

**VERNON TOWNSHIP ZONING ORDINANCE**  
**PART 1**  
**PRELIMINARY PROVISIONS**

	<u>Page No.</u>
§101. Title and Authority	1
§102. Purpose	1
§103. Community Development Objectives	1
§104. Interpretation	2
§105. Conflict	2
§106. Municipal Liability	2
§107. Continuity	3
§108. Repealer	3

**PART 2**  
**DEFINITION OF TERMS**

§201. General Rules	4
§202. Specific Definitions	4

**PART 3**  
**ZONING DISTRICT REGULATIONS**

§301. Official Zoning Map	22
§302. Application of District Regulations	23

**PART 4**  
**PROVISIONS THAT APPLY IN EACH ZONE DISTRICT**

§401. Rural Residential District (RR)	25
§402. Suburban Residential District (RS)	27
§403. Retail and Service Business District (CR)	31
§404. Business and Manufacturing District (BM)	34
§405. Conservation-Agricultural District	37
§406. Conneaut Corridor District	38

**PART 5**  
**SUPPLEMENTARY REGULATIONS**

§501. Lot Area and Width Exceptions	42
§502. Occupancy of an Undivided Lot	42
§503. Access to a Lot	43
§504. Building Setback Exceptions	43
§505. Encroachment into Required Yard Areas	43
§506. Height Limitations	44
§507. Screening and Landscaping	44
§508. Accessory Buildings and Uses	45
§509. Individual Manufactured Homes	45
§510. Special Residential Uses	46

§511.	Off-Street Parking and Loading	48
§512.	Signs	53
§512A.	Conneaut Corridor Signs	60
§513.	Special Height Restrictions in the Vicinity of Port Meadville Airport	64
§514.	Development on Land Subject to Flooding	65
§515.	Regulations Governing Communications Antennas and Communications Equipment Building	72
§516.	Outdoor Lighting	73
§517.	Dumpsters/Waste Containers	79
§518.	Forestry	79

**PART 6  
CONDITIONAL AND SPECIAL EXCEPTION USES**

§601.	General Requirements	80
§602.	Conditional Use Processing	81
§603.	Specific Criteria to be Applied to Particular Conditional and Special Exception Uses	82
§604.	Planned Residential Development (PRD)	96

**PART 7  
NONCONFORMING USES**

§701.	Nonconforming Lots of Record	105
§702.	Nonconforming Uses of Lands and Structures	105
§703.	Nonconforming Structures	106
§704.	Record of Nonconforming Uses	106

**PART 8  
ZONING HEARING BOARD AND CONDITIONAL USES**

§801.	Membership	107
§802.	Appointment	107
§803.	Removal of Members	107
§804.	Organization of Board	107
§805.	Expenditures for Services	107
§806.	Legal Counsel	108
§807.	Hearings	108
§808.	Board's Function	110
§809.	Parties Appellant Before Board	111
§810.	Time Limitations; Persons Aggrieved	111
§811.	Stay of Proceeding	111
§812.	Conditional Uses	112

**PART 9  
ADMINISTRATION**

§901.	Duties of the Zoning Officer	114
§902.	Zoning Permits	114
§903.	Permission to Occupy	116

<b>§904.</b>	<b>Enforcement and Penalties</b>	<b>116</b>
<b>§905.</b>	<b>Amendment of this Chapter</b>	<b>117</b>
<b>§906.</b>	<b>Schedule of Fees</b>	<b>118</b>

## **APPENDIX**

**PART 1**  
**PRELIMINARY PROVISIONS**

**§101. Title and Authority**

This chapter and attached map shall be known as, and may be cited as the “Vernon Township Comprehensive Zoning Ordinance of 2009,” in accordance with and exercising the authority of the Pennsylvania Municipalities Code, to:

- A. Regulate the location and use of buildings, structures and land for residence, agriculture, commerce, industry, and other purposes.
- B. Control the minimum size of properties and the height, number of stories, and placement of buildings and other structures.
- C. Divide the Township into districts of such size, shape and area as may be deemed best suited to serve the needs of all the residents and property owners.
- D. Establish procedures for the administration, enforcement and amendment of this chapter.

**§102. Purpose**

The regulations and restrictions of this chapter are deemed necessary in order to:

- A. Promote the public health, safety, morals, and general welfare.
- B. Secure safety from fire, flood, mudslide, panic, and other dangers and to provide adequate open spaces for light, air and amenity.
- C. Conserve and stabilize property values through the most appropriate uses of land in relation to one another.
- D. Preserve forests, agricultural lands, floodplain areas, and recreation lands from conflict with urban development.
- E. Facilitate the economic provision of adequate transportation, water supply, sewage disposal, public schools, parks, and other public requirements.
- F. Prevent overcrowding or improper development of land, blighting conditions and congestion in travel and transportation.
- G. Encourage orderly, coordinated, and compatible development and growth.

**§103. Community Development Objectives**

In addition to the general purpose behind adoption of this chapter as noted in §102, the following specific Community Development Goals and Objectives identified in the Central Crawford Region Multi-Municipal Comprehensive Plan have been followed in developing the regulations and controls of this chapter:

- A. Channel growth into areas where utilities and roads can accommodate it and where it is a natural extension of existing development.
- B. Require development to respect natural amenities and conditions of the land.
- C. Allow for a variety of housing types and densities in relation to the capacity of streets and utilities and a natural progression outward from higher to lower densities.
- D. Limit major retail commercial expansion to the Route 6/322 corridor and part of the Route 19 frontage.
- E. Provide areas for specialized business activities in appropriate locations that are best suited for them.
- F. Encourage generation of new jobs in office, service, and light manufacturing in well-planned settings.
- G. Regulate roadside access, signage and landscaping in commercial and business areas.
- H. Use nonresidential development to buffer the airport and respect flight patterns in the airport's vicinity.
- I. Development of a diverse light industrial sector that will complement the region's existing and emerging industrial base and provide additional regional competitiveness.
- J. Where possible, to emphasize development of industrial and light industrial concerns in relative proximity to one another and to maximize existing infrastructure and minimize deleterious effects on existing natural resources and development.

**§104. Interpretation**

The regulations contained in this chapter shall be held to be the minimum regulations required to uphold the public health, safety, morals and general welfare.

**§105. Conflict**

Where conflicts exist between this chapter and other regulations of the Township, or of a higher level of government, or with legal restrictive covenants applied by landowners to the development of their property, the ordinance, regulation or covenant establishing the higher standards shall prevail. All ordinances or parts thereof in conflict with this chapter, inconsistent with its provisions or less restrictive, are hereby repealed to the extent necessary to give this chapter full force and effect.

**§106. Municipal Liability**

The grant of a zoning permit in any zone district shall not constitute a representation, guarantee or warranty of any kind by the Township or by any official or employee of the practicality or safety of the use, building or structure covered by the permit and shall create no liability upon the Township, its officials or employees.

**§107. Continuity**

- A. The provisions of this chapter, as far as they are common to those zoning regulations in force immediately prior to the enactment of this chapter, are intended as a continuation of such prior regulations and not as new enactments. Such parts of the prior regulations that are omitted from this chapter shall be deemed as abrogated.
- B. The adoption of this chapter does not make legitimate development activity in the Township illegal under provisions of the prior regulations nor does it annul any litigation currently being pursued or that may be pursued in the future against such illegal activity.

**§108. Repealer**

This Ordinance shall become effective and shall remain in effect until modified or rescinded by the Township. This Ordinance shall supersede and replace all other conflicting regulations issued by the Township previous to the approval date of this Ordinance, specifically Ordinance 1992-4.

## PART 2

### DEFINITION OF TERMS

#### §201. General Rules

Words used in the present tense include the future tense; the particular controls the general; the singular includes the plural, and the plural, the singular; the words “person” or “developer” include a firm, association, partnership, trust, company or corporation as well as an individual; the masculine includes the feminine; the word “shall” is mandatory, and the word “may” permissive; the words “used” or “occupied” include the words “intended, arranged maintained or designed to be used or occupied,” and words used in this chapter and not otherwise defined in this part, or the Pennsylvania Municipalities Planning Code shall have the same meaning as in a standard dictionary.

#### §202. Specific Definitions

**85TH PERCENTILE SPEED:** The speed, in miles per hour, which is exceeded by only 15% of the drivers traveling on a section of highway.

**95TH PERCENTILE QUEUE LENGTH:** The queue exceeded at some point during 5% of the signal cycles.

**ACCESS:** A driveway, street, or other means of passage of vehicles between the highway and abutting property, including acceleration and deceleration lanes and such drainage structures, as may be necessary for proper construction and maintenance thereof. [67 PA Code Chapter 441]

**ACCESSORY USE:** An activity or use that is incidental to and generally found in connection with the principal use on the lot (see §508).

**ANIMATED SIGN:** A sign employing actual motion or the illusion of motion. Animated signs are differentiated from *changeable* signs as defined and regulated by this Ordinance.

**APARTMENT:** A suite of rooms in a building containing at least one other such dwelling, each intended to be used as an independent housekeeping unit for one family with separate cooking, food storage, bathing and toilet facilities and with access directly or by a common hallway and/or stairs to the outside.

**APARTMENT BUILDING, GARDEN:** A building not more than three stories high, containing at least three dwelling units, each unit having access to the outside via common interior halls and stairways or by individual entrances and stairs.

**ATTACHED DWELLING:** A dwelling, attached by common wall or walls, to one or more other similar dwellings, each independent of the others and each with direct access from at least two entrances to the outside. Common walls shall extend from the ground level to the roof without openings. There shall not be more than eight dwellings in any group of attached dwellings. Attached dwelling shall mean the same as townhouse.

**AUTOMOBILE SERVICE STATION:** A facility for the dispensing of gasoline and diesel fuel and for any or all of the following: automobile inspection, sale of lubricants, sale of minor auto supplies and travelers’ incidental needs, auto washing and minor repairs.

**AUXILIARY LANE:** The portion of the roadway adjoining the through lane that is used for speed change, turning, storage for turning, deceleration, acceleration, weaving, and other purposes supplementary to through traffic movement.

**AVERAGE DAILY TRAFFIC (ADT):** The total volume of traffic during a number of whole days (more than one day) and less than one year divided by the signal cycles.

**AWNING:** An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

**AWNING SIGN:** A sign displayed on or attached flat against the surface or surfaces of an awning. See also Wall or Fascia Sign.

**BACKGROUND AREA OF SIGN:** The entire area of a sign on which copy and/or graphics could be placed.

**BACKLIT AWNING:** An awning where the covering material exhibits the characteristic of luminosity obtained by means of a source of illumination contained within its framework.

**BANNER:** A flexible substrate on which copy or graphics may be displayed.

**BANNER SIGN:** A sign utilizing a banner as its display surface.

**BEDROOM:** Any room containing at least 80 square feet of floor area and an operable window used permanently or occasionally for sleeping purposes.

**BOARD OF SUPERVISORS:** The duly elected governing body of Vernon Township with final approval powers relative to this chapter.

**BOND or ESCROW ACCOUNT:** A guarantee held by a third party that certain improvements required by this chapter as part of a development proposal and/or agreed upon by the developer and the Board of Supervisors will be constructed or placed by the developer to specifications, such guarantee a condition of plan approval that the Board can draw upon to complete the improvements if the developer fails to do so.

**BUILDING:** A man-made structure attached to or into the ground enclosing or covering a volume of space and intended to shelter or contain people, animals, businesses and activities associated with any of them.

**BUILDING, ENCLOSED:** A building whose walls, extending from grade to roof, are permanent.

**BUILDING FAÇADE:** That portion of any exterior elevation of a building extending vertically from grade to the top of the parapet wall or eaves and horizontally across the entire width of the building elevation.

**BUILDING LOT:** A contiguous area of land in one ownership upon which a building or structure may be erected in accordance with the requirements of this chapter.

**BUILDING, PERMANENT:** A building supported on and tied to a foundation extending at least three feet into the ground and describing in plan the exterior walls of the building.

**BUILDING PERMIT:** A document issued by the Vernon Township's 3<sup>rd</sup> party inspection agency that has been reviewed and approved in accordance with the Pennsylvania Uniform Construction Code (UCC).

**BUILDING or SETBACK LINE:** A line that closes on itself surrounding the area in a building lot within which a building or structure can occur. Certain building projections and uses of the lot may extend over the line (see §505, Subsection B).

**CANOPY (ATTACHED):** A multi-sided structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from such building or also supported by columns at additional points. The surface(s) and/or soffit of an attached canopy may be illuminated by means of internal or external sources of light, and similar to a marquee sign.

**CANOPY (FREESTANDING):** A multi-sided structure supported by columns. The surface(s) and or soffit of a freestanding canopy may be illuminated by means of internal or external sources of light.

**CANOPY SIGN:** A sign affixed to the visible surface(s) of an attached or freestanding canopy. May be internally or externally illuminated, and similar to a marquee sign.

**CHANGEABLE SIGN:** A sign with the capability of content change by means of manual or remote input. Includes the following types:

**MANUALLY ACTIVATED:** Changeable sign whose message copy or content can be changed manually on a display surface.

**ELECTRICALLY ACTIVATED:** Changeable sign whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices; or it may be from an external light source designed to reflect off the changeable component display. See also Electronic Message Sign or Center.

**CLUB or LODGE:** An establishment operated for social, recreational or educational purposes by a nonprofit organization, open only to members and their guests and not to the public. It shall not include any commercial or for-profit enterprise.

**CLUSTER SUBDIVISION:** A plan of lots for single-family detached dwellings when the site presents environmental obstacles or opportunities and dimensional requirements for the lots are reduced in exchange for keeping the environmentally sensitive areas permanently undeveloped (see §601, Township Subdivision and Land Development Ordinance).

**COMMON OPEN SPACE:** A land area or areas within a plan intended for, and the responsibility of all the residents of the plan for their common use and/or protection, such areas recorded as separate land parcels and transferred to an organization of all property owners in the plan to administer (see also "homeowner's association").

**COMMUNICATIONS ANTENNA:** Any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omni directional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted

satellite dishes or television antennas or amateur radio equipment including without limitation ham or citizen band radio antennas.

**COMMUNICATIONS EQUIPMENT BUILDING:** An unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than 375 square feet.

**COMMUNICATIONS TOWER:** A structure other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support communications antennas.

**COMPREHENSIVE PLAN:** A document based on an analysis of past trends and current conditions in a municipality, projecting growth and change in population, economic conditions and land use and recommending measures to improve streets, utilities and community facilities and allocate land to cope with such growth and change.

**CONDITIONAL USE:** A use that may be permitted on a particular lot upon approval of the Board of Supervisors after they first received recommendations from the Planning Commission and after public hearing. Conditional uses are listed for each zone district in this chapter. The Board's judgment is based on the lot's location and the potential impact of the use on surrounding development, both existing and projected, as well as the specific criteria listed in this Ordinance.

**CONNEAUT CORRIDOR SIGN:** A sign that follows the design criteria as set forth by Figure S-1 and is suggested (required?) as a common identifier for primary signage along the Conneaut Corridor District.

**CONVERSION APARTMENT:** An apartment created from part of an existing dwelling with each dwelling unit entirely independent of the other.

**COPY:** The graphic content or message of a sign.

**COPY AREA OF SIGN:** The actual area of the sign copy as applied to any background. Copy area on any individual background may be expressed as the sum of the geometrically computed area(s) encompassing separate individual letters, words, or graphic elements on that background.

**CORNER LOT:** A lot which abuts two or more streets which intersect at one or more corners of the lot with the minimum front yard setback applying along each street relative to construction on the lot.

**COVERAGE:** The percentage of the area of a lot that may be covered by the principal building or buildings within the total lot area.

**CURATIVE AMENDMENT:** An amendment proposed by a property owner challenging the validity of zoning regulations as they apply to property in which he has an interest and requiring municipal action on his petition or a municipal curative amendment in which the Board of Supervisors declares a moratorium on specific parts of this chapter in order to cure alleged defects (see §905, Subsection H).

**DAY CARE FOR CHILDREN:** This use is separated into three categories by this Ordinance. All categories must meet appropriate State regulations. They are defined as follows:

**DAY CARE CENTER:** An establishment licensed by the Commonwealth of Pennsylvania, which provides supervised care for seven or more children, unrelated to the operator.

**FAMILY CHILD DAY CARE HOME:** A home other than a child's own home, operated for profit or not-for-profit, in which child day care is provided at any one time to four, five, or six children unrelated to the operator.

**GROUP CHILD DAY CARE HOME:** The premises in which care is provided at one time for more than six but fewer than 13 children of another age level who are unrelated to the operator. The term includes a facility located in a residence.

**DENSITY:** The measure of the number of dwelling units per acre of land area or the number of square feet of lot area for each dwelling unit.

**DESIGN SPEED:** The maximum safe speed that can be maintained over a section of roadway when conditions are so favorable that the design features of the road govern.

**DETACHED DWELLING:** A single-family dwelling unit surrounded by open space on its lot, sharing the lot with no other dwellings and designed to be occupied by one family only.

**DEVELOPER:** An individual landowner, agent of such landowner or tenant with the landowner's permission, who or which causes development to occur upon a lot and who is responsible for compliance of such development with the terms of this chapter and other municipal regulations.

**DEVELOPMENT:** The erection, expansion or alteration of a building or structure; the altering of the land surface to receive construction; the subdividing of land in anticipation of its receiving construction or the offering of land for such purpose; or any man-made change to improved or unimproved property within a flood hazard area including, but not limited to, paving, placing of utilities, filling, grading, excavating, dredging, or drilling.

**DEVELOPMENT PLAN:** The written and graphic provisions describing a proposed development in sufficient detail so that its compliance with the requirements of this chapter may be conclusively judged.

**DIRECTIONAL SIGN:** Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

**DOMESTIC ANIMAL:** Birds, cats, dogs, hamsters, and similar creatures normally kept within a dwelling or residential yard area.

**DOUBLE-FACE SIGN:** A sign with two faces, commonly back to back.

**DRIVEWAY:** Every entrance or exit used by vehicular traffic to or from properties abutting a highway. The term includes proposed streets, lanes, alleys, courts, and ways. [67 PA Code Chapter 441]

**DWELLING:** A group of connected rooms in a building for the exclusive residential use of one family containing its own private cooking, food storage, bathing, and toilet facilities and connected either directly or by a common hall and/or stairs to the outside.

**DWELLING UNIT:** One of a group of similar dwellings in a building or group of buildings.

**EASEMENT:** A passage across or intrusion upon private property granted and guaranteed by the property owner for utilities, storm drainage or other purpose allowing the grantee access for maintenance but not permitting access by the general public and curtailing the owner's opportunity to develop within the granted area.

**EGRESS:** The exit of vehicular traffic from abutting properties to a street.

**ESSENTIAL SERVICES:** The erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems and their essential buildings, excluding communications towers and communications antennas, as defined herein.

**EXTERIOR SIGN:** Any sign placed outside a building.

**FAMILY:** An individual or two or more persons related by blood, marriage, adoption or foster placement or not more than two unrelated persons occupying an efficiency or one-bedroom apartment, or one-bedroom attached dwelling or not more than four unrelated persons occupying any other dwelling.

**FASCIA SIGN:** See Wall Sign.

**FEDERAL, STATE- OR MUNICIPALITY-OWNED AND OPERATED FACILITY:** Land and buildings owned and operated by a governmental entity for public use, public protection or to provide public services when such facility is located so as to operate most effectively and efficiently.

**FENCE:** A structure intended to contain activities within a lot or prevent trespassing, which may be located along a lot line or within a required yard area but subject to maximum height restrictions (see §505, Subsection C-E, and §507, Subsection A).

**FINAL APPROVAL:** Acknowledgement by the Board of Supervisors that all plan reviews required prior to acceptance of a planned residential development proposal have been successfully completed and that zoning permits may be issued for the initial construction in the plan.

**FLOOD:** The encroachment of stormwater runoff or snow melt over normally dry land abutting one or both sides of a stream or drainageway.

**FLOOR AREA:** The total floor area of a unit such as a dwelling measured between the inside faces of walls describing the outer edges of the unit and including interior partitions, hallways and utility areas.

**FOOTCANDLE:** Unit of light density incident on a plane (assumed to be horizontal unless otherwise specified), and measurable with a luminance meter, a.k.a. light meter.

**FREESTANDING SIGN:** A sign principally supported by one or more columns, poles, or braces placed in or upon the ground.

**FRONTAGE OF A LOT:** The distance across the front of a lot between side lot lines where they intersect the street to which the lot has its principal access and following the street right-of-way line.

**FRONT BUILDING LINE:** A line extending across a lot between side lot lines and set back from the front lot line the minimum distance required for the front yard depth in the zone district containing the lot.

**FRONT LOT LINE:** The line describing the edge of the lot abutting the street to which the lot has access and is oriented for purposes of development except that where a property extends to the center of a street the front lot line shall be considered as being a minimum of 20 feet inside the property and parallel to the street.

**FRONT WALL OF A BUILDING:** The wall facing the street to which the lot containing the building has its principal access.

**FRONT YARD:** The area of a lot between the front lot line and the front building line and extending to the side lot lines.

