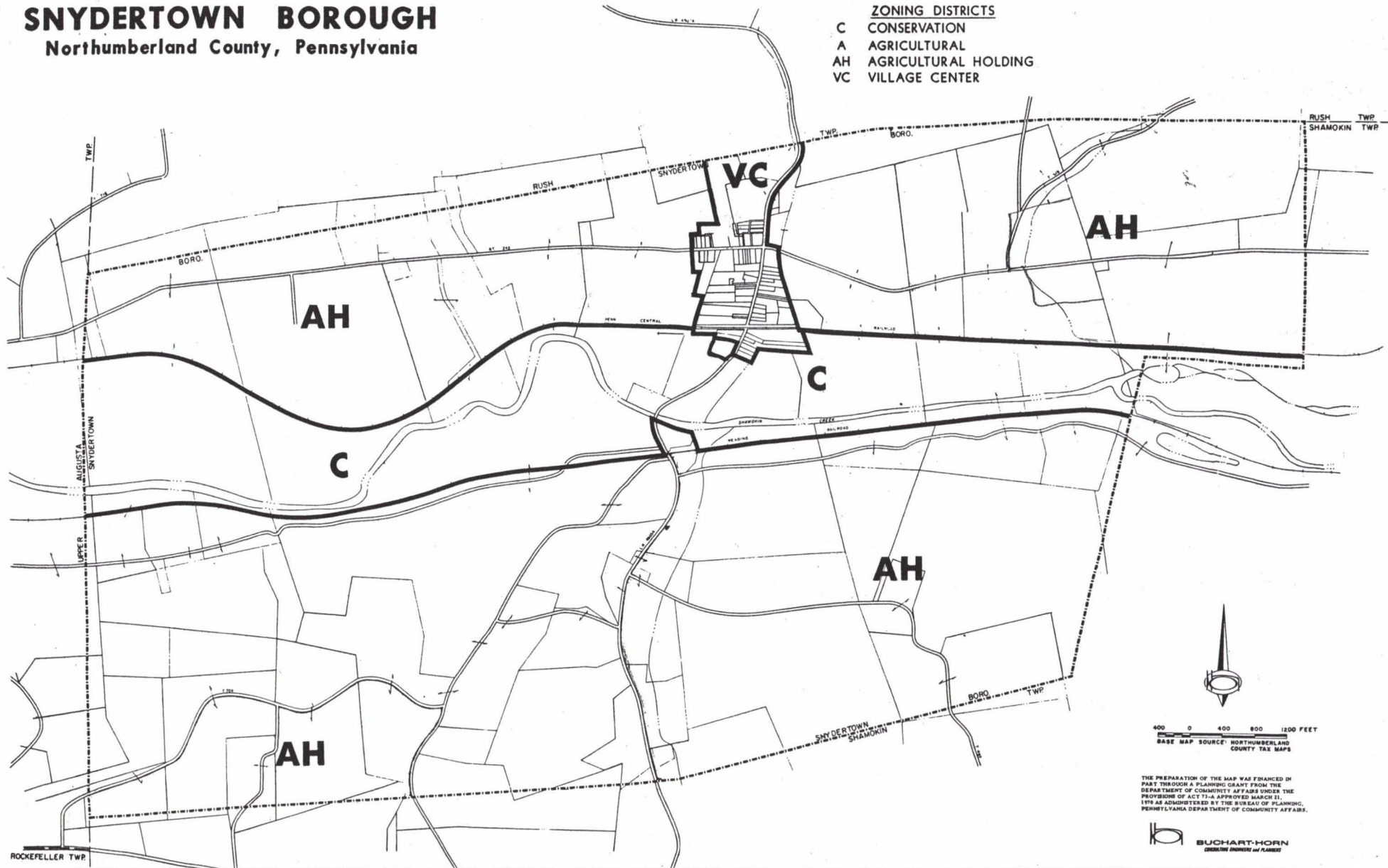
Approved:

Leon E. Clayburger  
Mayor

**COMPREHENSIVE PLANNING STUDY  
SNYDERTOWN BOROUGH**  
Northumberland County, Pennsylvania

**ZONING MAP** (8-7-72)

- ZONING DISTRICTS**  
 C CONSERVATION  
 A AGRICULTURAL  
 AH AGRICULTURAL HOLDING  
 VC VILLAGE CENTER



400 0 400 800 1200 FEET  
 BASE MAP SOURCE: NORTHUMBERLAND COUNTY TAX MAPS

THE PREPARATION OF THE MAP WAS FINANCED IN PART THROUGH A PLANNING GRANT FROM THE DEPARTMENT OF COMMUNITY AFFAIRS UNDER THE PROVISIONS OF ACT 31-A APPROVED MARCH 21, 1978 AS ADMINISTERED BY THE BUREAU OF PLANNING, PENNSYLVANIA DEPARTMENT OF COMMUNITY AFFAIRS.

**BUCHART-HORN**  
 CONSULTING ENGINEERS and PLANNERS

ROCKEFELLER TWP

NOTICE

After Public Hearing held and after due publication and notice to the Northumberland County Planning Commission, and after Motion made and duly passed the following Amendments are hereby made to the Zoning Ordinance for Snyderstown Borough enacted August 7, 1972:

1. Road frontage requirements for Agricultural Holding areas to be reduced from 200 feet to 150 feet.
2. Road frontage requirements for Suburban Residential areas to be reduced from 150 feet to 125 feet.
3. Minimum yard space requirements for Suburban Residential areas, relating to rear set back distance, to be reduced from 40 feet to 20 feet.
4. Minimum yard space, Village Center areas, relating to rear set back distance, to be reduced from 40 feet to 15 feet.
5. Permits will not be required for any unattached building, not affixed to the ground, smaller than 10 feet long by 10 feet wide by 8 feet high. The height is to be measured from the floor base to the highest point on the roof.



6. Building permit requirements shall not apply to repairs or replacements which do not involve major changes in the outside dimension of the structure.

7. Village Center map shall be revised to include Ronald and Carol Reedy property.

8. Longview Heights and Shower Development shall be changed from Agricultural Holding area to Suburban Residential area designation.

These Amendments are hereby incorporated into the existing Zoning Ordinance as though set forth in full therein.

ATTEST:

SNYDERTOWN BOROUGH COUNCIL

Betty Cardell 10/1/90  
Secretary

BY William E. Mowery  
William E. Mowery, President

cc: Keith Lloyd, Director  
Northumberland Planning Commission  
John R. Bakowicz,  
Code Enforcement Officer  
Robert L. Walsh, Esquire  
Solicitor  
Borough Ordinance File