**FULL CUTOFF:** Attribute of a lighting fixture from which no light is emitted at or above a horizontal plane drawn through the bottom of the fixture and no more than 10% of the lamp's intensity is emitted at or above an angle 10° below that horizontal plane, at all lateral angles around the fixture

**FULLY SHIELDED:** Attribute of a lighting fixture provided with internal and/or external shields and louvers to prevent brightness from lamps, reflectors, refractors and lenses from causing glare at normal viewing angles.

**FUNCTIONAL AREA:** The area beyond the physical intersection of two controlled access facilities that comprises decision and maneuver distance, and the required vehicle storage lengths.

**GARAGE, PRIVATE:** An accessory building on a residential lot attached to or detached from the dwelling or a room within the dwelling intended for the storage and maintenance of vehicles and equipment owned and operated by the residents of the dwelling and for no other purpose.

**GARDEN APARTMENT:** See "apartment building, garden."

**GLARE:** Excessive brightness in the field of view that is sufficiently greater than the brightness to which the eyes are adapted, to cause annoyance or loss in visual performance and visibility, so as to jeopardize health, safety or welfare.

**GROUND SIGN:** See Freestanding Sign.

**HEALTH MAINTENANCE STUDIO:** Health Club, Gym or Exercise Facility – a business that assists its customers in the maintenance of good health by offering planned programs prepared by qualified employees for diet improvement, exercise, muscle and skin toning, massage and similar activities but not including medical practice or prescriptions or any activity that could be construed as having an erotic purpose.

**HEDGE, DENSE EVERGREEN:** A linear arrangement of conifer plants so that they grow together to present, when viewed in elevation, a surface at least 50% opaque from ground to the top of the hedge.

**HEIGHT OF A COMMUNICATIONS TOWER:** The vertical distance measured from the ground level to the highest point on a communications tower, including antennas mounted on the tower.

**HIDDEN SOURCE:** The location for lighting of a sign or other object on a property so that the lighting source is not visible from anywhere outside the property.

**HIGH-VOLUME DRIVEWAY:** A driveway used or expected to be used by more than 1,500 vehicles per day. [67 PA Code Chapter 441]

**HIGHWAYS, ROADS, OR STREETS:** Any highways, roads, or streets identified on the legally adopted municipal street or highway plan or the official map that carry vehicular traffic, together with all necessary appurtenances, including bridges, rights-of-way and traffic control improvements. The term shall not include the Interstate Highway System.

**HOME OCCUPATION:** A service type small business conducted within a single-family detached dwelling by the residents involving no exterior manifestation of the business or expansion of the dwelling to accommodate it and not creating nuisance or congestion conditions in the neighborhood where it is located (see §603, Subsection F).

**HOMEOWNERS' ASSOCIATION:** An organization formed to manage the common open space and common facilities within a development plan that are not be publicly maintained. Membership in and financial support of such organization is mandatory for all owners of property in the plan.

**ILLUMINANCE:** Quantity of light, measured in foot-candles.

**ILLUMINATED SIGN:** A sign characterized by the use of artificial light, either projecting through its surface(s) (Internally Illuminated); or reflecting off its surface(s) (Externally Illuminated).

**INGRESS:** The entrance of vehicular traffic to abutting properties from a street.

**INTERCHANGE:** A grade-separated system of access to and from highways that includes directional ramps for access to and from the crossroads.

**INTERIOR SIGN:** Any sign placed within a building, but not including window signs, as defined by this Ordinance. Interior signs, with the exception of window signs, as defined, are not regulated by this Ordinance.

**INTERNAL TRIPS:** Site-generated trips that occur between two or more land uses on the subject site without exiting onto the intersecting street.

**KENNEL:** A facility designed to provide enclosed shelter and care for domestic pets on a permanent or temporary basis as a business or as an accessory use on a residential lot for no commercial purpose.

**LANDSCAPING:** The combination of grading, planting of desirable materials and arrangement of outdoor areas on a lot to enhance the setting and utility of buildings and minimize the effect of undesirable off-site conditions.

**LAND USE:** The activity or activities for which a lot or property and the buildings or structures on it are devoted.

**LEVEL OF SERVICE (LOS):** A qualitative measure describing the operational conditions within a section of roadway or at an intersection that includes factors such as speed, travel time, ability to maneuver, traffic interruptions, delay, and driver comfort. Level of service is described as a letter grade system (similar to a school grading system) where delay (in seconds) is equivalent to a certain letter grade from A through F.

**LIGHT MANUFACTURING:** A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, business-related incidental storage, sales and distribution of such products, but excluding basic industrial processing.

**LIGHT TRESPASS:** Light emitted by a lighting fixture or installation, which is cast beyond the boundaries of the property on which the lighting installation is sited.

**LOADING AREA:** An area of a lot where goods are received and/or from which they are shipped and

where adequate space is available to permit maneuvering of vehicles entirely on the lot.

**LOCAL ROAD:** Every public highway other than a state highway. The term includes existing streets, lanes, alleys, courts, and ways. [67 PA Code Chapter 441]

**LOT:** An area of contiguous land surface which abuts a street whose ownership and legal description are of record in the office of the County Recorder of Deeds and which is intended to contain one principal use. A lot implies one of a number of similarly sized properties in a plan buy may include any property, tract or parcel of land regardless of size or configuration for the purposes of this chapter.

**LOT COVERAGE:** See “coverage.”

**LOT LINE:** Any of the lines describing the perimeter of a lot.

**LOT OF RECORD:** A lot of properly duly recorded in the office of the Crawford County Recorder of Deeds.

**LOT SIZE or AREA:** The area of the total surface of a lot expressed in acres or square feet based on deed description or registered surveyor’s survey. One acre equals 43,560 square feet.

**LOT WIDTH:** The distance across a lot measured along the front building line between the side lot lines.

**LOW-VOLUME DRIVEWAY:** A driveway used or expected to be used by more than 25 but less than 750 vehicles per day. [67 PA Code Chapter 441]

**LUMEN:** As used in context of this Ordinance, the light-output rating of a lamp (light bulb).

**MAIL ORDER OUTLET:** A store operated by a company which does the bulk of its business by mail order, displaying selected items for retail sale and encouraging the use of company catalogs on the premises for order of items not available in the store.

**MARQUEE:** See Canopy (attached). Definition is similar.

**MARQUEE SIGN:** See Canopy Sign. Definition is similar.

**MEDIUM-VOLUME DRIVEWAY:** A driveway used or expected to be used by more than 750 but less than 1,500 vehicles per day. [67 PA Code Chapter 441]

**MINIMUM-USE DRIVEWAY:** A residential or other driveway that is used or expected to be used by not more than 25 vehicles per day. [67 PA Code Chapter 441]

**MANUFACTURED HOME:** A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

**MANUFACTURED HOME PARK:** A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more manufactured home lots for the placement thereon of manufactured homes.

**MOTEL:** A bedroom with connecting private bathroom intended for transient use by paying guests, connection via common hallways and stairs or directly to the outside and with a parking space available on the same lot for each bedroom (see §510, Subsection E).

**MULTIPLE-FACED SIGN:** A sign containing three or more faces.

**MULTIFAMILY DWELLING:** A building containing at least three apartments or a connected group of attached single-family dwellings.

**NO-IMPACT HOME-BASED BUSINESS:** A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use the business or commercial activity must satisfy the following requirements:

1. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
2. The business shall employ no employees other than family members residing in the dwelling.
3. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
4. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
5. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical interference, including interferences with radio or television reception, which is detectable in the neighborhood.
6. The business activity may not generate any solid waste discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
7. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
8. The business may not involve any illegal activity.

**NONCONFORMING LOT:** A lot the area or dimension of which was lawful prior to the adoption or amendment of the Township zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

**NONCONFORMING STRUCTURE:** A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in the Township zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

**NONCONFORMING USE:** A use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment theretofore or hereafter enacted, where

such use was lawfully in existence prior to the enactment of such ordinance or amendment, or prior to the application of such ordinance or amendment to its location by reason of annexation.

**OCCUPANCY PERMIT:** A certificate issued by the Zoning Officer attesting to the fact that the proposed use or reuse of premises is in accordance with the requirements of this chapter or with a previously issued zoning permit and may be legally occupied (see §902).

**OFF-SITE IMPROVEMENTS:** Those public capital improvements that are not on-site improvements and that serve the needs of more than one development.

**OFF-STREET PARKING LOT:** Area set aside on a lot for parking of at least five vehicles entirely outside of a street right-of-way.

**OFF-STREET PARKING SPACE:** An area within a parking lot abutting an access lane and of such dimensions as specified by this chapter to accommodate one vehicle (see §511, Subsection B).

**ON-SITE IMPROVEMENTS:** All improvements constructed on the applicant's property, or the improvements constructed on the property abutting the applicant's property necessary for ingress and egress to the applicant's property, and required to be constructed by the applicant pursuant to any municipal ordinance, including, but not limited to, the municipal code, subdivision and land development ordinance, planned residential development regulations, and zoning ordinance.

**OUTBUILDING:** A building or structure containing or supporting an accessory use.

**OUTPARCEL:** A lot that is adjacent to the roadway that interrupts the frontage of another lot.

**PARK, PRIVATELY OWNED:** A recreational facility or open space that is not owned, operated or supported by a public agency and access to which may be restricted by the owners or their agents.

**PATIO:** A surfaced outdoor area level with the surrounding land surface or no more than three feet above or below the surface at any point and without a permanent covering.

**PAVED SURFACE:** A surface, not part of a building that does not allow the passage of water through it.

**PENNANT:** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

**PENNSYLVANIA MUNICIPALITIES PLANNING CODE:** Legislation adopted by the State in 1968 and amended on several occasions since, most recently by Act 170 of 1988, which provides a uniform procedure enabling municipalities to implement regulations, such as this chapter, to control the development and use of land.

**PERMITTED USE, PRINCIPAL:** A use allowed by right under the terms of this chapter to occur on a lot because of the lot's location in a particular zoning district. Principal permitted uses are listed for each zone district and imply that all other activity on the lot is or will be secondary to the principal use. Such uses may be approved directly by the Zoning Officer without reference to other review bodies.

**PLANNED RESIDENTIAL DEVELOPMENT:** A development of a property as a single entity for predominantly residential purposes when the zoning regulations that would normally apply are superseded by controls that allow a more sensitive and more economical arrangement of buildings and streets on the site and where development is spaced over a period of years in a predetermined program

(see §604).

**PLANNING CODE:** The Pennsylvania Municipalities Planning Code, as enacted, amended, and re-enacted.

**PLANNING COMMISSION:** The body duly appointed by the Board of Supervisors from residents of Vernon Township with specific duties in connection with this chapter.

**POLE SIGN:** See Freestanding Sign.

**POLITICAL SIGN:** A temporary sign intended to advance a political statement, cause, or candidate for office.

**PORCH:** An attachment to a building covered by a permanent roof but without side walls floor to ceiling and considered part of the building for purposes of setback from lot lines.

**PRE-EXISTING DRIVEWAY:** Permitted driveways in place at the time of the adoption of this Ordinance that does not conform to the standards herein.

**PRINCIPAL STRUCTURE:** The building or structure containing the principal permitted use on the lot, such use possibly occurring in more than one building or structure.

**PRIVATE MEMBERSHIP RECREATION FACILITY:** Land and improvements owned and operated by an organization made up of members which elect a board of directors formed for the purpose of providing certain recreational opportunities for the benefit of the members and their guests and not intended as a profit-making venture, to be open to the public or receive public support, or to be construed to include a recreational vehicle campground or any permanent or temporary overnight accommodations except for the residence of a manager or caretaker.

**PRIVATE STREET:** A strip of land improved for passage of vehicles and/or pedestrians but not accepted for maintenance by Vernon Township.

**PROFESSIONAL ENGINEER:** An individual duly registered to practice civil engineering in the Commonwealth of Pennsylvania.

**PROJECTING SIGN:** A sign other than a Wall Sign that is attached to or projects more than eighteen (18) inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.

**PROPERTY:** See “lot.”

**PROPERTY LINE:** See “lot line.”

**PUBLIC HEARING:** A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Ordinance.

**PUBLIC NOTICE:** Notice 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. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

**PUBLIC STREET:** A right-of-way intended to be used for travel by the public, improved for such purpose and accepted by Vernon Township for perpetual maintenance.

**PUBLIC UTILITY:** A system providing distribution of water, gas, electric, telephone or cable TV services or the collection and disposal of wastewater, such system operating as a municipal authority or under the rules and regulations of the State Public Utility Commission.

**PUBLIC UTILITY TRANSMISSION TOWER:** A structure, owned and operated by a public utility electric company regulated by the Pennsylvania Public Utility Commission, designed and used to support overhead electricity transmission lines.

**QUICK STOP OR CONVENIENCE SALES:** Convenience retail sales of day-to-day domestic needs often available during time periods when other outlets are not open and providing customers fast service.

**REAL ESTATE SIGN:** A temporary sign advertising the sale, lease, or rental of the property or premises upon which it is located.

**REAR LOT:** A lot with no frontage on a street except for driveway access but with area and width in accordance with the requirements of this chapter (see §501, Subsection F).

**RECREATIONAL VEHICLE CAMPGROUND:** A facility in one ownership intended to receive self-propelled or towed vehicles containing their own toilet, bathing, cooking, food storage, and sleeping accommodations, such facility providing sewer and water connections to each vehicle at a prepared site for its exclusive use and also offering clothes washing, recreational and other traveler services within the facility; provided, all vehicles remain on their wheels while in the facility and stay for a limited time period.

**RECREATION FACILITIES, PRIVATE:** Children's play equipment, picnic facilities, swimming pool, and/or paved court areas on a lot for the use of the residents of the lot or the members of the organization owning the lot but not available to the public.

**RECYCLING CENTER:** A facility to receive and/or sort, package, store and ship discarded materials that can be reused to create marketable products, such facilities may occur in the Business and Manufacturing Zone district or on any Township-owned property at the discretion of the Township.

**REQUIRED PARKING:** The minimum number of parking spaces required to be provided in connection with the particular use of a lot as specified by this chapter.

**RESTRICTIVE COVENANT:** An agreement between a developer and purchasers of lots or units in a plan restricting the use of the lots or units applying uniformly to all lots, recorded with the plan, effective for a specified time period, capable of being modified only upon approval of the agreement signers and not enforceable by the Township.

**RIGHT-OF-WAY:** A strip of land dedicated to and/or improved for vehicular and/or pedestrian travel by the public.

**RIGHT-OF-WAY PRESERVATION:** The acquisition of an area of land, through dedication or easement, needed to accommodate the future widening of the roadway.

**ROAD IMPROVEMENT:** The construction, enlargement, expansion, or improvement of public highways, roads, or streets.

**ROADSIDE STAND:** A temporary structure for purposes of displaying and selling produce grown on the same property where the stand is located, such stand to be removed annually when the produce is no longer available.

**ROOF LINE:** The uppermost line of the roof of a building or, in the case of an extended façade or parapet, the uppermost point of said façade or parapet.

**ROOF SIGN:** A sign mounted on the main roof portion of a building or on the topmost edge of a parapet wall of a building and which is wholly or partially supported by such building. Roof signs are not permitted.

**SCHEDULE OF FEES:** The list of charges adopted by resolution of the Board of Supervisors and not a part of this chapter to cover the costs of administering the review, decision and/or appeal processes required for a development proposal, such costs to be borne by the developer, paid in advance and subject to periodic revision by the Board.

**SCREEN:** A planted or built buffer intended to protect residential properties from abutting commercial or other activity that might deteriorate the enjoyment or virtue of the residential property.

**SETBACK:** The minimum distance a building or structure must be removed from an adjacent lot line as required by this chapter in the various zone districts. Distance between lot line and building shall be measured along a line at right angles to the lot line.

**SETBACK LINE:** An imaginary line within a lot describing the limits within which building construction can occur or any part of such line as established by the front, side and rear yard depths for each zone district.

**SEWAGE ENFORCEMENT OFFICER:** An individual certified by the Commonwealth of Pennsylvania and retained by the Township to evaluate the ability of a lot proposed for development but lacking public sewer connections to absorb sewage effluent and to decide on the appropriate type of disposal system, under the circumstances, to serve the lot.

**SHOPPING MALL or PLAZA:** An integrated grouping of several or many retail sales and service outlets with access to a common pedestrian circulation way and with shared off-street parking and servicing areas.

**SIDE YARD:** The area of a lot between the side lot line and side building line extending from the front yard to the rear yard and comprising two such areas on a lot. The side lot lines on each side of a lot connect the front and rear lot lines.

**SIGHT DISTANCE:** The minimum distance the driver of a vehicle can see unencumbered by intervening buildings, structures, land forms or vegetation, to safely negotiate an intersection of streets or a curve in the road measured between three and one-half feet and eight feet above the road surface.

**SIGN:** Any device visible from a public place whose essential purpose and design is to convey either commercial or non-commercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. Non-commercial flags or any flags displayed from flagpoles or staffs will not be considered to be signs.

**SIGN, ANIMATED:** A sign that relies on flashing lights or movement of some element or all of the sign to reinforce its message.

**SIGN AREA:** All the surface of a sign panel or, if no defined panel, all the contiguous area enclosed within the outer edges of the components of the message but not including the supports of the sign.

**SIGN, ELECTRONIC:** Electronic signs are identified by their subtype, including electronic changeable copy signs, electronic graphic display signs, multi-vision signs, or video display signs.

**SIGN, ELECTRONIC CHANGEABLE COPY:** A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor-controlled electronic displays. Electronic changeable copy signs do not include official or time and temperature signs. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.

**SIGN, ELECTRONIC GRAPHIC DISPLAY:** A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes, fiber optics, light bulbs, or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization, or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor-controlled electronic or digital displays. Electronic graphic display signs include projected images or message with these characteristics onto buildings or other objects.

**SIGN, FREESTANDING:** A sign completely supported on its own structure attached to the ground.

**SIGN IN THE PUBLIC INTEREST:** A sign which communicates the message of a government agency or of a nonprofit organization providing essential information and not in support of a commercial product or service.

**SIGN, MULTI-VISION:** Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

**SIGN, PORTABLE:** A sign on a carriage capable of being towed between locations for temporary use.

**SIGN, PROJECTING:** A sign extending at an angle from the wall of a building and attached thereto by a bracket or directly to the wall along one or more edges of the sign.

**SIGN STRUCTURE:** Any structure designed for the support of a sign.

**SIGN, TEMPORARY:** A sign intended to remain in place for a specific short period of time, at the end of which it must be removed by the person erecting it.

**SIGN, VIDEO DISPLAY:** A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns, or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or message with these characteristics onto buildings or other objects.

**SIGN, WALL-MOUNTED:** A sign with one face applied flat to the wall of a building and projecting therefrom not more than one foot.

**SIGNAL PROGRESSION:** The timing of a series of traffic signals to provide a progressive movement of traffic at a planned rate of speed through the signalized intersections without stopping.

**SINGLE-FAMILY DWELLING:** See “detached dwelling.”

**SITE DEVELOPMENT:** The improvement of a lot in accordance with an approved site plan including construction of buildings, structures and paved surfaces and the rearrangement of the land surface.

**SITE PLAN:** The proposed layout of a lot showing all elements of the site development as well as utility and drainage lines and existing buildings and structures to remain.

**SNIPE SIGN:** Shall mean any sign of any material that is attached in any way to a utility pole, tree, or any object located in the public right-of-way.

**SPECIAL EXCEPTION:** A use permitted in a particular zoning district pursuant to the provisions of Articles VI and IX of the Pennsylvania Municipalities Planning Code.

**STENOGRAPHIC RECORD:** A verbatim transcription of testimony taken at a public hearing by a professional stenographer.

**STOPPING SIGHT DISTANCE:** The distance required by a driver traveling at a given speed to stop the vehicle after an object on the roadway becomes visible to the driver.

**STORMWATER MANAGEMENT PLAN:** A plan to govern the collection, retention and release of stormwater in a manner to minimize damage of downstream property.

**STORMWATER RETENTION VESSEL:** A device constructed to receive and hold stormwater for release at a controlled rate. Such devices may include graded depressions in the ground, parking lots with concave surfaces, roof tops or buried tanks or pipes.

**STORY:** The area in a building between a floor and the floor next above or below or, if no floor is above, the ceiling above.

**STREET:** An improved vehicular passage within a right-of-way which affords the primary means of access to abutting lots.

**STORAGE LENGTH:** Lane footage needed for a right or left turn lane to store the maximum number of vehicles likely to accumulate during a peak period of travel.

**STREET LINE:** The edge of a street right-of-way where it abuts private property.

**STRUCTURAL ALTERATIONS:** Revisions to a building or structure that change the dimensions of the exterior envelope or that change the interior components that support the building or structure.

**STRUCTURE:** Any man-made construction in, on or over the ground and attached thereto. The term “structure” includes buildings.

**TAPER:** The widening of the roadway to allow the redirection or transition of vehicles into or around an auxiliary lane.

**TEMPORARY SIGN:** A sign intended to display either commercial or non-commercial messages of a transitory or temporary nature. Portable signs or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs.

**TENTATIVE APPROVAL:** Acknowledgment by the Board of Supervisors that all documents needed to evaluate a planned residential development proposal have been reviewed and approved and that the developer may proceed to the final plan stage but may not be issued any zoning permits for construction.

**TOWNHOUSE:** See “attached dwelling.”

**TRASH COLLECTION BUILDING:** An outbuilding for the accessory use of temporary storage of discarded materials accumulating in the principal use of the property such storage to be secured and removed on a regular basis by a refuse hauler.

**TRIP:** A one-directional vehicle trip to or from a site.

**TRIP GENERATION:** The total number of vehicular trips going to and from a particular land use on a specific site during a specific time period.

**UNDER CANOPY SIGN OR UNDER MARQUEE SIGN:** A sign attached to the underside of a canopy or marquee.

**ULTIMATE RIGHT-OF-WAY:** An area of land beyond the legal or dedicated right-of-way needed to accommodate future widening of the roadway, measured from the centerline.

**USE ALLOWED BY RIGHT:** A use listed as a principal permitted use and which requires only review and approval by the Zoning Officer prior to the issuance of a building or occupancy permit. See also “permitted use, principal.”

**VARIANCE:** A grant by the Zoning Hearing Board permitting an owner to use a lot not wholly in accordance with the provisions of this chapter because the Board finds that strict conformance would be an unusual hardship not created by the owner but depriving him of reasonable use of the lot. Such a grant specifies a minimum deviation or deviations from the regulations intended to cure the hardship but not create detrimental conditions affecting abutting property owners or the public at large.

**WALL OR FASCIA SIGN:** A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building façade or to the face or faces of the architectural projection to which it is affixed.

**WALL, RETAINING:** A wall designed by a registered engineer to hold an earth embankment from slipping. A retaining wall shall be at least four feet high above grade on its exposed side. Any other wall of lesser height or supporting only itself shall be considered a decorative wall (see §507, Subsection A.6).

**WATERCOURSE:** A stream, creek, run or any continuous depression in the land surface connecting to a stream, creek or run capable of draining stormwater or snow melt and intended to be kept open and unrestricted for the purpose of moving water.

**WIND TURBINE:** A wind energy conversion system that converts wind energy into electricity through

the use of a wind turbine generator, and includes the nacelle, rotor, tower and pad transformer, if any.

**WINDOW SIGN:** A sign affixed to the surface of a window with its message intended to be visible to the exterior environment.

**YARD:** The front, side or rear area of a lot between the lot line and the setback line, the depth of which is specified for each type of yard within each zoning district by this chapter. Development within yard areas is restricted.

**YARD DEPTH:** The distance between the lot line and the adjacent parallel setback line on a lot, such distance varying for front, side and rear yards and from one zoning district to another.

**ZONING CLASSIFICATION:** The controls imposed by this chapter that define the uses of land and buildings and the intensity of such uses that may occur within a zoning district, such controls to be applied uniformly throughout the district.

**ZONING DISTRICT:** A contiguous area of land on all parts of which the same uniform opportunities for development apply.

**ZONING DISTRICT BOUNDARY:** The perimeter line completely enclosing a zoning district.

**ZONING HEARING BOARD:** A body appointed by the Board of Supervisors to examine and decide appeals for variances or from decisions of the Zoning Officer and to hear testimony regarding the validity of municipal regulations upon development.

**ZONING MAP, OFFICIAL:** The official plan of zoning districts in Vernon Township, a part of this chapter, showing precisely the boundaries and title of each district (see §301).

**ZONING OFFICER:** A person retained by and responsible to the Board of Supervisors to enforce the regulations of this chapter with power to issue building and occupancy permits, to halt illegal construction and to interpret literally the meaning of the various sections of this chapter, subject to appeal before the Zoning Hearing Board.

**ZONING ORDINANCE:** A body of legislation adopted by a municipality establishing districts throughout the municipality within each of which uniform land use regulations apply.

**ZONING PERMIT:** A document attesting that a proposal for development has been reviewed and approved in accordance with the requirements of this chapter.

**PART 3**  
**ZONING DISTRICT REGULATIONS**

**§301. Official Zoning Map**

A. The Township is hereby divided into the following zones or districts as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter:

1. R-R Rural Residential
2. R-S Suburban Residential
3. C-R Retail and Service
4. B-M Business and Manufacturing
5. C-A Conservation-Agricultural
6. CC Conneaut Corridor

B. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Supervisors, attested by the Township Secretary and shall bear the Seal of the Township under the following words:

“This is to certify that this is the Official Zoning Map of Vernon Township, Crawford County, Pennsylvania, adopted this 2nd day of April, 2009.”

C. No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in §905 of this chapter. Any unauthorized change of whatever kind by any person shall be considered a violation of this chapter and shall be punishable as provided by §904 of this chapter.

D. The Official Zoning Map shall be located in the Township Office and shall be the final authority as to the current zoning status of land in the Township.

E. Interpretation of Zone Boundaries. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as appearing to follow the centerlines of streets or highways shall be construed as following such centerlines.
2. Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines.
3. Boundaries indicated as appearing to follow Township limits shall be construed as following Township limits.
4. Boundaries indicated as following railroad lines shall be construed as midway between the main tracts.
5. Boundaries indicated as approximately following the centerlines of streams or other bodies of water shall be construed as moving with the actual body of water and following the centerline.

6. Boundaries whose location cannot be determined by any of the above tests and are not dimensioned on the Official Zoning Map may be measured using the scale of the Official Zoning Map.
7. When there is disagreement over the location of district boundaries a decision on the correct location shall be rendered by the Zoning Officer with appeal from his decision made to the Zoning Hearing Board.

**§302. Application of District Regulations**

- A. Uniformity. The regulations within each zone district shall apply uniformly to every proposed development therein whether new construction, expansion or renovation of a property.
- B. Compliance. No structure shall be located, erected, demolished, constructed, moved, altered externally (aside from normal and acceptable maintenance or improvements of a property), converted, or enlarged, nor shall any structure or land be used or be designed to be used, except in full compliance with all the provisions of this Ordinance, and after the lawful issuance of all permits and certifications required by this Ordinance. Any use not specifically permitted is prohibited.
- C. No part of a yard or other open space or off-street parking or loading space required adjacent to or in connection with any building for compliance with this chapter shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building.
- D. No yard or lot existing at the time of passage of this chapter shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this chapter shall meet at least the minimum requirements established by this chapter.
- E. Uses Allowed by Right. Within each zoning district lands, buildings and structures shall be used and buildings and structures shall be erected, altered or enlarged only for any of the uses permitted by right in the zone district or after approval for a special exception or conditional use. The principal permitted uses (allowed by right), accessory, conditional uses, uses and special exception uses for each zone district are listed in Part 4.
- F. On any lot only one principal permitted, conditional or special exception use shall be permitted although it may occupy several buildings.
- G. All land which may hereafter be annexed by the Township shall be placed in the Residential-Agricultural R-A zoning district until the Planning Commission has made a thorough study of the newly annexed area, reported its recommendations to the Board of Supervisors and the Board has adopted a final zoning district classification. This study and report by the Planning Commission shall be made within six months of the date of annexation.
- H. Public Utility and Government Services. The following uses are allowed in any zoning district: overhead electric distribution cable and telephone lines and underground utility lines of all kinds and distributing equipment, conduits, vaults, pipeline laterals, mains, traffic signals, telephone booths and similar installations and equipment of this state and nature used by a public utility or a governmental agency and considered essential services.
- I. Major Public Utility Structures. Public utility structures including, but not limited to, buildings; storage tanks, treatment plants; pumping, transformer, transmission, repeater and regulator

stations and substations, principal overhead transmission lines (but not including distribution and collection systems as listed in Subsection I, above) shall be considered as conditional uses in all zoning districts except the following districts: Retail and Service (C-R); Business and Manufacturing (B-M); Conservation-Agricultural (C-A).

**PART 4**  
**PROVISIONS THAT APPLY IN EACH ZONE DISTRICT**

**§401. Rural Residential District (RR)**

- A. Purpose. The Rural Residential District includes areas that are beyond the reach of public sewer and water services within the foreseeable future, areas with a predominantly rural setting used for farming purposes or sparsely settled and bottomland areas that require protection because they overlay the aquifers that are the source of municipal water.
- B. Principal Permitted Uses
1. Single-family detached dwelling
  2. Federal, State, municipal, public authority, school district or volunteer fire department facility
  3. Public utility transmission and distribution lines within easements including structures or buildings that must be placed along the line for the system's operating efficiency
  4. General agricultural operations on at least 10 acres of land if commenced as a new farm after adoption of this chapter
  5. Nursery stock cultivation and sales
  6. Private membership recreational facility
  7. Public golf course
  8. Cemetery, provided a perpetual care agreement acceptable to the Board of Supervisors is on file with the Recorder of Deeds, no graves or buildings are within 50 feet of a street or property line and any crematorium or maintenance facility is screened by landscaping from view of neighboring dwellings
  9. Forestry (§518)
  10. No-impact home-based business
  11. Communications antenna (§515)
  12. Family child day care home
  13. Churches and/or House of Worship
- C. Accessory Uses (See also §508)
1. Private garages for residences and parking areas for residences and other permitted or conditional uses
  2. Outbuildings for the storage of garden equipment, children's play structures and housing of domestic animals owned by the residents of the property

3. Outbuildings normally incidental to farm operations
  4. Recreation facilities for the use of the residents of the property and their guests only
  5. Residential Wind Turbines
  6. Roadside stand for the seasonal sale of agricultural produce grown on property in the same ownership as that on which the stand is located and to be closed or removed when such produce is not available
  7. Signs (see §512)
- D. Conditional Uses (See also Part 6)
1. Planned residential development (see §604)
  2. Cluster subdivision (see §601, Township Subdivision and Land Development Ordinance [Chapter 22])
  3. Manufactured home park (see Part 7 of the Township Subdivision and Land Development Ordinance [Chapter 22])
  4. Commercial kennel or stable or riding academy (see §603, Subsection B)
  5. Communications towers (see §603, Subsection C)
  6. Recreational vehicle campground (see Part 6 of the Township Subdivision and Land Development Ordinance [Chapter 22])
  7. Extraction of mineral products (§603, Subsection G)
- E. Special Exception Uses (See also Part 6.)
1. Group child day care home (see §603, Subsection D)
  2. Elderly housing complex (see §603, Subsection E)
  3. Home occupation (see §603, Subsection F)
  4. Nursing home (see §603, Subsection H)
  5. Personal care home (see §603, Subsection I)
  6. Group home or transitional dwelling (see §603, Subsection J)
- F. Dimensional Standards
1. Minimum lot size: one acre (43,560 square feet)
  2. Minimum lot width where lot front abuts a street: 100 feet
  3. Minimum lot width of a corner lot: 125 feet.

4. Minimum lot width at front wall of building facing street: 125 feet; minimum lot width along frontage: 50 feet
5. Minimum building setback from street right-of-way line: 40 feet, or from street centerline: 65 feet, whichever is greater
6. Minimum building setback from side lot line: a total of 25 feet both sides, but not less than 10 feet either side
7. Minimum building setback from rear lot line: 40 feet
8. Minimum setback of accessory use from side or rear to line: 10 feet
9. Maximum percent lot coverage of all buildings to the total lot area: 10%
10. Maximum percent lot coverage of all buildings and paved surface to the total lot area: 20%

**§402. Suburban Residential District (RS)**

- A. Purpose. The Suburban Residential District provides for smaller single-family dwelling lots with access to public sewer and water services as well as opportunities for two-family homes, attached dwellings and garden apartment buildings where adequate public utilities are available in close proximity to shopping, transportation arteries, and community facilities.
- B. Principal Permitted Uses
  1. Single-family detached dwelling
  2. Federal, State, municipal, public authority, school district, or volunteer fire department facility
  3. Two-family dwelling
  4. Single-family attached dwelling group
  5. Forestry (§518)
  6. No-impact home-based business
  7. Family child day care home
  8. Churches and/or House of Worship
- C. Accessory Uses (See also §508)
  1. Private garages for residences and parking areas for residences and other permitted and conditional uses
  2. Outbuildings for storage of maintenance equipment and children's play structures
  3. Recreation facilities for the use of the residents, their property and their guests only

D. Conditional Uses (See also Part 6)

1. Garden apartment building or group of buildings (see §603, Subsection A)
2. Planned residential development (see §604)
3. Cluster subdivision (see Township Subdivision and Land Development Ordinance [Chapter 22 §601])
4. Private membership recreational facility (see §603, Subsection L)
5. Public utility transmission and distribution lines within easements (see §603, Subsection M)
6. Limited extraction of mineral products (see §603, Subsection G)

E. Special Exception (See also Part 6)

1. Group child day care home (see §603, Subsection D)
2. Elderly housing complex (see §603, Subsection E)
3. Home occupation (see §603, Subsection F)
4. Nursing home (see §603, Subsection H)
5. Personal care home (see §603, Subsection I)
6. Group home or transitional dwelling (see §603, Subsection J)

F. Dimensional Standards

1. Minimum Lot Size
  - a. Single-family detached dwelling: 8,500 square feet
  - b. Two-family dwelling: 12,500 square feet
  - c. Individual attached single-family dwelling: 2,400 square feet
  - d. All other principal permitted or conditional uses: 15,000 square feet
2. Minimum Lot Width at Front Wall of Building Facing Street
  - a. Single-family detached dwelling: 60 feet; minimum width along frontage: 50 feet
  - b. Two-family dwelling: 85 feet; minimum width along frontage: 50 feet
  - c. Individual attached single-family dwelling: 20 feet
  - d. All other principal permitted or conditional uses: 100 feet

3. Minimum lot width of a corner lot at front wall of building facing street: add 5 feet to each dimension under Subsection F.2, above
4. Minimum building setback from street right-of-way line: 40 feet, or from street centerline: 65 feet, whichever is greater.
5. Minimum building setback from side lot line: 10 feet each side
6. Minimum building setback from rear lot line: 25 feet
7. Minimum setback of accessory use from side or rear lot line: 5 feet.
8. Maximum percent lot coverage of all buildings within the total lot area: 30%
9. Maximum percent lot coverage of all buildings and paved surfaces within the total lot area: 60%

**LIST OF USES BY CONSERVATION-AGRICULTURE  
AND RESIDENTIAL ZONE DISTRICT**

“P” means permitted  
 “C” means conditional  
 “S” means special exception

**Zone District**

<u>Use</u>	<u>RR</u>	<u>RS</u>	<u>CA</u>	<u>U*</u>
Single-family detached dwelling	P	P	P	
Two-family dwelling		P		
Single-family attached dwelling group		P		
No-impact home-based business	P	P	P	202
Garden apartment building or group of buildings		C		§603.A
Planned residential development	C	C		§604
Cluster subdivision	C	C		S/LD
Manufactured home park	C			S/LD
Recreational vehicle campground	C		C	S/LD
Cemetery	P	P		
Commercial kennel or stable or riding academy	C		C	§603.B
Communications tower	C		C	
Communications antenna	P		P	§603.C
Family Day Care Home	P	P	P	§603.D
Group Child Day Care Home	S	S		
Forestry	P	P	P	§603.G
Elderly housing complex	S	S		§603.E
Federal, State, municipal, public authority, school district or volunteer fire department facility	P	P	P	
General agricultural operations on 10 acres or more	P		P	
Golf course open to the public	P			
Home occupation	S	S		§603.F
Limited extraction of forest or mineral products	C	C	C	§603.G
Nursery stock cultivation and sales	P		P	
Nursing home	S	S		§603.H
Personal care home	S	S		§603.I
Group home or transitional dwelling	S	S		§603.J
Place of worship, including social and educational uses and home of religious leader	P	P		
Private membership recreational facility	P	C	P	§603.L
Public utility transmission and distribution lines within easements	P	C	P	§603.M

**NOTES:**

RR means Rural Residential District  
 RS means Suburban Residential District  
 CA means Conservation-Agricultural District.  
 Reference refers to sections in this chapter  
 S/LD refers to Township Subdivision and Land Development Ordinance [Chapter 22]

**§403 Retail and Service Business District (CR)**

- A. Purpose. The Retail and Service Business District encompasses the areas that abut the major traffic arteries with the highest traffic volumes and greatest visibility to the public where competitive businesses, often in shared buildings with common parking, choose to be located but where careful attention must be directed to controlled highway access in the interests of public safety, to landscaping and to management of stormwater.
- B. Principal Permitted Uses
1. Apparel sales
  2. Auto accessories and new parts sales
  3. Auto sales of new cars and supporting service with incidental sales of used cars
  4. Automobile service station
  5. Automobile muffler shop, quick lube and/or car washing
  6. Bakery with onsite sale of all production
  7. Bank or savings and loan institution
  8. Bank, drive-through
  9. Barber and/or beauty shop
  10. Beer and/or soft drink distributorship
  11. Bingo or dance hall
  12. Books and/or magazine sales
  13. Bowling alleys
  14. Business offices
  15. Business or office supplies, equipment and services
  16. Business or commercial school
  17. Delicatessen
  18. Department store or discount store
  19. Dry-cleaning pick-up and delivery
  20. Federal, State or municipally owned and operated facility
  21. Floor covering sales
  22. Flower shop
  23. Food market or supermarket

24. Funeral home
25. Furniture sales
26. Garden supplies and material sales
27. Gifts, cards, novelties or antiques
28. Government services offices
29. Hardware and/or paint sales
30. Health maintenance studio
31. Home appliances or home decorating
32. Jewelry and watch sales and repair
33. Luggage and leather goods sales and repair
34. Mail order outlet
35. Medical, dental or chiropractic offices, clinics or supporting laboratory
36. Motel or hotel including restaurant conference rooms and supporting facilities
37. Motorcycle or bicycle sales and service
38. Outdoor supplies and equipment
39. Pets and pet supplies
40. Pharmacy and/or drug store
41. Photographic supplies or photographic or artist's studio
42. Quick stop or convenience sales including gasoline sales
43. Radio, TV or electronic sales and repair
44. Restaurant, sit-down or sit-down and take-out
45. Self-defense instruction
46. Shoe sales
47. Shopping mall or plaza
48. Sporting goods sales
49. State liquor store
50. Tailor or dressmaker
51. Tavern

52. Theater or concert hall, indoors
53. Tools, appliances or equipment rental
54. Toys, hobbies and/or arts and crafts supplies
55. Tuxedo rental
56. Upholstering sales and service
57. Variety and/or dry goods sales
58. Veterinary clinic with any overnight boarding only within the clinic building
59. Wholesale sales
60. Forestry (§518)
61. Churches and/or House of Worship

C. Accessory Uses (See also §508)

1. Automobile parking area
2. Truck servicing area
3. Trash collection building
4. Apartments on the second floor of a building, provided the ground floor is occupied by permitted or special exception uses; no commercial activity occurs on the second floor; the number of apartments does not exceed one for each 4,000 square feet of lot area if the property is connected to public sewer and water service or does not exceed one apartment for each acre or fraction thereof if only one or neither public utility is available to the property and one parking space is set aside on the lot for the exclusive use of each apartment
5. Banking machine, photographic kiosk, used clothing collection bin and similar accessory structures
6. Signs (see §512)

D. Conditional Uses (See also Part 6)

1. Golf driving range or miniature golf (see §603, Subsection P)
2. Recreational vehicle campground (see Township Subdivision and Land Development Ordinance [Chapter 22])
3. Theater, outdoors (see §603, Subsection R)
4. Garden apartment building or group of buildings on a property of at least 30,000 square feet (see §603, Subsection A)
5. Any retail sales or personal, professional or business service dealing directly with the

public that is similar to and compatible with the principal permitted uses (see §403, Subsection B)

6. Commercial amusement enterprise (see §603, Subsection BB)
  7. Clubs and lodges, as defined in this chapter (see §603, Subsection L)
- E. Special Exception Uses (See also Part 6)
1. Fishing lake (see §603, Subsection O)
  2. Nursery, commercial (see §603, Subsection Q)
  3. Restaurant for take-out only (see §603, Subsection S)
  4. Used car sales lot (see §603, Subsection LL)
- F. Dimensional Standards
1. Minimum lot size: 20,000 square feet; 75 feet minimum street frontage
  2. Minimum lot width at front building line: 100 feet
  3. Minimum building setback from street right-of-way line: 35 feet
  4. Minimum building setback from side lot line: 15 feet
  5. Minimum building setback from side or rear lot line that abuts land in a residential zone: 35 feet
  6. Minimum building setback from rear lot line: 20 feet
  7. Minimum setback of accessory uses from side or rear lot line: five feet, except that if abutting a residential zone: 20 feet
  8. Maximum percent lot coverage of all buildings to the total lot area: 30%
  9. Maximum percent lot coverage of all buildings and paved surfaces to the total lot area: 90%

**§404. Business and Manufacturing District (BM)**

- A. Purpose. The Business and Manufacturing District provides areas for the location of business for fabricating of finished or semi-finished products within enclosed buildings for the heavy repair or rebuilding of equipment and for non-retail businesses that require large properties but not necessarily highway frontage.
- B. Principal Permitted Uses
1. Automobile sales, used cars
  2. Bakery, commercial
  3. Boat sales and service and off-season storage

4. Bottling works
5. Cabinet and furniture making
6. Catering service
7. Contractor's office, garage, and storage yard
8. Die and pattern making shops
9. Dry-cleaning plant or commercial laundry
10. Electronic components and/or instruments manufacture
11. Electroplating service
12. Farm machinery or contractors equipment sales and service
13. Federal, State or municipally owned and operate facility
14. Forestry (§518)
15. Injection form and molding establishments
16. Lumberyard and building materials sales
17. Machine shop
18. Manufacturing or fabrication of a finished product for retail or wholesale sale or of a semi-finished product for sale to a second manufacturer when components have been processed from raw materials elsewhere
19. Manufactured or motor home sales and service
20. Nursery, commercial
17. Pattern making
18. Printing and publishing
19. Recycling center
20. Repair and servicing of manufacturing equipment or machinery
21. Research and testing laboratory
22. Self service storage or mini-warehouse
23. Tools, appliance or equipment rental
24. Tooling and machining establishments
25. Truck or heavy equipment sales and service
26. Trucking or railroad terminal or transfer station
27. Warehousing or long-term enclosed storage

C. Accessory Uses (See also §508)

1. Automobile parking area

2. Truck or railroad servicing area
  3. Trash collection building
  4. Outside storage of finished products or components used in a manufacturing operation
  5. Apartment of a caretaker
  6. Signs (see §512)
- D. Conditional Uses (See also Part 6)
1. Bulk fuel oil storage yard (see §603, Subsection U)
  2. Auto salvage or used materials storage and sales (see §603, Subsection W)
  3. Business park (see §603, Subsection KK)
  4. Any other manufacturing, fabrication or assembly operation or business in support of such operations and similar to and compatible with the principal permitted uses (see §603, Subsection Y)
  5. Electronic signs (see §512.E.6)
- E. Special Exception Uses (See also Part 6)
1. Manufacturing or fabrication involving processing of manufacturing from raw materials (see §603, Subsection T)
  2. Foundry or heavy concrete or other bulk materials distribution business (see §603, Subsection V)
- F. Dimensional Standards
1. Minimum lot size: 40,000 square feet
  2. Minimum lot width at front building line: 100 feet; 75 feet at the street frontage
  3. Minimum building setback from street right-of-way line: 50 feet
  4. Minimum building setback from side lot line: 15 feet
  5. Minimum building setback from side or rear lot line that abuts land in a residential zone: 50 feet
  6. Minimum building setback from rear lot line: 35 feet
  7. Minimum setback of accessory uses from side or rear lot line: 10 feet, except that if abutting a residential zone: 20 feet
  8. Maximum percent lot coverage of all buildings to the total lot area: 40%
  9. Maximum percent lot coverage of all buildings and paved surfaces to the total lot area: 85%

**§405. Conservation-Agricultural District**

- A. Purpose. The Conservation-Agricultural District includes areas that are very sparsely developed in large lots often actively farmed, steeply sloped, impacted by periodic flooding that provide cover for underground municipal water aquifers or are publicly held for protection against development.
- B. Principal Permitted Uses
1. Single-family detached dwelling
  2. General agricultural operations on at least 20 acres of land if commenced as a new farm after adoption of this chapter
  3. Nursery stock cultivation
  4. Private membership recreational facility
  5. Cemetery
  6. Public utility facilities, transmission and distribution lines within easements including structures that must be placed along the line for the system's operating efficiency
  7. Federal, State, municipal, public authority, school district or volunteer fire department facility
  8. Forestry (§518)
  9. Communications antenna
  10. No-impact home-based business
- C. Accessory Uses (See also §508)
1. Private garages for residences and parking areas for residences and other permitted or conditional uses
  2. Outbuildings for the storage of garden equipment, children's play structures and housing of domestic animals owned by the residents of the property
  3. Outbuildings normally incidental to farm operations
  4. Recreational facilities for the use of the residents of the property and their guests only
  5. Residential Wind Turbines
  6. Roadside stand for the seasonal sale of agricultural produce grown on property in the same ownership as that on which the stand is located and to be closed or removed when such produce is not available
  7. Signs

D. Conditional Uses (See also Part 6)

1. Commercial kennel or stable or riding academy (see §603, Subsection B)
2. Communications towers (see §603, Subsection C)
3. Recreation vehicle campground (see §602 of the Township Subdivision and Land Development Ordinance [Chapter 22])
4. Mineral extraction (§603.G)

E. Dimensional Standards

1. Minimum lot size: two acres (87,120 square feet)
2. Minimum lot width at front wall of building facing street: 200 feet; minimum frontage along street: 100 feet
3. Minimum building setback from street right-of-way line: 40 feet, or from street centerline: 65 feet, whichever is greater
4. Minimum building setback from side lot line: 25 feet
5. Minimum building setback from rear lot line: 40 feet
6. Minimum setback of accessory use from side or rear lot line: 25 feet
7. Maximum percent lot coverage of all buildings to total lot area: 5%
8. Maximum percent lot coverage of all buildings and paved surfaces to the total lot area: 10%

**§406. Conneaut Corridor District**

A. Purpose: The Route 322 Corridor from Meadville to Conneaut Lake Borough is the primary commercial area of Central Crawford County. This zoning district sets forth standards for land use, design, landscaping, parking, signage and related matters. The Community Development Objectives of these regulations are:

- Provide a common zoning provision for communities along the Conneaut Corridor.
- Set appropriate standards to insure quality development along this highway.
- Set certain common signage and landscaping standards to provide an identity for the Conneaut Corridor.
- To implement the Central Crawford Region Multi-Municipal Comprehensive Plan.

B. Permitted Uses

1. Retail Sales, all types (floor area 30,000 square feet of floor, or less)

2. Retail Manufacturing (bakery, candy) (E.2)
3. Banks and Financial Institutions (including Drive-In)
4. Churches and/or House of Worship
5. Offices (all types, including Professional Services)
6. Medical Offices and Clinics
7. Indoor Recreation and Amusement (E.3)
8. Business and Trade Schools
9. Restaurants and Catering
10. Home Centers (E.4)
11. Garden Centers (E.4)
12. Day Care Centers (E.5)
13. Hotels and Motels (E.6)
14. Health Maintenance Studios
15. Movie Theaters (E.3)
16. Forestry (§518)
17. Essential Services
18. Accessory Uses and Structures
19. Commercial Bakeries
20. Cabinet and Furniture Making
21. Manufactured Home Sales and Service
22. Rental Centers, all types
23. Federal, State, Municipal, or Municipal Authority Facilities
24. Public Parks
25. Fire Departments (E.1)
26. Artisans and Craft Work Establishments
27. Computer center; data processing service centers

C. Conditional Uses

1. Large Retail (over 30,000 square feet of floor area) (§603.DD)
2. Auto/Truck Sales and Service (§603.LL)
3. Boat Sales, Services and Storage (§603.LL)
4. Auto/Truck Sales and Services, Used (§603.LL)
5. Farm Machinery/Heavy Equipment, Sales and Service (§603.LL)
6. Convenience Stores (§603.EE)
7. Veterinary Establishments (§603.FF and B)
8. Shopping Centers (§603.GG)

9. Industrial Business Parks (§603.KK) – Conneaut Corridor
10. Outdoor Recreation and Amusement (§603.HH)
11. Wholesale Trade (§603.II)
12. Tool and Die Shops (§603.MM)
13. Light Manufacturing (§603.MM)
14. Car Washes (§603.NN)
15. Electronic signs (§512, especially E.6)

D. Dimensional Standards

1. Minimum Lot Size: 1½ Acres
2. Minimum Lot Width at Front Building Lot and Minimum Road Frontage: 200 Feet
3. Minimum Setback from Street Right-of-Way Line: 35 Feet
4. Minimum Building Setback from Side Lot Line: 15 Feet
5. Minimum Setback from Rear Lot Line: 35 Feet
6. Maximum Percent of Lot Coverage by All Buildings to the Total Lot Area: 35%
7. Maximum Percent Lot Coverage of Impervious Surfaces: 80%

E. Permitted Uses with Conditions for the Conneaut Corridor

1. Fire Departments:
  - a. All side and rear property lines adjoining residential uses or zoning classifications shall be screened by a buffer area as defined by this Ordinance which is at least six feet in depth, measured from the property line.
  - b. All lights shall be full cutoff.
  - c. The entrance and exit for the facility shall be so designed as to allow adequate sight distances and generally ensure a safe entrance onto public roads. (See also Section 6)
  - d. There shall be adequate space in front of the fire station so trucks and equipment may be backed into their parking bays without using public streets for maneuvering room.
2. Retail Manufacturing: This involves such activities of small bakeries, candy making or the custom production of artisan products. Such uses shall sell at least 60% of all produced goods at retail on premises.
3. Indoor Recreation and Amusement, Movie Theaters: Such uses as dance studios, bowling allies, game arcades, pool/billiard halls, martial arts studios, and similar private endeavors shall:
  - a. Have no outdoor loudspeakers.

- b. Provide a buffer/screening yard of at least 10 feet for any rear or side yard, which abuts a residential area.
    - c. The operator shall present a plan indicating how the conduct of juvenile patrons shall be monitored and controlled.
- 4. Garden and Home Centers: Such uses often use outdoor areas for the sale or storage of plants or goods.
  - a. No area used for the sale or storage of plants or other goods shall infringe upon the required parking area, or the front landscaped area.
  - b. All displays shall be set back at least 20 feet from the nearest front lot line and at least 15 feet from side or rear lot lines.
- 5. Day Care Centers: Day care centers shall:
  - a. Present proof that the needed permits and/or licensing from the Pennsylvania Department of Welfare has been, or will be, issued. Failure to submit this evidence shall be grounds for denial.
  - b. All child drop off/pickup points shall be at least 30 feet from the public road.
  - c. For child safety, all outside play areas shall be effectively isolated from pickup/drop-off and delivery areas. Play areas shall be fenced with entrance/egress to the day care building only. The applicant shall provide a site plan demonstrating same.
- 6. Hotels and Motels: Such uses shall:
  - a. Are constructed in accordance with the Pennsylvania Uniform Construction Code (UCC).
  - b. Have a lot of at least three acres.
  - c. All rear and side property lines which abut residential uses or districts shall provide a screen of at least 10 feet, as defined by this Ordinance.
  - d. Present evidence that water and sanitary sewer facilities have been approved by the appropriate agency and are adequately sized.

**PART 5**  
**SUPPLEMENTARY REGULATIONS**

**§501. Lot Area and Width Exceptions**

- A. Lots of Record with Inadequate Area or Street Frontage. Lots recorded prior to adoption of this chapter shall be considered nonconforming lots if their area and/or width are less than required for the zone district in which the lot or lots are located. Such lots shall be subject to the regulations contained in Part 7 of this chapter.
- B. Lot Area Measurement. For purposes of measuring compliance with minimum lot area requirements no area of any property within the right-of-way of a public street abutting or passing through the property shall be included regardless of the deed description of the property. Where no centerline has been established it shall be considered as a line equidistant between the opposite edges of the paved surface or other prepared vehicular way. The area of any easement across or within a lot for utility use or private access shall be included in the lot area.
- C. Lot Width Measurement. Lot width shall be measured along a line parallel with the right-of-way of the street upon which the lot fronts and set back from the right-of-way the required minimum depth of the front yard. Width shall be measured between side lot lines.
- D. Exceptionally Deep Lots. For purposes of calculating lot area only that portion of the lot whose depth is less than four times the lot's width shall be used.
- E. Lot Area Governed by Sewage Disposal Requirements. Where a lot otherwise meeting the requirements of this chapter is served by an on-lot sewage disposal system and the Sewage Enforcement Officer determines that the lot area is insufficient to absorb the effluent the Sewage Enforcement Officer may require that the lot area be increased to provide sufficient area or, as a last resort, that an alternate means of sewage disposal be installed.
- F. Rear Lot. A second lot may be created at the rear of a lot fronting on a public street; provided, the rear lot is connected to the public street by a right-of-way at least 20 feet wide; the right-of-way area is not included in the area of the lot for determining minimum lot size; the lot will not be further subdivided and the right-of-way will not be extended or otherwise made to serve any other lots. The front yard of the rear lot shall be considered the yard abutting the rear line of the front lot and setbacks of structures on the lot shall be established accordingly.

**§502. Occupancy of an Undivided Lot**

- A. Each single-family or two-family dwelling shall occupy a separate lot abutting a street.
- B. In all other cases only one principal permitted, approved special exception, or approved conditional use shall occupy a lot although it may occupy several buildings on the lot.

Exceptions to this rule are a planned residential development, a multi-occupancy commercial development including a number of commercial uses, a manufactured home park in which stands for manufactured homes are leased or a second dwelling on a residential lot situated so that if the property is later subdivided, each dwelling will occupy a lot meeting or exceeding all area, setback and frontage requirements that apply in the zone district containing the lot and each lot will have separate utility connections and access driveways.

**§503. Access to a Lot**

Every lot or property shall abut a public road or a private road specifically approved by the Board of Supervisors. Subdivision of a property's frontage shall keep open to the rear part of the property an access way at least 40 feet wide connecting to the public street.

**§504. Building Setback Exceptions**

- A. Where a vacant lot exists between two developed lots and the principal building on one or both of these lots is located closer to the abutting street than the required setback distance, a building proposed on the vacant lot may be set back the average of the two existing buildings either side or the average of one of the existing buildings and the minimum required setback distance, whichever is less.
- B. Where a building is to be constructed on a lot so that one or more of its walls is not parallel to the nearest lot line the wall shall be set back so that the distance between the lot line and the nearest corner of the building and between the lot line and furthest corner on the same wall divided by two is not less than the minimum required setback; provided that no part of the wall is less than 10 feet from the adjacent property line.

**§505. Encroachment into Required Yard Areas**

- A. Paved patios, walkways, handicap ramps, and off-street parking areas may occupy required yard areas on a lot that are not less than three feet from a lot line except that on a residential lot only walkways and driveways may occur in the area between the street right-of-way line and front setback line and on a commercial or industrial lot abutting a residentially zoned or used lot no paved surfaces shall occur within 10 feet of the mutual lot line unless adjacent property owners agree in writing to a lesser amount, or abutting, paved areas.
- B. Porches, bay windows, fire escapes, balconies on upper floor levels, access ways to basement areas, chimneys not more than six feet wide, roof overhangs and architectural details may extend up to three feet into any required yard area but not closer than five feet to any lot line.
- C. A fence or wall may be built or a hedgerow planted along a property line; provided that any fence, wall or hedge is not constructed or maintained at a height exceeding four feet along the front lot line or along the side lot line between the front lot line (right-way-line) and the front setback line or at a height not exceeding six feet along all other lot lines.
- D. An open-mesh metal fence not exceeding 12 feet in height may be constructed along the lot lines of a commercial or industrial property where it abuts a public street or another commercial or industrial lot. On any residential property an open-mesh metal fence not to exceed eight feet in height may be erected for security purposes along any lot line. Such a fence may be altered to diminish the view through it only in the lower four feet of its height.
- E. Fences, walls and hedges shall be located so as not to interfere with sight distances of motorists approaching street intersections. A driver approaching an intersection 40 feet away from the intersecting centerlines of the two streets shall be able to see 40 feet to his right and left down the centerline of the intersecting street at a height not less than three feet six inches nor more than eight feet above the pavement. Within this volume of space no fences, hedges, walls or tree branches shall be permitted. Where the grades of approaching streets interfere with compliance, the embankments, as part of development of a corner property, shall be graded to allow sight

distances as close as possible to compliance.

#### **§506. Height Limitations**

Tall structures may be subject to the special requirements of §513 (Port Meadville Airport) of this chapter.

#### **§507. Screening and Landscaping**

A. Required Screening. Whenever business premises are developed or expanded on property adjacent to a conservation-agricultural, residential zone district, residential use properties or a nonconforming business use expands a screen shall be required as a condition of approval of such development. The screen shall be installed along the rear and/or side property lines where such lines abut property in the conservation-agricultural or residential zones or along the rear and side lines of a lot containing a nonconforming use to be expanded. The screen shall be installed and maintained by the business developer at his expense and for as long as the circumstances that required the screen initially remain. The screen may extend to the common property line but shall not encroach upon adjacent property except for tree limbs at least eight feet above ground. The screen may be provided in any of the following ways:

1. A permanent, continuous fence of wood or metal displaying no advertising and with the decorative or finished side facing the adjacent property, such fence not less than six nor more than eight feet in height, at least 50% of the vertical surface of which shall be opaque.
2. A dense evergreen shrub or hedge planting to be installed at a height of not less than four feet and maintained thereafter at a height of not less than six nor more than eight feet in height.
3. A tree buffer consisting of not less than three deciduous shade trees at least three-inch caliper when planted, not less than six evergreen trees at least 10 feet tall above ground level when planted and not less than three flowering trees at least two-and-one-half-inch caliper when planted for each 180 feet of length. Buffers or parts of buffers less than 180 lineal feet shall be planted proportionately with the required materials.
4. Any combination of these or an alternate screen acceptable to the Planning Commission such as natural changes of grade or natural vegetation that obscures the industrial or commercial development from the adjacent residential zoned land.
5. The Board of Supervisors shall require the developer to post a maintenance bond or establish an escrow account to guarantee survival of all materials he has planted for a period not exceeding two years after the initial planting. The Board shall also require that the developer provide a continuous maintenance program for feeding, spraying and pruning the planted materials.
6. Retaining Walls. Any wall at least four feet high above grade on its exposed side and intended to hold an earth embankment from slipping shall be considered a retaining wall. Such walls shall be designed by a registered engineer and shall be capable of withstanding soil pressures from behind as well as having foundations adequate to avoid overturning, a drainage system to remove water collecting behind the wall and a barrier along the top of the wall to prevent accidental falls. A retaining wall shall require a

zoning permit and shall not be closer than five feet from any property line.

**§508. Accessory Buildings and Uses**

- A. Any accessory use may only be constructed concurrent with or later than the principal use it serves.
- B. An accessory building shall be located only in a rear or side yard of a lot and not forward of the front wall of the principal use building except that buildings for agricultural purposes may occupy any area of a property within the front, side and rear setback lines.
- C. No dwelling unit shall be located in any accessory building.
- D. No accessory building shall exceed 20 feet in height or no bigger than the footprint square footage of the primary structure or occupy more than 1800 square feet of ground area except that buildings for agricultural purposes are exempt from these regulations. There shall be no residents or business permitted within the accessory use structure.
- E. Swimming pools shall be considered an accessory use and shall be located in a rear or side yard area. Each pool shall be surrounded by a sturdy continuous fence at least four feet in height, access through which is controlled by a gate capable of being locked. The fence shall contain no openings larger than six inches in diameter or diagonal dimension. For purposes of this regulation a swimming pool shall be considered any vessel other than a natural or man-made lake or pond with a depth greater than one-and-one-half feet and a diameter or diagonal dimension across the top over 20 feet.
- F. A temporary building may be constructed for use on a construction site or as a real estate sales office; provided, the building meets the size, height and setback requirements for accessory buildings and the permit allowing construction of the building limits the time it may be in place to one year, with renewals possible on a year-to-year basis upon showing of just cause to the Zoning Officer but in no case for a total of more than five years.
- G. Kennels and stables for the private, noncommercial use of the residents of the same property shall be arranged so that outdoor areas are entirely enclosed by a fence of sufficient height and design to contain the animals, set back not less than 10 feet from any adjacent lot line so that drainage from outdoor areas does not flow onto abutting properties and so that shelter in a completely enclosed building is available to the animals. In the case of adult horses not less than 20,000 square feet of fenced-in area shall be provided for each adult horse.

**§509. Individual Manufactured Homes**

- A. An individual manufactured home shall be considered a transportable single-family dwelling on its own chassis intended for permanent occupancy in one unit or two matched units which is towed to its site complete and ready for occupancy except for incidental assembly and attachment operations. An individual manufactured home implies that is not in a manufactured home park but is on its own lot as the sole principal permitted use.
- B. Within the zone districts where they are permitted individual manufactured homes shall meet all requirements of this chapter for single-family dwellings as to minimum lot size, setbacks, lot width and off-street parking. Within the Suburban Residential Zone District the length of any manufactured home shall be not more than four times the home's width.

- C. Manufactured homes shall be set securely as required by the Township's building code.
- D. The space between the floor of the manufactured home and the ground below shall be enclosed by the concrete block foundation or by a continuous vinyl or metal skirting maintained in good condition. The space under the floor shall be well ventilated.
- E. Manufactured homes shall be placed on their required foundations within 60 days of arrival on their lot and towing bar and wheels removed.
- F. No manufactured home shall be occupied until it has received an occupancy permit from the inspection agency after installation of sewage disposal and water supply systems in working order.
- G. Before a manufactured home can be removed from its site the owner shall present to the inspection agency certification that all Township, County and School District taxes, past and current, have been paid in full.
- H. Any manufactured home brought into the Township or after the effective date of this chapter shall display a placard indicating that it complies with the National Manufactured Housing Construction and Safety Standards Act and as amended.
- I. After removal of a manufactured home from its lot the foundation shall be removed and the site backfilled to original grade within 60 days by the lot owner or a second manufactured home shall be placed on the vacated foundation within sixty 60 days of the removal.

**§510. Special Residential Uses**

- A. Conversion Apartments. In the Residential R-S Zone District, an existing single-family detached building may be converted to a two-family building, either internally or by an addition, provided that:
  - 1. Each dwelling unit contains at least 400 square feet of floor area, such area to include only the living room, dining room, kitchen and one bedroom or 200 square feet for the same use areas if one or both units are to be occupied exclusively by one person.
  - 2. Each dwelling contains its own complete bathroom, kitchen sink, refrigerator and stove or cook top and two means of egress directly or by a stairway or fire escape to the outside at grade, exclusive of the other unit.
  - 3. Utility systems serving each dwelling unit are independent of the other unit.
- B. Minimum Size of Apartment Unit. In zone districts where apartments are either permitted by right or conditionally each dwelling unit shall contain not less than the following area, exclusive of hallways, stairways, bathrooms, closets, utility rooms, basement areas, etc.
  - 1. Efficiency apartment intended for single occupancy: 200 square feet
  - 2. One-bedroom apartment: 300 square feet
  - 3. Two-bedroom apartment: 400 square feet
  - 4. For each additional bedroom: 100 additional square feet.

- C. Minimum Size and Width of Townhouse Units. In zone districts where townhouses (attached single-family dwellings) are either permitted by right or conditionally each dwelling unit or development shall conform to the following standards:
1. The number of townhouse units permitted in any development shall not exceed one per 3,600 square feet of lot area.
  2. Total floor area of each dwelling, all levels, but not including integral garage: at least 600 square feet plus 100 square feet for each bedroom after the second.
  3. Width across dwelling at narrowest dimension measured at right angles to an exterior wall or a wall separating adjacent units: at least 16 feet.
  4. At least 400 square feet of floor area of each dwelling shall occur at or a few steps above grade level.
  5. Number of attached dwellings in a group: not more than eight.
- D. Minimum Separation of Multifamily Buildings on the Same Property. Assuming rectangular buildings, the following dimensional standards shall be observed in the spacing of multifamily buildings on the same property in zone districts where such buildings are permitted:
1. A principal wall shall be considered any exterior wall that contains all the windows opening into any apartment; all other walls shall be considered end walls. Open balconies attached to a wall may extend not more than three feet into the space separating buildings.
  2. Principal walls of two buildings that face one another shall be separated by at least 50 feet and a principal wall facing a side or rear property line shall be set back at least 25 feet from the line.
  3. A principal wall shall be separated from an adjacent end wall of a second building by at least 30 feet.
  4. End walls of two buildings that face one another shall be separated by at least 15 feet and an end wall facing a side or rear property line shall be set back at least 10 feet from the line.
  5. A landscaped strip not less than 10 feet wide shall separate any residential building on the site from driveways or parking areas on the property.
  6. Walls shall be considered facing each other if they are parallel or form an angle of not more than 45°. If walls of neighboring buildings are not parallel they shall be separated by at least the average of the greatest and least distance between them measured along parallel lines at right angles to the wall on either building but by not less than 20 feet at any point.
  7. When walls on neighboring buildings will overlap if extended towards one another along a plane at right angles to the wall of either building and the overlap exceeds six feet, the buildings shall be separated as prescribed above but if the overlap is six feet or less, the buildings shall be separated by at least 20 feet.

8. Buildings shall be so arranged on their site so that emergency vehicles will have access to each building.

E. Motel Regulations

1. Each motel unit shall contain not less than 200 square feet of floor area including a bathroom with toilet and hot and cold running water.
2. All units shall be connected to public sewage disposal and water supply systems or community systems approved by the State DEP.
3. A motel may include recreational and/or conference facilities and a restaurant for the public and/or guest only use.

**§511. Off-Street Parking and Loading**

- A. Off-street parking and loading facilities provided in at least the number required by this section shall be available throughout the hours of operation of the business or use for which the parking and/or loading is provided. Spaces for residential uses shall be available at all times.

B. Dimensional Requirement

1. Each parking space shall be at least nine feet in width and contain at least one hundred eighty (180) square feet of area exclusive of access lanes.
2. The minimum dimensions for parking spaces and the access to them shall be in accordance with the following table:

<u>Angle of Parking</u>	<u>Curb</u>	<u>30 Degrees</u>	<u>45 Degrees</u>	<u>60 Degrees</u>	<u>90 Degrees</u>
Depth of Space	7'	17' – 4"	19' – 10"	21'	20'
Width of Space	22'	18'	12'	10' – 5"	9'
Access Lane Width	10'	11'	13'	18'	11'
Aisle Width	30'	46' – 8"	52' – 8"	60'	62'

Where the “angle of parking” means the angle of the parking space relative to the edge of the parking area or the adjacent parking aisle parallel to the spaces being measured; the “depth of space” means the full depth of each space measured at right angles to the access lane between the two corners of any parking space furthest from each other; the “width of space” means the width measured at right angles to the side lines of each space; the “access lane width” means the width of the access lane across the narrowest dimension between parking spaces on either side of the lane measured at right angles to the length of the lane; and “aisle width” means the width of an access lane plus parking spaces on both sides of the lane measured at right angles to the length of the lane. For aisles with parking on one side only subtract the width of one “depth of space” from the aisle width for the appropriate angle of parking.

C. Design Standards

1. Parking to serve any nonresidential use shall be located so that no required space is more than 500 feet from the building or use such space is designed to serve. No parking

facilities intended to serve a business or manufacturing use shall be located in a residential zone district.

2. Parking to serve multifamily dwellings shall be located so that no required space is more than 200 feet from the entrance to the building the space is designed to serve. A planted strip not less than five feet in width shall separate the edge of parking areas from adjacent apartment buildings.
3. Parking may be located on a lot other than that containing the use for which the parking is required; provided, the offsite parking area meets the stipulations of Subsection C.1 and 2, above, and the off-site property is either in the same ownership as the lot containing the use or the owner of the lot has a long-term renewable lease on the off-site property guaranteeing that the parking will be available for the life of the use.
4. Where a structure is in mixed use the total parking requirements for the various uses shall be added together to determine the total parking required.
5. Whenever a use is enlarged or changed, the additional parking required to serve such enlargement or change shall be in accordance with this section, but nothing in this section shall be construed to require uses legally existing prior to the passage of this chapter to comply with these requirements except when such use is enlarged or changed.
6. All parking areas serving any commercial or industrial operation or any residential activity where more than two dwelling units utilize the same area shall be surfaced with a durable and dustless all-weather material. Such parking areas shall be sloped, not more than six percent or less than one-and-one-half percent towards a storm drainage system. Stormwater falling on a parking lot shall be drained from inlets within the lot.
7. Where a parking lot contains at least 25 spaces, it shall be surfaced with at least two inches binding and wearing courses of an asphaltic mix acceptable to the Township over at least six inches of well-compacted and choked base course of crushed limestone or equivalent concrete paving. Parking spaces shall be marked off in traffic paint with six-inch wide white or yellow stripes. Full exterior, interior and island perimeters of parking area shall be contiguously curbed with concrete curbing with a minimal vertical reveal of 6", minimum width of 8" and extending no less than 18" below grade.
8. Parking areas not intended for customer use such as auto dealer storage lots, contractors' storage yards or similar uses accommodating commercial vehicles may, at the discretion of the Zoning Officer, be exempt from the binding and wearing courses; provided, the surface is kept dust and mud free at all times.
9. Where edges of paved areas slope downhill and parking spaces are at right angles to the slope, stop bars shall be provided at each space.
10. Embankments adjacent to a parking lot shall not exceed one-foot vertical rise to each two feet of horizontal run. Where an embankment slopes from a parking lot a swale shall be provided parallel to the edge of the paved surface and directed to a storm drain inlet.
11. On a single-family to two-family dwelling lot, a garage and the access to it on the property will count as required parking areas.

12. Where dwelling units and/or commercial uses share parking and/or garage space, parking designated for one dwelling or commercial use shall not block that designated for other dwellings or commercial uses.
13. Where a parking lot is located within 25 feet of an adjacent property containing a single-family or two-family dwelling, the edge of the lot shall be screened by an evergreen hedge, earth mounding, fence or any combination to the extent necessary to visually buffer the dwelling from the parking lot.
14. The edges of parking lots in any residential zone shall be set back at least 40 feet from abutting streets and by at least 15 feet from side or rear property lines.
15. Parking lot lights shall be located and aimed so that no direct light source shall be visible from adjacent streets or nearby residential properties. The light level shall be the minimum to provide safety and security.
16. The parking lot display of goods shall not diminish the required on-lot parking spaces or pedestrian walkways and to do so is a violation of this Ordinance.
17. Table of Minimum Off-Street Parking Requirements

<b>Residential</b>	<b>Minimum Space Required</b>
All dwellings, except as noted below:	2 per dwelling
Garden apartment	1½ per dwelling
Efficiency apartment	1 per dwelling
Elderly housing complex	1 per 2 dwellings
Transitional dwelling or personal care home	2 spaces plus 1 space for each 4 persons cared for
Home occupation	1 per each 300 square feet of area in use
Nursing or convalescent home	1 per each 2 beds
Day-care center	1 per each 4 persons to be cared for
<b>Commercial and Public</b>	
Bowling alleys	3 per lane
Churches and/or House of Worship, auditoriums and similar places of enclosed assembly	1 per each 3 persons who can be seated at 1 time
Clubs, taverns or restaurants	1 per each 3 persons who can be seated at 1 time
Take-out restaurants with no seating or drive thru	1 per 100 square feet of customer service area
<b>Commercial Recreation</b>	
Golf facilities	3 per tee
Riding stable	1 per each horse stall on premises
Swimming pool	1 per each 3 persons in pool's designated capacity
Funeral homes	10 per each reposeing room
Kennel or boarding stable	1 per each 5 dogs or 3 horses that can be boarded simultaneously
Medical and dental clinics	1 per each 100 square feet of floor area
Motel	1¼ per each sleeping room
Offices with customer services	1 per each 250 square feet of gross leasable floor area
Offices not providing customer services	1 per each 400 square feet of gross leasable floor area
Retail commercial and personal service outlets	1 per each 200 square feet of gross leasable floor area

**Residential**

Service stations

Theaters

Theaters, drive-in

**Minimum Space Required**

3 waiting spaces at each side of each pump island, plus 5 for customer service

1 per each 3 persons who can be seated at 1 time or 1 for each 4 persons if the theater shares parking in a shopping center

10 on the property between the street and each ticket position

**Industrial**

Warehousing, storage, freight terminals

Manufacturing

1 per each 4,000 square feet of floor area

1 per each 750 square feet of floor area

D. Stacking Requirements for Drive-In, Drive-Through Facilities: This section provides vehicle standards for drive-in, drive-through facilities. These may include such uses as banks, fast-food restaurants and car washes. The purpose of these standards is to provide minimal stacking capacity for various uses so vehicles will not use public streets while queuing in line for service. All references to stacking capacity relates to typical automobiles. A length of 20 feet per auto will be used to accommodate one vehicle and minimal head space. Minimum stacking lane width is nine feet.

<u>Use</u>	<u>Stacking Capacity Per Drive-In Window</u>
Restaurant	8* per drive-in window
Bank	5 per drive-in window
Car Wash	4 per wash bay
Gas Stations and Convenience Stores	3 per pump

\*If there are separate order and pickup windows, four for each shall be accepted.

For other uses, guidelines for the Institute of Transportation Engineers may be used or the written recommendations of a professional engineer.

*Note: Stacking capacity is to be measured from the lot line to the service window and is not to include any area of the public right-of-way.*

E. General Requirements for Off-Street Loading

1. Each loading space shall be at least 10 feet by 40 feet in area with a clear height of 14 feet six inches exclusive of access and maneuvering space.
2. All loading spaces shall be in the side or rear yard of a commercial or industrial property and access to such spaces should not be closer than 100 feet to any street intersection.
3. Streets adjacent to a loading area shall not be used for maneuvering. If necessary, maneuvering space shall be provided adjacent to the loading area so that vehicles may change direction and leave as well as enter the loading area moving in a forward direction.
4. Where a group of buildings in the same use on the same property exist, one building may be designated to receive and dispatch goods; provided that the total applicable floor area

in all buildings on the property is aggregated in determining the total required loading spaces.

5. Loading areas and adjacent maneuvering space shall be surfaced with a maintained all-weather material placed over at least six inches of well-compacted base course and shall be sloped to assure positive drainage to a storm inlet or drainage way.
6. Space allocated for off-street loading including access to such space shall not also be utilized to meet required off-street parking requirements.
7. No motor vehicle repair or service shall be permitted in a loading area.
8. Whenever a use of a property is enlarged or changed the additional loading required to serve such enlargement or change shall be in accordance with the requirements of this section.
9. Nothing in this section shall compel uses existing legally prior to passage of this chapter to comply with those loading requirements except as required by Subsection E.8, above.

F. Table of Minimum Off-Street Loading

1. The following table applies to any wholesale or retail commercial or manufacturing operation in which all or part of the goods or services prepared or sold on the property originate elsewhere:

<b><u>Total Square Feet of Floor Area</u></b>	<b><u>Required Loading Spaces</u></b>
0 to 25,000	1
Each additional 50,000 or fraction thereof	1

2. The following table applies to any service or office function not dealing in products brought to or dispensed from the same property:

<b><u>Total Square Feet of Floor Area</u></b>	<b><u>Required Loading Spaces</u></b>
0 to 100,000	1
100,001 to 300,000	2
Each additional 200,000 or fraction thereof	1

G. Review and Approval

1. Any proposal for new parking areas, for new construction or for expansion of existing structures or uses shall be submitted to the Zoning Officer concurrent with the application for constructing the building to be served or separately not later than such application. A scaled plan of the property showing the location of each parking and loading space, access aisles, maneuvering areas, access from adjacent public streets, provisions for drainage, location of all structures and an indication of construction and materials shall be

provided.

2. The Zoning Officer, in addition to satisfying himself that adequate parking in compliance with this part is provided, shall also determine that safe access to parking areas from the public highway is available before he shall issue a permit.

## **§512. Signs**

### **A. General Requirements (see the section on the Conneaut Corridor signs §512A.)**

1. All signs shall be located upon the property containing the activity or use for which the sign is to be erected except for off-premises directional signs (see §512, Subsection C.4). Authorization of the property owner is required.
2. All signs over six square feet in face area shall be constructed of durable materials. All signs must comply with the Pennsylvania Uniform Construction Code (UCC).
3. For purposes of determining sign area for conformance with this section, the area shall be considered the total area of the signboard or, if there is no signboard, then the area inside a continuous line connecting the edges of the sign message. On any sign only one sign face, or the larger face, need be calculated. The area of the sign support need not be calculated as part of the sign area.
4. Sign structures of any type already legally in place in Vernon Township at the date of adoption of this chapter may remain. However, signs that would not be permitted under the terms of this section may not be increased in size or relocated although the sign's message may be changed. Once such a sign structure is removed it may not be replaced except in conformance with this section.
5. No sign shall be permitted to be placed upon the roof of any structure or to project above the cornice line of a flat-roofed building or above the gutter line of a sloped roofed building. A sign integrated into a sloped roof or attached to a wall hiding roof-mounted mechanical equipment as part of the building's original design may be permitted.
6. No signs lighted in such a manner as to create glare conditions on adjacent or nearby properties or roads or to be capable of causing confusion with traffic control devices shall be permitted.
7. This section shall not apply to the display of patriotic flags or banners or to any signs to be erected by Vernon Township or PennDOT, nor shall it apply to signs on a property that are not visible from any public street or adjacent properties.
8. Signs shall be removed not more than 60 days after the use or activity on the same property that they advertise has been removed. If the building that housed the use or activity remains, the sign structure may also remain.
9. Temporary signs in the public interest not advertising a commercial product may be approved by the Zoning Officer for erection in accordance with the requirements of this section for a period not to exceed 60 consecutive days.
10. No sign shall be erected containing information which states or implies that a property

may be used for any purpose not permitted under the provisions of this chapter for the zoning district in which the property to which the sign relates is located.

B. Permitted Signs

1. Residential and Conservation-Agricultural Districts

- a. Identification of property limited to name and address of occupant or nature of home occupation if applicable.
- b. Signs advertising property for sale or rent indicating only owner's or broker's name, address and phone number.
- c. Signs forbidding trespassing on private property and/or denoting a driveway or road as private.
- d. Signs identifying public or semipublic institutions and activities carried on by them.
- e. Signs identifying roadside stands selling goods produced on the same property occupied by the stand, such sign removed annually when seasonal sales have been terminated.
- f. Artisans' signs indicating name, address, phone number and type of service performed by contractor on the premises to be removed not more than 10 days after work on which artisan is employed is completed.
- g. Yard or garage sale signs provided they are removed within three days after the sale ends.

2. Retail and Service Business and Business and Manufacturing Districts

- a. Any sign permitted in the residential districts
- b. Signs identifying a business or industry on the same property as the business or industry advertised
- c. Portable signs are not allowed in Vernon Township
- d. Entrance signs
- e. Off-premises signs are not allowed in Vernon Township
- f. Electronic signs

C. Freestanding Signs

1. Freestanding signs may occur only in yard areas between the principal building on the lot and the street or streets to which the property has its principal access.
2. No part of any freestanding sign shall be closer than 5 feet to a street right-of-way, 10

feet to any side or rear lot line if the lot on which it is located abuts a lot in a retail and service business or manufacturing zone district or 40 feet if it abuts a lot in a residential or conservation zone district.

3. Freestanding signs in residential or conservation-agricultural zones:
  - a. Such signs shall not be closer than 10 feet from any lot line.
  - b. They shall not exceed six square feet in area on any face and no more than one such sign shall be permitted on the property.
  - c. Signs shall not be more than nine feet above grade at any point and shall not be illuminated.
  - d. Signs on the property of and calling attention to a public or not for-profit institution shall be not more than 30 square feet in area on any face and eight feet above grade at any point and may be illuminated by an interior hidden source only.
  - e. Not more than two signs, each not more than 16 square feet in area, may be erected to advertise a roadside stand; provided, such signs are removed whenever the stand is not in operation.
  
4. Freestanding signs in the retail and service business and business and manufacturing zones:
  - a. Maximum number of signs: One on each property frontage or two on each frontage exceeding 500 feet but in no case more than a total of three.
  - b. Maximum sign area: Each sign may contain up to 50 square feet of area each face.
  - c. Maximum height: No sign may exceed 20 feet in height at any point above the ground.
  - d. Illumination: Signs may be lighted from within the sign or from a hidden source. Specially arranged landscaping may be used to hide the light source.
  - e. Bonus for group of businesses on the same property using one sign: The maximum sign area may be increased by 10 square feet for each business not counting the first using a common freestanding sign up to a total sign area not greater than twice the maximum area specified in Subsection C.4.b, above.

D. Wall-Mounted Signs

1. Such signs shall not be permitted in a residential or conservation zone district but are permitted in the retail and service business and the business and manufacturing zone districts.
2. Wall signs shall not exceed in area 10% of the area of the wall surface supporting the sign including windows and doors. Wall signs shall face a street abutting the property on

which they are located.

3. Wall signs shall occupy only the area of the wall between the heads of windows or doors opening into the ground floor of a building and the sills of windows opening into the second floor or the top of the wall parapet if the building is only one story in height.
4. Wall signs shall not extend above the top of the wall or beyond the vertical edges of the wall surface.
5. Wall signs shall be installed parallel to the supporting wall and shall project no more than 12 inches overall from the face of the wall.
6. Wall signs may be illuminated from within the sign or from a hidden source integral with the sign and mounted above or below the sign.

E. Other Types of Signs

1. Projecting Signs

- a. Permitted in all zone districts but in residential and conservation zones only if hung from a private lamppost.
- b. No more than one projecting sign shall be permitted on any property; except that in a retail and business zone when several businesses share the same premises, each business may have one projecting sign with an area on either face not greater than six square feet.
- c. A projecting sign shall not extend more than four feet from the wall to which attached. In residential zones, the maximum sign area shall not exceed four square feet. In all other zones, the maximum area shall not exceed 20 square feet.
- d. No projecting sign shall at any point be higher than nine feet in a residential zone and shall not extend above the building parapet wall or gutter line in any other district. A minimum clearance of not less than eight feet shall be provided between the bottom of the sign and ground level below.
- e. Signs shall not project over any public right-of-way.
- f. Projecting signs may be lighted from an interior source or a hidden source integral with the sign structure but signs on lampposts shall be separately lit in residential zones.

2. Temporary Signs

- a. Such signs shall include yard sale or garage sale signs, political signs, balloons or other inflatables. Those advertising an event shall not be placed more than two weeks in advance of the event and shall be removed not later than 30 days after placement.

- b. Contractor's signs, new building signs and/or realtor signs are permitted in any zone district for a specific time period consistent with their purpose including signs to be replaced later by a permanent sign and/or banner.
  - c. In a residential or conservation district, the maximum size shall not exceed 6 square feet. In retail and service business districts, the maximum size shall not exceed 32 square feet.
- 3. Marquees and Canopies
  - a. Signs may be attached to the vertical edges of marquees and canopies in the retail and service business zone.
  - b. Such signs shall not extend above, below or beyond the vertical edges.
  - c. A sign may be attached to the ceiling of a canopy provided the distance between the bottom of the sign and the pavement below is at least eight feet and the height of the sign does not exceed three feet.
- 4. Window Signs
  - a. Signs attached or applied to, painted on or hung over a window shall not be permitted in a residential zone district.
  - b. In other zone districts, such signs, if permanent, shall not cover more than 25% of the window area.
  - c. This section shall not apply to temporary paper signs attached to the inside of windows where window signs are permitted.
- 5. Billboards
  - a. Billboards shall be considered any sign that advertises a product or service not manufactured or available for sale on the property where the sign is located.
  - b. Billboard structures existing at the time of adoption of this chapter may remain indefinitely and be maintained but may not be increased in size or moved.
  - c. No new billboards shall be permitted in Vernon Township.
- 6. Electronic Signs: Signs with video, light emitting diodes (LEDs) or similar electronic changeable copy messages are permitted as a conditional use in the CR, BM, and the Conneaut Corridor Districts provided:
  - a. The developer of the sign shall clearly describe the type of electronic sign proposed as it meets the appropriate definition of electronic signs by sub-type under the definitions in this Ordinance.
  - b. Electronic signs may be freestanding and shall meet all area and setback limitations for the district in which it is proposed.

- c. Additional Setbacks from Residential Districts: All portions of the sign structure must be a minimum distance of 100 feet from an abutting residential district boundary.
- d. Setback from Other Electronic Changeable Copy, Electronic Graphic Display, or Video Display Signs: Electronic signs must be separated from other electronic signs at least 35 feet. No more than one electronic sign is permitted on a lot, regardless of how many tenants occupy that lot.
- e. Orientation: When located within 150 feet of a residentially used lot in a residential zone, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is directed towards from an existing or permitted principal structure on that lot.
- f. Audio or Pyrotechnics: Audio speakers or any form of pyrotechnics are prohibited in association with an electronic sign.
- g. Additional Conditional Use Standards for Types of Electronic Signs:
  - (1) Electronic Changeable Copy Sign: Electronic changeable copy signs must meet the following standards:
    - (a) Duration: The message must have a minimum duration of eight seconds and must be a static display.
    - (b) Limited Text: The text of the sign visible at any point must be limited to ten words to allow passing motorists to read the entire copy with minimal distraction.
  - (2) Video Display Sign: Video display signs must meet the following standards:
    - (a) Brightness: The sign must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness.
    - (b) Dimmer Control: Video display signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the period between one half-hour before sunset and one half-hour after sunrise.
  - (3) Electronic Graphic Display Sign: Electronic graphic display signs must meet the following standards:
    - (a) Duration: Any portion of the image must have a minimum duration of five minutes and must be a static display.
    - (b) No portion of the image may flash, scroll, twist, change color, or in any manner imitate movement.

- (c) Luminance: The sign must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk and dawn as measured from the sign's face at maximum illumination.
  - (d) Dimmer Control: Electronic graphic display signs must have an automatic dimmer control to produce a distinct illumination change from a higher illumination level to a lower level for the time period between one half-hour before sunset and one half-hour after sunrise.
- (4) Multi-Vision Signs: Multi-vision signs must meet the following standards:
- (a) Duration: In all districts, any image or message or portion thereof must have a minimum duration of eight seconds and must be a static display. Transition time must be no longer than two seconds.
  - (b) Default Mechanism: All multi-vision signs must be equipped with a properly functioning default mechanism that will stop the sign in one position should a malfunction occur.

F. Review and Approval

1. While all signs except those already in place at the time of adoption of this chapter shall conform to this section, only those signs with a face area exceeding six square feet shall require a permit.
2. A permit shall be for the life of the sign structure. If the sign is enlarged or moved, a new permit shall be required. The message on a sign may be changed or repainted without the need for a new permit.
3. A fee shall be charged for a permit for any sign, whether temporary or permanent, based on the sign's total area, except that the applicant for any sign with an area of six square feet or less shall pay only a flat processing fee. A separate permit shall be required for each sign, except that a group of signs erected at the same time on the same property may be placed on the same permit with the total area of all the signs on the permit determining the fee. The Board of Supervisors shall by resolution establish the schedule of fees.
4. Signs placed by a public body or a civic or religious organization shall be exempt from fees regardless of the size of the sign, but any such sign placed by a civic or religious organization shall require a permit.
5. Persons desiring to erect a sign or signs, whether as a separate project or part of other construction requiring a permit, shall apply to the Zoning Officer and submit a plan of their proposal indicating the location of the sign on the property, dimensions to property lines, dimensions of the sign including height of the top and bottom above ground level and construction details indicating materials to be used and details of the method of attachment to the building or ground including guying. The Zoning Officer shall issue a

permit if all applicable parts of this section are adhered to and required fees have been paid.

#### **§512A Conneaut Corridor Signs**

- A. Signs in the Conneaut Corridor – see Appendix.
- B. General Provisions: *Note: These provisions apply only to the Conneaut Corridor.*
  - 1. Any sign hereafter erected or maintained shall conform to the provisions of this Section and the provisions of the Township Building Code.
  - 2. No sign other than an official traffic sign or similar sign shall be erected within public right-of-way lines of any public way unless specifically authorized by the State or Township, or by specific authorization of the Township.
  - 3. No sign or sign structure shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, nor at any location where, by its position, shape, or color, it may interfere with or obstruct the view of, or be confused with, any authorized traffic sign, signal, or device.
  - 4. If a premise contains property usages bounded by more than one street, sign area(s) calculated may then be applied to permit signs placed on each property line frontage.
  - 5. Every sign permitted by this Ordinance must be kept in good condition and repair.
  - 6. Any sign legally existing at the time of the passage of this Ordinance that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located shall be considered a protected non-conforming use and may continue in such status until such time as it is either abandoned or removed by its owner.
  - 7. Temporary signs, unless otherwise regulated by specific provisions of this Ordinance relating to size, use, and zone in which placed, shall be subject to the following regulations:
    - a. Except for those temporary signs whose time of display is specifically addressed elsewhere in this Ordinance, no temporary sign shall be permitted to be displayed for a period in excess of 30 days in any one year.
    - b. Except for those temporary signs whose size is specifically addressed elsewhere in this Ordinance, the size of any temporary sign shall not be in excess of the size permitted for any permanent sign of like configuration and/or type in a given zone.
    - c. Any temporary sign that is electrically energized or that contains any electrical device must conform to the same requirements that relate to permanent electric signs under this Ordinance. (See §512.E.6)
- C. Permits

1. A permit must be obtained from the Township Zoning Officer for the erection and maintenance of all signs over six square feet in size. All signs, as applicable, must comply with the Township's building code.
2. Before any permit is granted for the erection of a sign or sign structure requiring such permit, plans shall be filed with the Zoning Officer. The permit application shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected. Signs must also comply with the Township's building code.
3. No new sign shall hereafter be erected, constructed, or maintained except as herein provided and until after all permits, if required, have been issued by the Zoning Officer.
4. No sign shall be enlarged or relocated except in conformity to the provisions herein, nor until a proper permit, if required, has been secured. The changing of movable parts or components of an approved sign that is designed for such changes, or the changing of copy, display and/or graphic matter, or the content of any sign or sign structure shall not be deemed an alteration.
5. Permit fees to erect, alter, or relocate a sign shall be in accordance with the fee schedule adopted by the Township.

D. Area of Signs

1. Signs Containing Integral Background Areas: The area of a sign containing a clearly defined background area, as defined herein shall be expressed as the area of the smallest standard geometric shape capable of encompassing the perimeter of the background area of the sign. In the case of signs in which multiple background areas are separated by open space, sign area shall be expressed as the sum of the areas of all separate background areas, calculated as referenced above, but without regard for any open space between the separate background areas.
2. Signs without Integral Background Areas: In instances in which a sign consists of individual elements such as letters, symbols, or other graphic objects or representations that painted, attached to, or otherwise affixed to a surface such as a wall, window, canopy, architectural projection, or to any surface not specifically designed to serve as a sign background, the sign area shall be expressed as the sum of the individual areas of the smallest geometric shapes capable of encompassing the perimeters of the individual elements comprising the sign.
3. In computing the area of a double-faced sign, only one side shall be considered, provided both faces are identical in size.

E. General

1. Temporary real estate signs, as defined herein, are permitted, provided that the area of such signs shall not exceed 32 square feet and further provided that not more than one such sign shall be placed on property held in single and separate ownership unless such property fronts on more than one street, in which case one such sign shall be permitted on each separate street frontage. All such signs shall be permitted only during the time in which the property advertised is available for sale, lease, or rental, and must be removed within 10 days after execution of an agreement of sale, lease, or rental.

2. Temporary signs erected in connection with the development or proposed development of the premises or property provided that the area of any such sign shall not exceed 32 square feet. Not more than one such sign shall be placed on property held in single and separate ownership unless the property fronts on more than one street, in which case one such sign shall be permitted on each separate street frontage. Such signs shall be removed within 10 days after the development has been completed and/or the last structure occupied.
3. Temporary signs advertising special events and/or promotions of a commercial or non-commercial nature, provided that such signs shall be non-illuminated, shall be displayed during a time period of no more than 2 weeks prior to the special event and/or promotion, and shall be removed within five days following the special event and/or promotion; and further provided that not more than one such sign shall be placed on any single premises or property unless such premises or property fronts on more than one street in which case one such sign shall be permitted on each separate street frontage. The area of any such sign shall not exceed 32 square feet.
4. Informational or public service signs as required on any premises or property for the purpose of advertising the availability of restrooms, telephones, or similar facilities of public convenience provided that the area of any such sign shall not exceed 16 square feet.
5. Memorial signs or historical signs or tablets, provided that the area of any such sign or tablet shall not exceed nine square feet.
6. Directional signs as defined herein and as required on any premises or property provided that the area of any such sign shall not exceed nine square feet.
7. On-Premise Signs Permitted in the Conneaut Corridor District. One of the purposes of this section is to provide a standard theme for the primary signs along the Conneaut Corridor. The Conneaut Corridor sign, where used, shall be the primary identification sign for the business, or complex of the businesses. Though not required, those using the "Corridor" sign format will enjoy a size bonus of 25 percent. The design of the "Corridor" sign is to be set by a special committee. This bonus provision will only apply after the Corridor design has been officially adopted by the Township. In general, two tiers of signs shall be permitted along the Conneaut Corridor. Tier one signs are nearest the road and shall be the primary development identifier, while smaller signs may be attached to individual businesses or buildings. For smaller businesses, one sign may suffice for both purposes.
  - a. Tier One Signs-Primary Frontage Signs:
    - (1) Size of Sign:
      - Signs using the Conneaut Corridor design – 75 square feet
      - Signs not using the Conneaut Corridor design – 50 square feet
    - (2) Location of Sign: Setback not closer than five (5) feet to the front property line, or more than fifty (50) feet from the front property line.
    - (3) Height: The overall height of any sign shall not exceed twenty (20) feet.

- (4) Clear Space: No sign shall be erected that will interfere with a driver’s sight vision entering or leaving a property. In addition, the bottom edge of all tier one signs shall be at least seven (7) feet above average grade level.
- (5) Landscaping: The base for all tier one signs shall be located in a landscaped island at least four (4) feet wide and at least eight (8) feet long. If located in a parking area, the landscape island shall be surrounded by curbing.

b. Tier Two Signs: These signs shall be fixed to individual buildings within a development.

- (1) Tier two signs include wall or fascia signs, and permanently applied window signs or signs otherwise permanently applied to walls or other building surfaces.
- (2) The total area of all signs affixed or applied essentially in a parallel plane to any given building façade shall not exceed an area computed as a percentage of the building façade, including window and door areas and cornices to which they are affixed or applied in accordance with the following table.

<b>Tier Two Signs</b>	
<b>Distance Of Sign From Road or Adjacent Commercial or Industrial Zone</b>	<b>Percentage Of Building Face or Wall Permitted for Sign Area</b>
0 to 100 Feet	Fifteen (15%)
101-300 Feet	Twenty (20%)
Over 301 Feet	Twenty-Five (25%)

- (3) In the case of a shopping center or group of stores or other business uses on a lot held in single and separate ownership, the provisions of this section relating to the total area of signs permitted on a premise shall apply with respect to each building, separate store, or similar use.

c. Canopy Signs (also Marquee Signs and Signs on Architectural Projections):

- (1) Signs affixed or applied in an essentially flat plane to the face of a building or freestanding canopy, marquee, or architectural projection provided that the copy area of any such sign, as defined herein, does not exceed an area equal to forty percent (40%) of the product of the height and length of the face area of the canopy, marquee, or architectural projection to which such sign is affixed or applied.
- (2) Graphic treatment in the form of striping or patterns shall be permitted on the face of any building or freestanding canopy, marquee, or architectural projection without restriction, and the area of any such graphic treatment shall not be calculated as a component of permitted copy area.

- d. Awning Signs:
    - (1) Signs affixed or applied to the face or side surface of any awning or backlit awning provided that the copy area of any such sign, as defined herein, does not exceed an area equal to fifty percent (50%) of the total background area of the awning or backlit awning surface to which it is affixed or applied; or alternatively, does not exceed an amount equal to the amount of copy area permitted for parallel signs as provided herein, whichever is greater.
    - (2) Graphic treatment and/or embellishment in the form of striping, patterns, or valances shall be permitted on the face or side surfaces of any awning or backlit awning without restriction, and the area of any such graphic treatment and/or embellishment shall not be calculated as a component of permitted copy area.
  - e. Multi-Tenant or Directory Signs for Offices, Churches and/or House of Worship, and Non-Retail Businesses: These signs are intended to identify separate offices, or occupants of a building. Such signs will be tier two signs and not exceed sixty (60) square feet in size.
  - f. Off-Premise Signs: Not permitted in the Conneaut Corridor.
  - g. Snipe Signs: Not permitted in the Conneaut Corridor.
  - h. Pennants: Allowed mounted on building surfaces only.
8. Lighting: Signs may be lighted either by internal or external means. External lights shall be carefully focused on sign copy and not be a hazard to motorists. No sign shall emulate traffic or emergency lighting.

**§513. Special Height Restrictions in the Vicinity of Port Meadville Airport**

- A. Area Involved. A map titled “Port Meadville Airport Height Restriction Map” shall be available for inspection in the offices of the Township Secretary and Zoning Officer.
- B. Development Affected. Any proposal to erect:
  - 1. Any building or structure within 500 feet of the centerline of the runway.
  - 2. Any building or structure within the height restricted area over 35 feet in height, particularly communications towers or exhaust stacks.
- C. Elements of the Height Restricted Area
  - 1. Primary Surface Area. Runway plus land 250 feet on either side for the centerline and 200 feet along the centerline beyond each end of the runway – elevation 1,404 feet above sea level.
  - 2. Transitional Surface Area. An inclined plane rising one foot vertical to each seven feet horizontal from each side of the primary surface area and the approach surface area to a maximum height of 150 feet above the primary surface area or 1,554 feet above sea level.

3. Approach Surface Area. An inclined plane rising one foot vertical to each 34 feet horizontal from each end of the primary surface area to the horizontal surface area fanning out from a width of 500 feet at its lower end to 2,000 feet at its upper end equally on each side of the axis of the center of the runway extended.
4. Horizontal Surface Area. A flat surface 150 feet above the primary surface area or 1,554 feet above sea level with inner edges being the transitional surface area and the approach surface area and with its outer edges described by half circles whose radii are 10,000 feet centered at the points where the runway centerline crosses the ends of the primary surface area and by tangents 10,000 feet from and parallel to the runway centerline connecting the half circles.
5. Conical Surface Area. An inclined plane rising one foot vertical to each 20 feet horizontal extending for 4,000 feet outward from the outer edge of the horizontal surface area to a maximum height of 350 feet above the primary surface area or 1,754 feet above sea level.

D. Submission and Review of Proposal in the Restricted Area

1. Any development described by §513, Subsection B, shall submit, in addition to other required documents for a zoning permit, the ground elevation of the proposed building or structure and its maximum height above the ground elevation. A surveyed elevation will be preferred but interpolated elevations from U.S. Geological Survey maps will be acceptable.
2. The Zoning Officer shall locate the proposed building or structure within the height restricted areas and shall determine relative to the primary surface elevation (1,404 feet) whether the building or structure will pierce any of the surfaces described in §513, Subsection C, above.
3. If so, the Zoning Officer shall deny a zoning permit and advise the applicant of the height limits imposed on his property and his right of appeal to the Zoning Hearing Board.

**§514. Development on Land Subject to Flooding**

- A. Purpose of this Section. In addition to the general reasons for this chapter (§102), this section is deemed necessary to protect natural drainage and water supplies, to reduce the financial burden on the public caused by unwise development in areas that flood, to encourage use of appropriate materials and construction methods in structures that may flood and to comply with Federal and State floodplain management requirements.
- B. Definitions of Terms Peculiar to this section.

**FLOOD HAZARD AREA:** A watercourse plus the land on either side that will be submerged during the one-hundred-year storm. The flood hazard area is also the one-hundred-year floodplain.

**MANUFACTURED HOME:** For purposes of this section, the term shall include manufactured home and other buildings of similar construction used for offices or places of assembly as well as travel trailer and recreational vehicles if they are placed on a site for more than 190 consecutive days.

ONE-HUNDRED-YEAR-FLOOD: The runoff from a storm inundating the floodplain that will likely occur once every 100 years or has a one percent chance of happening in any year.

REGULATORY FLOOD ELEVATION: The 100-year flood elevation plus one-and-one-half feet.

C. Identification of Flood Hazard Areas.

1. Areas that are subject to inundation by the one-hundred-year flood are identified on panels 2, 4, 5 and 10 of the Flood Insurance Study's Flood Insurance Rate Map (FIRM), prepared by the Federal Emergency Management Agency (FEMA), dated July 16, 1990, or more recent revisions thereto.

When a comparison of the FIRM with the Township's Flood Insurance Study (FIS) for those areas with flood elevations noted reveals a discrepancy, the information contained in the FIS shall take precedence.

2. The flood hazard areas identified on the map panels include the following:
  - a. "AE" (crosshatched and shaded). The floodway or that portion of the flood hazard area needed to carry the one hundred-year flood without increasing the water surface elevation more than one foot at any point.
  - b. "AE" (shaded). The flood fringe or areas adjacent to the floodway that will be submerged by the one-hundred-year flood.
  - c. "A" (shaded). The general floodplain or flood hazard areas along secondary streams for which no flood elevations have been calculated.
  - d. "X" (lightly shaded). Flood-hazard areas that would be submerged by the five hundred-year flood but not by the one hundred-year flood.
  - e. "X" (unshaded). Areas whose elevation is above the five hundred-year flood level.
4. The map panels of the Flood Insurance Rate Map shall be considered an overlay upon the Zoning Map. The map panels shall be available for inspection in the offices of the Township Secretary and Zoning Officer. Where regulations imposed by this section within the limits of the one hundred-year flood as delineated on the map panels are more restrictive than the underlying zoning regulations the requirements of this section shall apply.
5. While the degree of protection from flooding sought by this section is based on reasonable methods and analysis, floods greater than the regulatory one hundred-year flood may occur as a result of natural or man-made causes. This section does not imply that areas outside any identified floodplain or flood hazard area or any use permitted in them will be free of flooding or flood damage.
6. Disputes over the boundary of a floodplain or flood hazard area shall be handled as for any other zoning district boundary dispute (§301, Subsection E.7).

7. The boundary of a floodplain or flood hazard area may be modified by the Board of Supervisors when studies provided by a registered professional engineer with hydrological experience document the need for specific revisions. Prior to the Board's approval consent for the change shall be obtained from FEMA.
8. In flood hazard areas where no one hundred-year flood elevations are identified on the FIRM or in the FIS, the landowner's engineer may use any of the following sources, where available, to help determine the flood elevation as well as the floodway area:
  - a. U.S. Army Corps of Engineers' French Creek Flood State Forecast Map
  - b. U.S. Geological Survey Flood-Prone Quadrangles
  - c. Soil Conservation Service Soil Survey for Crawford County (alluvial soils)
  - d. State DEP flood reports
  - e. Known high-water marks from past floods within or adjacent to the property on which development is proposed to occur

D. Zoning Permit Requirement for Construction within a Flood Hazard Area

1. If the Zoning Officer has reason to believe that proposed development for which a zoning permit has been requested is within a flood hazard area, he shall require that the applicant comply with the requirements of this section. If the applicant contests this decision, the burden of proving the Zoning Officer is in error shall lie with the applicant.
2. This section shall apply, in addition to building construction, to any earth-moving for purposes of preparing a site for immediate or future development, for uncovering mineral resources or improving drainage patterns.
3. The building and/or grading permit application shall be accompanied by the following documentation:
  - a. The location on the site plan of the edge of the 100-year floodplain and the elevation of the plain on the site tied into a nearby established U.S.G.S. bench mark or to an elevation reference mark identified on the flood hazard area map panels.
  - b. The elevation of the lowest floor level within a proposed building or building improvement relative to the established benchmark.
  - c. Proposed flood proofing measures incorporated in the building design if the building is for nonresidential use and has floor elevations below the regulatory flood level.
  - d. Certification by a registered professional engineer that the proposed construction or development has been adequately designed to withstand the pressures, velocities and impact and uplift forces associated with the 100-year flood; that any portions of a building below the 100-year flood level have been adequately flood proofed; that the flood and floor elevations and edge of the one hundred-

year floodplain are as accurate as available information will permit and that within the floodway the effect of the development will not increase the elevation of the 100-year flood level.

- e. Statement by the developer that he will not be storing or producing on the site within the flood hazard area any of the substances listed in §514, Subsection F.2 and 3, below.
  - f. A complete and accurate “Elevation Certificate” in the specific format and form as available from FEMA. Said certificate shall be provided at the time of application submittal and after construction to verify actual construction conditions.
4. The zoning permit application and supporting documentation shall be submitted by the Applicant to the Crawford County Conservation District for review and comment. The zoning permit shall not be issued until after the District’s comments are received and evaluated by the Zoning Officer, who may require revisions to the application for conformance with the District’s recommendations.
  5. Before issuing a zoning permit, the applicant has the responsibility of securing approvals from State and Federal agencies that have jurisdiction in flood hazard areas. The applicant shall present such written approvals or letters indicating that such approvals will be forthcoming as a condition of receiving the zoning permit.

E. Construction Limitations in Flood Hazard Areas

1. Within any general floodplain area (“A” shaded areas), no new construction or development shall be located within the area measured 50 feet back from the top of the bank on either side of any watercourse.
2. Within any floodway area (“AE” crosshatched and shaded areas), the following provisions shall apply:
  - a. Any new construction, development, use, activity or encroachment that would cause any increase in flood heights shall be prohibited.
  - b. No new construction or development shall be allowed unless all appropriate permits are obtained from the Department of Environmental Protection (DEP).
3. Within the “AE” shaded area, for which no floodway has been designated in the FIS, no development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred-year flood more than one foot at any point.
4. No encroachment, alteration or improvement of any kind shall be made to any watercourse included in a flood hazard area until adjacent municipalities upstream and downstream of the proposed activity have been notified by the Township Secretary and until permits and approvals have been first obtained from DEP. In addition, the Federal Insurance Administrator and the Pennsylvania Department of Community and Economic Development, Bureau of Community Planning shall be notified prior to any alteration or

relocation of any such watercourse.

5. The lowest floor elevation of any new residential structure, including basement, or any substantial improvement to a residential structure shall be at least one-and-one-half feet above the 100-year flood elevation. Fully enclosed spaces below the 100-year flood elevation are prohibited. A residential structure shall be considered any building containing one or more dwelling units.
6. Any new nonresidential structure or substantial improvement thereto having its lowest floor level, including basement, not elevated to at least one and one-half feet above the 100-year flood elevation shall be flood-proofed in accordance with the W-1 or W-2 space classification standards contained in the publication Flood proofing Regulations, published by the U.S. Army Corps of Engineers in June 1972, and the registered architect or engineer designing the building shall certify that the plans and specifications are in conformance with these regulations. A nonresidential building shall contain no dwelling units. Fully enclosed space below the 100-year flood elevation shall be prohibited unless flood proofed in accordance with this subsection.
7. Fill materials shall be placed to extend laterally with minimal grade at least 15 feet outward from the walls of any building shall consist of soil and small rocks only and shall be no steeper than one vertical to two horizontal when more than 15 feet from a building. In designing the grading of a site within a flood hazard area the engineer shall insure that all parts of the site drain completely to an adjacent drainage way, particularly after the site has been flooded.
8. Utility Systems
  - a. Drainage systems shall be designed to prevent backflow of floodwaters.
  - b. Water and sanitary sewer lines shall not permit infiltration of floodwaters.
  - c. Sanitary systems shall not discharge untreated sewage into floodwaters.
  - d. On-site sewage disposal systems, or any part thereof, shall not be permitted in any flood hazard area.
  - e. Electrical distribution panels shall be at least three feet above the 100-year flood level, and separate circuits shall serve lower levels dropped from above.
  - f. Water heaters, furnaces, air-conditioning and ventilating units and similar equipment shall not be located below the regulatory flood level.
9. All gas and oil supply systems shall be designed to prevent infiltration of floodwaters or discharge of pipe contents into floodwaters as well as to drain the systems if infiltration does occur.
10. All materials that are buoyant, flammable, explosive or injurious to human, animal or plant life shall be stored or maintained at least one-and-one-half feet above the 100-year flood level.
11. All buildings and structures shall be designed, located and constructed so as to offer

minimum obstruction to the flow of water and to have a minimum effect on increased flood heights.

12. All buildings and structures partly or wholly within a flood hazard area shall be securely anchored to prevent flotation, collapse or lateral movement. Storage tanks and other similar structures to be located below the regulatory flood level shall also be securely fixed to prevent flotation.
13. Building Materials to be Used in Spaces Below the Regulatory Flood Level:
  - a. Wood flooring shall be installed to avoid structural damage to the building when the floor is wet.
  - b. Plywood, adhesives and paints and other finishes shall be “marine” or otherwise water-resistant.
  - c. Walls and ceilings shall be constructed of water-resistant materials that will withstand inundation.
  - d. Windows and doors shall be metal.
  - e. All wood components shall be painted using “marine” or similar water-resistant paints or finishes.
14. Special Requirements for Manufactured Homes
  - a. Within a floodway area (“AE” crosshatched and shaded areas), manufactured homes shall be prohibited.
  - b. Where permitted in the underlying zone districts and within any other flood hazard area, manufactured homes shall be placed on a permanent foundation elevated so that the lowest floor is one-and-one-half feet or more above the elevation of the 100-year flood and so that the installation complies with §509 of this chapter.

F. Development or Uses Prohibited Within Any Flood Hazard Area

1. The following uses shall be prohibited and where already present shall not be expanded:
  - a. Hospitals
  - b. Nursing homes
  - c. Jails or prisons
  - d. Sanitary landfills
  - e. Manufactured home parks, including any improvements that would increase the number of manufactured homes in the park.
2. The production, storage or use of more than 550 gallons, or comparable dry measure, at any time, of any of the following substances:

- a. Acetone
- b. Ammonia
- c. Benzene
- d. Calcium carbide
- e. Carbon disulfide
- f. Celluloid
- g. Chlorine
- h. Hydrochloric acid
- i. Hydrocyanic acid
- j. Magnesium
- k. Nitric acid
- l. Oxides of nitrogen
- m. Petroleum products
- n. Phosphorus
- o. Potassium
- p. Sodium
- q. Sulphur
- r. Pesticides

3. The production, storage or use of any amount of radioactive substances.

G. Improvements to Existing Structures in a Flood Hazard Area

1. The requirements of this section shall not require any changes to be made to lawfully existing buildings or structures.
2. Within any floodway area ("AE" crosshatched and shaded area), no expansion or enlargement of an existing structure shall be permitted that would result in an increase in the elevation of the one hundred-year flood level.
3. Any modification, alteration, reconstruction or improvement of any kind to an existing structure where the value exceeds 50% of the existing structure shall be considered a substantial improvement and be carried out in full compliance with this section.
4. Any change involving less than 50% of the value of the existing structure shall be elevated and/or flood proofed to the greatest extent possible under the circumstances.

H. Variances

1. Variances may be considered by the Zoning Hearing Board for development within a flood hazard area (except as modified by Subsection H.2, below), provided that the application for the variance includes an engineering study identifying the location of the edge of the 100-year floodplain on the site for which the variance is requested; and provided, further, that the variance, if granted, will not allow a rise of greater than one foot in flood levels at any point and it can be proved by the applicant that any rise of less than one foot resulting from the grant will not flood land during the 100-year event that would otherwise not be inundated.
2. No variance shall be granted for any construction, development, use or activity within any floodway area ("A" crosshatched and shaded area) that would cause any increase in the 100-year flood elevation at any point.
3. No variance shall be granted that will permit any use prohibited by §514, Subsection F.
4. In reviewing any request for a variance, the Zoning Hearing Board shall consider at least the following:
  - a. There is good and sufficient cause.
  - b. Failure to grant the variance would result in exceptional hardship to the applicant.
  - c. If granted, the variance will involve the least modification necessary to provide relief.
  - d. Any approved structures or modifications thereto are designed and constructed to be able to resist the 100-year flood.
  - e. The granting of the variance will result in no unacceptable or prohibited increase in flood heights, no additional threats to public safety or extraordinary public expense, no nuisances or frauds upon the public and no conflicts with other State or local ordinances.
5. If a variance is granted, the Board shall inform the applicant that the approval may result in increased premium rates for flood insurance and may increase the risks to life and property.
6. A description of all variances granted within any flood hazard area, including location of the property, shall be a part of the Township's annual report to the Federal Insurance Administration.

**§515. Regulations Governing Communications Antennas and Communications Equipment Building**

- A. Building mounted communications antennas shall not be located on any single-family dwelling or two-family dwelling.

- B. Building mounted communications antennas shall be permitted to exceed the permissible building height by no more than 5 feet.
- C. Omni directional or whip communications antennas shall not exceed 20 feet in height and 7 inches in diameter.
- D. Directional or panel communications antennas shall not exceed five feet in height and three feet in width.
- E. Any applicant proposing communications antennas to be mounted on a building or other structure shall submit documentation from a Pennsylvania-registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the building or other structure, considering wind and other loads associated with the antenna location.
- F. Any applicant proposing communications antennas mounted on a building or other structure shall submit detailed construction and elevation drawings indicating how the antenna will be mounted on the structure to be reviewed for compliance with the Township.
- G. The communications equipment building shall comply with the required yards and height requirements of the applicable zoning district for an accessory structure.

**§516. Outdoor Lighting**

- A. Purpose – To require and set minimum standards for outdoor lighting to:
  - 1. Provide for and control lighting in outdoor public places where public health, safety and welfare are potential concerns.
  - 2. Protect drivers and pedestrians from the glare of non-vehicular light sources.
- B. Applicability
  - 1. All uses within the Township where there is interior or exterior lighting that creates a nuisance or hazard as viewed from outside, including, but not limited to, residential, commercial, industrial, public and private recreational/sports and institutional uses, and sign, billboard, architectural and landscape lighting.
  - 2. Temporary seasonal decorative lighting is exempt from all but the glare-control requirements of this Ordinance.
  - 3. Emergency lighting, as may be required by any public agency while engaged in the performance of their duties, or for illumination of the path of egress during an emergency as described in NFPA 75 and NFPA 101, are exempt from the requirements of this Ordinance.
- C. Criteria
  - 1. Illumination Levels. Lighting, where required by this Ordinance, or otherwise required or allowed by the Township, shall have intensities, uniformities and glare control in accordance with the recommended practices of the Illuminating Engineering Society of North America (IESNA), unless otherwise directed by the Township.

2. Light Power Densities (LPDs). Lighting shall conform to the exterior LPDs, as set forth by the current edition of ASHRAE/IESNA 90.1 Standard.
3. Lighting Fixture Design
  - a. Fixtures shall be of a type and design appropriate to the lighting application and shall be acceptable to the Township.
  - b. For the lighting of predominantly horizontal surfaces such as, but not limited to parking areas, roadways, vehicular and pedestrian passage areas, merchandising and storage areas, automotive-fuel dispensing facilities, automotive sales areas, loading docks, building entrances, sidewalks, and site entrances, fixtures shall be aimed straight down and shall meet IESNA full-cutoff criteria. Fixtures, except those containing directional lamps, with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent or 10-watt compact fluorescent lamp, are exempt from the requirements of this paragraph. In the case of decorative street lighting, the Township may approve the use of luminaries that are fully shielded or comply with IESNA cutoff criteria.
  - c. For the lighting of predominantly non-horizontal surfaces such as, but not limited to, facades, landscaping, signs, billboards, fountains, displays and statuary, fixtures shall be fully shielded and shall be installed and aimed so as to not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway. Fixtures, except those containing directional lamps, with an aggregate rated lamp output not exceeding 500 lumens, e.g., the rated output of a standard non-directional 40-watt incandescent or 10-watt compact fluorescent lamp, are exempt from the requirements of this paragraph.
4. Control of Glare
  - a. All lighting shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light onto a neighboring use or property.
  - b. Directional fixtures such as floodlights and spotlights shall be so shielded, installed and aimed that they do not project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway or pedestrian way. Floodlights, when building, pole or otherwise installed above grade on residential properties, except when motion-sensor actuated, shall not be aimed out more than 45° from straight down. When a floodlight creates glare as viewed from an adjacent residential property, the floodlight shall be required to be re-aimed and/or fitted with a shielding device to block the view of the glare source from that property.
  - c. “Barn lights,” a/k/a “dusk-to-dawn lights,” when a source of glare as viewed from an adjacent property, shall not be permitted unless effectively shielded as viewed from that property.

- d. Parking facility and vehicular and pedestrian-way lighting (except for safety and security applications and all-night business operations), for commercial, industrial and institutional uses shall be automatically extinguished no later than one-half hour after the close of business or facility operation. When safety or security lighting is proposed for after-hours illumination, it shall not be in excess of 25% of the number of fixtures or illumination level required or permitted for illumination during regular business hours. When it can be demonstrated to the satisfaction of the Township that an elevated security risk exists, e.g., a history of relevant crime, an appropriate increase above the 25% limit may be permitted.
- e. Illumination for signs, billboards, building facades and/or surrounding landscapes for decorative, advertising or aesthetic purposes is prohibited between 11:00 p.m. and dawn, except that such lighting situated on the premises for a commercial establishment may be operated while the establishment is actually open for business, and until one-half hour after closing.
- f. Vegetation screens shall not be employed to serve as the primary means for controlling glare. Rather, glare control shall be achieved primarily through the use of such means as cutoff fixtures, shields and baffles, and appropriate application of fixture mounting height, wattage, aiming angle and fixture placement.
- g. The illumination projected from any use onto a residential use shall at no time exceed 0.1 foot-candle, measured line-of-sight from any point on the receiving residential property.
- h. The illumination projected from any property onto a non-residential use shall at no time exceed 1.0 foot-candle, measured line-of-sight from any point on the receiving property.
- i. Except as permitted for certain recreational lighting and permitted elsewhere in this paragraph, fixtures shall not be mounted in excess of 25 feet above finished grade of the surface being illuminated. Mounting height shall be defined as the distance from the finished grade (AFG) of the surface being illuminated to the optical center of the luminary. Where proposed parking lots consist of 100 or more contiguous spaces, the Township may, at its sole discretion, based partially on mitigation of potential off-site impacts, allow a fixture mounting height not to exceed 30 feet AFG. For recreational lighting maximum mounting height requirements, refer to "Recreational Uses" elsewhere in the Ordinance.
- j. Only the United States and the Pennsylvania flag shall be permitted to be illuminated past 11:00 p.m. Flag lighting sources shall not exceed 7,000 aggregate lamp lumens per flagpole. The light source shall have a beam spread no greater than necessary to illuminate the flag and shall be shielded so that it is not visible at normal viewing angles.
- k. Under-canopy lighting for such applications as gas/service stations, hotel/theater marquees, fast-food/bank/drugstore drive-ups, shall be accomplished using flat-lens full-cutoff fixtures aimed straight down and shielded in such a manner that the lowest opaque edge of the fixture shall be below the light source at all lateral angles. The average illumination in the area directly below the canopy shall not

exceed 20 initial foot-candles and the maximum shall not exceed 30 initial foot-candles.

5. Installation
  - a. Electrical feeds for lighting standards shall be run underground, not overhead and shall be in accordance with the NEC Handbook.
  - b. Poles supporting lighting fixtures for the illumination of parking areas and located directly behind parking spaces, or where they could be hit by snow plows or wide-swinging vehicles, shall be placed a minimum of five feet outside paved area or tire stops, or placed on concrete pedestals at least 30 inches high above the pavement, or suitably protected by other Township-approved means.
  - c. Pole mounted fixtures for lighting horizontal tasks shall be aimed straight down and poles shall be plumb.
  - d. Poles and brackets for supporting lighting fixtures shall be those specifically manufactured for that purpose and shall be designed and rated for the weights and wind loads involved.
  - e. Pole foundations shall be designed consistent with Uniform Construction Code (UCC) requirements.
6. Maintenance. Lighting fixtures and ancillary equipment shall be maintained so as to always meet the requirements of this Ordinance.
7. Billboards and Signs. The lighting of new or relighting of existing billboards and signs shall require a zoning permit, which shall be granted when the Township is satisfied that excessive illumination, light pollution, glare and light trespass have been adequately mitigated, and shall be subject to the following requirements:
  - a. Externally illuminated billboards and signs shall have fixtures mounted at the top of the billboard or sign and aimed downward. The fixtures shall be designed, fitted and aimed to shield the source from off-site view and to place the light output onto and not beyond the sign or billboard. Lighting shall be by linear fluorescent unless it can be demonstrated to the satisfaction of the Township that such a mounting arrangement is not possible. At no point on the face of the sign or billboard and at no time shall the illumination exceed 30 vertical foot-candles during hours of darkness.
  - b. Internally illuminated signs shall have a dark field and light message. The aggregate output of the light sources shall not exceed 500 initial lumens per square foot of sign face per side.
  - c. The illumination of billboards shall be limited to commercial and industrial zoning districts and the illumination of billboards within 400 feet of a residential use or district shall not be permitted.
  - d. Off-premises billboards and signs shall be extinguished automatically by a programmable controller, with astronomical and daylight savings time control

and spring or battery power-outage reset, by no later than 11:00 each evening until dawn, except that signs for establishments (not companies) that operate or remain open past 11:00 p.m. may remain on no later than one-half hour past the close of the establishment.

- e. Rotating, traveling, pulsing, flashing or oscillating light sources, lasers, beacons; searchlights or strobe lighting shall not be permitted.
- f. LED billboard and sign lighting shall only be permitted in the Conneaut Corridor, commercial and retail and service business districts and shall not be allowed to operate between 12:00 a.m. (midnight) and dawn when located where visible from a residential district or use. The LED output shall be automatically reduced to a brightness level that does not create glare during hours of darkness.
- g. The use of highly reflective signage that creates nuisance glare or a safety hazard shall not be permitted.

D. Plan Submission: Where site lighting is required by this Ordinance, is otherwise required by the Township or is proposed by the applicant, lighting plans shall be submitted for Township review and approval. The submitted information shall include the following:

1. A plan or plans of the site, complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), existing and proposed trees, and adjacent uses that might be adversely impacted by the lighting. The lighting plan shall contain a layout of all proposed and existing fixtures, including but not limited to area, architectural, building entrance, canopy, soffit, landscape, flag, sign, etc., by location, orientation, aiming direction, mounting height, lamp, photometry and type.
2. A 10' x 10' illuminance grid (point-by-point) plot of maintained horizontal foot-candles overlaid on the site plan, plotted out to 0.0 foot-candles, which demonstrates compliance with the light trespass, illuminance and uniformity requirements as set forth in this Ordinance or as otherwise required by the Township. When the scale of the plan, as judged by the Township, makes a 10' x 10' grid plot illegible, larger grid spacing may be permitted.
3. The maintenance (light-loss) factors, IES candela test-filename, initial lamp-lumen ratings and specific lamp manufacturer's lamp ordering nomenclature, used in calculating the presented illuminance levels.
4. Description of the proposed equipment, including fixture catalog cuts, photometric, glare reduction devices, lamps, on/off control devices, mounting heights, pole foundation details, pole protection means and mounting methods.
5. When landscaping plans are involved, they shall contain the lighting fixture locations and shall demonstrate that the site lighting and landscaping have been coordinated to minimize conflict between vegetation and intended light distribution, both initially and at vegetation maturity.
6. When requested by the Township, the applicant shall also submit a visual-impact plan that demonstrates appropriate steps have been taken to mitigate the potential consequences of on-site and off-site glare and to retain the intended character of the

Township. This plan may require the inclusion of initial vertical footcandle values at specific off-site venues, e.g., bedroom windows of adjacent residential uses.

7. Plan Notes. The following notes shall appear on the Lighting Plan:
  - a. Post-approval alterations to lighting plans or intended substitutions for approved lighting equipment shall be submitted to the Township for review and approval. Requests for substitutions shall be accompanied by catalog cuts of the proposed equipment and lighting plans, including a point-by-point plot, as required above, that demonstrate full compliance with the Township-approved plan.
  - b. The Township reserves the right to conduct post-installation inspections to verify compliance with the Ordinance requirements and approved Lighting Plan commitments, and if deemed appropriate by the Township, to require remedial action at no expense to the Township.
  - c. All exterior lighting, including building-mounted lighting, shall meet IESNA full-cutoff criteria unless otherwise specifically approved by the Township.
  - d. Installer shall notify Township to arrange for inspection and approval of all exterior lighting, including building-mounted lighting, prior to its installation.

E. Compliance Monitoring

1. Safety Hazards

- a. If the Township judges a lighting installation creates a safety hazard, the person(s) responsible for the lighting shall be notified and required to take remedial action.
- b. If appropriate corrective action has not been effected within 15 days of notification, the Township will take appropriate legal action.

2. Nuisance Glare and Inadequate Illumination Levels

- a. When the Township judges an installation produces unacceptable levels of nuisance glare, skyward light, excessive or insufficient illumination levels or otherwise varies from this Ordinance, the Township may cause notification of the person(s) responsible for the lighting and require appropriate remedial action.
- b. If the infraction so warrants, the Township may act to have the problem corrected as in F.1.b, above.

F. Nonconforming Lighting – Any lighting fixture or lighting installation existing on the effective date of this Ordinance that does not conform with the requirements of this Ordinance, shall be considered as a lawful nonconformance.

1. A nonconforming lighting fixture or lighting installation shall be made to conform to the requirements of this Ordinance when:
  - a. It is deemed by the Township to create a safety hazard.

- b. It is replaced by another fixture or fixtures or abandoned or relocated.
- c. The number of fixtures is increased by 50% or more.

**§517. Dumpsters/Waste Containers:** These are exterior waste containers designed to be mechanically lifted and emptied into a trash collection vehicle. Such containers shall:

- A. Be to the rear of the principal building
- B. Be of sufficient size to accommodate the required trash receptacle.
- C. Be surrounded on three sides by an opaque wall constructed of materials similar to the primary structure, completely hiding the trash receptacle. The fourth side shall consist of a gate, which will effectively hide the trash receptacle.

**§518. Forestry**

- A. All forestry activities in Vernon Township shall be in accordance with all Federal and State Agencies

**PART 6**  
**CONDITIONAL AND SPECIAL EXCEPTION USES**

**§601. General Requirements**

- A. The criteria for conditional and special exception uses are listed for each zone district in Part 6 of this chapter. Only those uses expressly listed as conditional or special exception uses in a particular zone district may be considered in that zone district.
- B. Any application for a conditional use or special exception use approval shall demonstrate that:
1. The use will not endanger the public health, safety, or welfare if located where proposed and will not deteriorate the environment or generate nuisance conditions.
  2. The use can be accommodated on the site within the lot area and setback requirements of the zone district and with no variances from the terms of this chapter.
  3. The use is compatible with or will support the development in the neighborhood of the site.
  4. The use will not require extensive earthmoving or revision of drainage patterns or create substantial increase in stormwater flow that will impact downstream development.
  5. The use will not create excessive traffic congestion unless such congestion will be mitigated by off-site improvements provided by the developer.
  6. Areas of the property not to be covered by buildings or paved area to be landscaped and maintained in accordance with an approved plan.
  7. Adequate off-street parking is provided on the same property as the use in accordance with §511.
  8. Access points to the property are located as remote as possible from street intersections and adequate sight distances are available at access points for entering and departing vehicles as well as through traffic.
- C. Submission
1. A developer proposing a conditional use shall submit five copies of the following materials to the Township Secretary at least 10 days prior to the meeting of the Planning Commission at which he wishes to present his plan.  
  
A developer proposing a special exception use shall proceed as required in §801, Subsection E, of this chapter.
  2. The developer shall present a written statement discussing the relationship of his proposal to the criteria outlined in §601, Subsection B, above, and the specific criteria contained in this part.
  3. The developer shall present an accurately scaled illustrative site plan showing the arrangement of the proposed use on the site including:

- a. Property lines around the entire site.
- b. Uses on adjacent properties.
- c. Abutting streets including paved and right-of-way widths and intersections.
- d. Buildings existing and proposed on the site by use and height.
- e. Points of access into the site.
- f. Internal driveways and parking area layout with number of spaces noted.
- g. Free-standing signs to remain or proposed.
- h. Areas of earthmoving with proposed grade of finished slopes noted.
- i. Method of collecting and disposing of stormwater.
- j. Proposed landscaping and other pertinent information to illustrate the proposal.

**§602. Conditional Use Processing**

A. Conditional Uses: Certain uses, as specified by this Ordinance, are conditional uses to be granted or denied by the Board of Supervisors. The Planning Commission is to advise the Board of Supervisors on each application for a conditional use. It may also suggest reasonable conditions for the Board of Supervisors to consider. In addition, the Board of Supervisors shall hold a public hearing on a request for a conditional use pursuant to public notice. The Board of Supervisors shall decide requests for such conditional uses in accordance with such standards and criteria, as set forth in this Ordinance or the Pennsylvania Municipalities Planning Code.

The hearing shall be conducted by the Board of Supervisors or the Board of Supervisors may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board of Supervisors. However, the appellant or the applicant, as the case may be, in addition to the Township, may, prior to the decision of the hearing, waive decision or findings by the Board of Supervisors and accept the decision or findings of the Hearing Officer as final.

In granting a conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purpose of the Zoning Ordinance or the Planning Code.

- 1. The Board of Supervisors shall render a written decision or, when no decision is called for; make written findings on the conditional use application within 45 days after the last public hearing before the Board of Supervisors. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons thereof. Conclusions based on any provisions of this Ordinance, the Planning Code or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.
- 2.
  - a. Where the Board of Supervisors fails to render the decision within the period required by this Ordinance or fails to commence, conduct or complete the required hearing, as provided in Section 908 (1.2) of the Pennsylvania

Municipalities Planning Code, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board of Supervisors to meet or render a decision as herein above provided, the Board of Supervisors shall give public notice of the decision within ten days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this act. If the Board of Supervisors shall fail to provide such notice, the applicant may do so.

- b. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to the applicant no later than the day following its date.

B. Procedures for special exception uses are set forth by Part 8 of this Ordinance.

**§603. Specific Criteria to be Applied to Particular Conditional and Special Exception Uses**

A. Garden Apartment Building or Group of Buildings

- 1. The number of apartments permitted shall not exceed one per 4,000 square feet of lot area.
- 2. Buildings shall be separated and arranged as required by §510, Subsection D.
- 3. Parking areas shall be located behind the front wall of buildings facing the street and screened as required by §511, Subsection C.13.
- 4. Within parking lots serving any garden apartment building or group of buildings, at least one deciduous shade tree, not less than two-and-one-half-inch caliper when planted, shall be installed for each three apartments in the development or fraction thereof. Trees may be planted along the edges of the parking areas within such parking areas in prepared and protected pockets not less than three square feet in area or other locations on the property approved by the Board of Supervisors. Trees shall not be planted closer than 25 feet of each other or within 10 feet of a building. The property owner shall be responsible for the ongoing care of the trees and replacement if necessary.

B. Commercial Kennel or Stable or Riding Academy

- 1. The property to contain a kennel shall be at least five acres in area or to contain a stable or riding academy at least 10 acres in area.
- 2. Outdoor areas to be occupied by animals shall be as remote as possible from neighboring residences. Buildings on the site, landscaping and/or changes of grade may be used to screen adjacent housing areas or potential areas of housing.
- 3. All outdoor areas to which animals have access shall be fenced to contain the animals and such outdoor area shall be no closer than 50 feet from any property line.

4. Runoff from outdoor areas shall be diverted away from neighboring occupied properties and odors emanating from the operation controlled.
5. All dogs in a kennel shall be kept in an enclosed building at night.
6. The dwelling of a custodian or the owner shall be the only housing on the property.

C. Standards for Communications Towers and Communications Equipment Building

The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and communications antennas.

The applicant shall demonstrate that the proposed communications tower and communications antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.

Communications towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation and applicable airport zoning regulations.

All antennas shall be located on an existing structure if possible. Any applicant proposing construction of a new communications tower shall demonstrate that a good faith effort has been made to obtain permission to mount the communications antennas on an existing building, structure or communications tower. A good faith effort shall require that all owners of potentially suitable structures within a one-quarter mile radius of the proposed communications tower site be contacted and that one or more of the following reasons for not selecting such structure apply:

1. The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
2. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
3. Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
4. Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
5. A commercially reasonable agreement could not be reached with the owners of such structures.

Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of 20 feet in width and shall be improved to a width of at least 10 feet with a dust-free, all-weather surface for its entire length.

A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot which meets the minimum lot size requirements for the zoning district.

Recording of a plat of subdivision or land development shall not be required for a lease parcel on which a communications tower is proposed to be constructed, provided the communications equipment building is unmanned.

The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.

In all zoning districts, the maximum height of any communications tower shall be 200 feet.

The foundation and base of any communications tower shall be set back from a property line (not lease line) located in any residential district at least 100 feet and shall be set back from any other property line (not lease line) at least 50 feet.

The base of a communications tower shall be landscaped so as to screen the foundation, base and communications equipment building from abutting properties.

The communications equipment building shall comply with the required yards and height requirements of the applicable zoning district for an accessory structure.

The applicant shall submit certification from a Pennsylvania-registered professional engineer that a proposed communications tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association and applicable requirements of the Township's Building Code.

The applicant shall submit a copy of its current Federal Communications Commission license; the name, address and emergency telephone number for the operator of the communications tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of \$1 million per occurrence and property damage coverage in the minimum amount of \$1 million per occurrence covering the communications tower and communications antennas.

All guy wires associated with guyed communications towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.

The site of a communications tower shall be secured by a fence with a maximum height of eight feet to limit accessibility by the general public.

No advertising message nor identification, signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency that has jurisdiction. (See also Section 513, Port Meadville Airport)

Communications towers shall be protected and maintained in accordance with the requirements of the Township's Building Code.

If a communications tower remains unused for a period of 12 consecutive months, the owner or operator shall dismantle and remove the communications tower unless a written exemption is granted by the Zoning Administrator. In the event that unused communication equipment is not removed by the owner, the tower and associated facilities may be removed by the Township and the costs of removal assessed against the property.

One off-street parking space shall be provided within the fenced area.

Antenna support structures under two-hundred (200) feet in height shall be painted or coated silver or have a galvanized finish to reduce visual impact, unless otherwise required by federal law. Silver or galvanized finishes shall be required unless the setting or natural surroundings can be used to justify another color.

D. Group Child Day Care Home

1. Group day care home is intended for six to 13 children and to be in a residence.
2. The facility shall have State approval or approval pending prior to opening.
3. An outdoor play area shall be provided, completely enclosed by a fence and buildings on the property.
4. There shall be no overnight accommodation of clients.
5. A driveway area shall be set aside for discharge and pickup of clients.

E. Elderly Housing Complex

1. The number of apartments permitted shall not exceed one per 10,000 square feet of lot area in the RR District or one per 4,000 square feet of lot area in the RS District.
2. Efficiency apartment units shall contain not less than 350 square feet of total floor area and one-bedroom units not less than 500 square feet.
3. At least one occupant of any apartment shall be not less than 50 years of age and no more than two adult persons shall reside in any apartment.
4. The facility may include a common dining room and kitchen, medical and/or dental clinic, pharmacy, community room, gift and card shop and/or recreation facilities to serve the residents.
5. The complex shall be connected to public sewer and water services or to community systems approved by the State DEP.

F. Home Occupation: Home occupation shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes. Note: Home Occupation and No-Impact Home-Based Business are separate uses. The following conditions for home occupations shall be observed:

1. A home occupation shall be conducted in a single-family detached dwelling. No more than 25% of the total floor area within the dwelling shall be utilized for the home occupation, although not more than 300 square feet of floor area within an accessory building may also be utilized.
2. No additions to the dwelling or modifications to the exterior appearance of the dwelling to accommodate the home occupation shall be permitted.
3. No more than two persons not resident in the dwelling shall be employed in the home

occupation.

4. One off-street parking space, in addition to those required for the dwelling, shall be provided on the lot for the home occupation plus one space for each nonresident employee.
5. A home occupation may only be conducted by the owner of the dwelling in which the home occupation is located.
6. Items to be repaired shall be limited to those that can be carried by one person.
7. No noxious odors, smoke, noise, vibration, or glare shall emanate from the conduct of the occupation.
8. When a dwelling containing a home occupation is sold, the buyer shall, if he chooses to continue or change the home occupation, apply to the Zoning Officer for approval. Any changes in the size or type of home occupation must be approved by the Zoning Hearing Board.
9. Home occupations may include, but are not limited to, art studios; dressmaking; professional offices of lawyers, engineers, architects, or accountants; real estate offices; home offices; barbershops and beauty parlors; or the teaching of music limited to one student at one time. However, a home occupation shall not be interrupted to include auto or internal combustion motor repair/service, woodworking, small motor repair, kennels, or restaurants. Personal services such as barbershops or beauty parlors shall be provided on an appointment-only basis.

#### G. Mineral Products

1. The applicant shall provide an acceptable plan for erosion and sedimentation control, stormwater management, disposal of residue and replanting of the cleared area if not to immediately contain paved surfaces or buildings.
2. Any proposal to remove coal, sand, gravel, clay or top soil shall be accompanied by the documentation required in Subsection G.1, above, and permits from the State Department of Environmental Protection and the Soil Conservation Service where required.
3. As conditions of approval, the Township may impose weight limits on roads in the vicinity of the site, require a bond to guarantee road damage repair and a program for cleanup of spilled materials on roads and may limit the hours of operation.

#### H. Nursing Home

1. The number of patients permitted shall not exceed one per 5,000 square feet of lot area in the RR District or one per 2,000 square feet in the RS District.
2. The home shall be certified by the Commonwealth of Pennsylvania or have certification in progress prior to opening.
3. The home shall be connected to public sewer and water services or to community systems approved by the State Department of Environmental Protection.

4. Parking areas and service entrances shall be to the rear of the front wall of the building and shall be screened as required by §511, Subsection C.13.
- I. Personal Care Home
1. The facility may be for four or fewer ambulatory but dependent clients and shall be considered a home occupation or if may be a new building or covered dwelling in which case the regulations of the Commonwealth of Pennsylvania shall govern occupancy and operation.
  2. The home shall have State approval or approval pending prior to opening.
  3. No two personal care homes shall be within 1,000 feet of each other as the crow flies.
- J. Group Home or Transitional Dwelling (Special Exception Use in the RR and RS Districts)
1. A group home is a residence for ambulatory mentally or physically handicapped persons who need assistance with daily living and may progress to independent living. A transitional dwelling is a temporary residence for persons moving from institutional to independent living. In either case, continuous supervision under the auspices of a public or social service agency is required.
  2. The home or dwelling shall have State approval or approval pending prior to opening and a plan for continuous supervision shall be available for the Township in the event of an emergency.
  3. No two facilities authorized by this section shall be within 2,000 feet of one another.
- K. Reserved
- L. Private Recreational Club or Facility for Members and Guests (Conditional Use in the RS District)
1. The development shall include the least possible removal of trees and earthmoving to accommodate the proposal.
  2. Access to the property shall be controlled through one or at most two locations.
  3. The residence of a custodian or manager shall be the only housing on the property.
  4. Development may include a clubhouse, outdoor recreational facilities and maintenance buildings, intended for the use of bona fide members and their guests only.
  5. The organization shall be a registered nonprofit or corporate entity with the Commonwealth of Pennsylvania.
  6. Parking shall be hidden from view from roads abutting the facility.
- M. Public Utility Right-of-Way
1. The width shall be the minimum necessary for the right-of-way's function.

2. Every effort shall be made to place proposed utility lines in rights-of-way already in existence.
  3. Vegetation shall be retained where rights-of-way cross public roads.
  4. Single poles will be preferred to pylon towers in areas of public visibility.
  5. Methods to suppress vegetation shall be revealed in detail and generally vegetation shall be trimmed only to the extent necessary for the right-of-way to function effectively.
  6. In reviewing a request for a public utility right-of-way, the Board shall consider also the requirements of §603, Subsection C, Communication Towers, if towers are involved.
- N. Any Retail or Personal, Professional or Business Service Dealing Directly with the Public that is similar to and compatible with the Principal Permitted Uses in the CR District.
1. The business shall be conducted from within a permanent, enclosed building.
  2. The building required for the use shall be substantially the same in size and appearance as those of permitted businesses.
  3. No products or residue from the business shall be stored outside except vehicles for sale on the premises or outdoor nursery plant materials. Outdoor sales areas shall not be permitted to reduce required off-street parking on the lot.
  4. If the premises are to be developed as a temporary use, the proposer shall provide a plan describing the projected time limitation for the development, the long-term proposed use, if any, of the premises and if no long-term use, how he will return the premises to the predevelopment condition.
- O. Fishing Lake
1. Access to the lake shall be secured to prevent unauthorized entry.
  2. The site should not occupy prime commercial highway frontage better suited for intense retail or service development.
  3. The operator shall present a plan to maximize customer safety while using the facility.
- P. Golf Driving Range or Miniature Golf
1. If the facility is open for night play the lighting system shall be designed to prevent glare on neighboring or nearby residential properties and roads. (See §516)
  2. The Board may stipulate a limit on hours of operation if late-night operation might threaten nearby residential areas.
- Q. Nursery, Commercial
1. Nursery stock areas shall not occupy prime commercial highway frontage.
  2. Display areas shall not extend into required off-street parking areas.

R. Theater, Outdoors

1. The entrance control point shall be located so that at least 20 cars may line up approaching it off the highway abutting the site.
2. The screen shall be oriented so that it is not visible from adjacent or nearby roads or highways.
3. Sound recording shall be available at individual receivers for each admitted car only.

S. Restaurant with Take-Out Only

1. Driveways on the property shall allow not less than eight cars to stack approaching the take-out window. (See also §511, Subsection D)
2. The Township may limit hours of operation and restrict turning movements at one or more entrances.
3. Adequate waste containers shall be provided on the premises and the operator shall be responsible for timely removal of paper and other debris on the grounds.

T. Manufacturing or Fabricating Involving Processing of or Manufacturing from Raw Materials

1. All manufacturing, assembly, reduction or other processes shall take place within an enclosed building.
2. Raw materials and/or finished products may be stored outside, provided that they are completely surrounded by buildings on the property and/or a fence with an opaque surface not less than six nor more than eight feet in height, set back not less than five feet from any property line. The setback area where it abuts a street or a property in a residential zone shall be planted in low shrubs and trees not more than 40 feet on center.
3. The operator shall demonstrate that the proposal will not generate excessive noise, dust, odor, glare, vibration or radioactive emissions beyond any property line surrounding the use.

U. Bulk Fuel Oil Storage Yard

1. Storage tanks shall be completely surrounded by a dike capable of containing the maximum contents of all the tanks within the dike. Any openings in the dike shall be leak-proof when closed and shall close automatically in the event of tank rupture. As needed, tanks shall be registered with DEP, comply with their regulations, and show evidence of same.
2. No tank shall be located closer than 100 feet to any property or street line or 500 feet to any residence.
3. The area within the dike shall be drained by an underground system capable of closing automatically in the event of a tank rupture.

4. An emergency management plan shall be prepared and approved by the local Fire Marshall and the consent of DEP shall be secured by the developer as conditions of issuing a zoning permit.

V. Foundry or Heavy Punch Press Operation

1. Heavy equipment shall be isolated on individual buffered foundations to avoid transmission of vibration.
2. Noise-producing equipment shall be located within enclosed buildings or rooms designed to absorb sound.
3. Operations creating glare shall occur in a building or room without windows or skylights.

W. Auto Salvage or Used Materials Storage and Sales

1. The yard shall be established for the salvage and sale of used auto and/or machinery parts and not primarily for the storage and accumulation of parts.
2. The operator shall be authorized to collect Pennsylvania sales tax prior to opening. The business shall be his major source of income.
3. All outdoor salvage areas shall be completely surrounded by a fence whose vertical surface is opaque and whose height is not less than six or more than eight feet high. Gates in the fence shall be kept closed except to permit vehicular access into the yard.
4. The fence shall be set back at least 10 feet from all property lines and the area between fence and property line landscaped and maintained in accordance with §604, Subsection G.2.
5. The operator shall provide plans to control insect and rodent infestation, to drain all parts of the site, to allow access of emergency service and to remove derelict vehicles and parts on a regular basis as a condition of approval.
6. The business shall be operated from a permanent building on the site.
7. No burning of discarded materials shall occur on the premises.
8. Materials in the yard shall not be stacked over eight feet high and piles shall be separated by alleys to allow truck access.

X. Ready-Mix Concrete or Other Bulk Materials Distribution

1. Dust emanating from the operation shall be collected and bagged on the premises.
2. Loose or wet materials on the surfaces of trucks shall be removed prior to leaving the property.
3. Materials shall be stored in containers with tight covers on all openings.
4. The operation shall be completely surrounded by buildings on the property and/or by a fence meeting the requirements of §507, Subsection A.1.

Y. Any Other Manufacturing, Fabrication or Assembly Operation or Business in Support of Such Operation and Similar to and Compatible with the Principal Permitted Uses in the BM District

1. The proposed use shall not generate any of the following beyond the property lines surrounding the operation:
  - a. Noise levels discernable above the ambient background levels.
  - b. Glare from a direct light or heat source. (See also §519)
  - c. Dust from any manufacturing or storage operation.
  - d. Vibration of any equipment.
  - e. Interference with radio, television or other communications equipment.
  - f. Odor or contaminated runoff from any manufacturing or storage operation.
  - g. Storage of flammable or explosive substances or substances likely to breed insects or attract rodents or radioactive.
2. The use may not be occupied, if approved by the Board, until a certificate from the State Department of Labor and Industry has been received.
3. Screening in the form of landscaping or fencing may be required by the Board where appropriate.

Z. Any Retail or Personal, Professional, or Business Service that is similar to and compatible with the Principal Permitted Uses in the CR District (Special Exception in the CR District)

1. The business shall be conducted from within a permanent, enclosed building.
2. The building required for the use shall be substantially the same in size and appearance as those of permitted businesses.
3. No products or residue from the business shall be stored outside except vehicles for sale on the premises or outdoor nursery plant materials. Outdoor sales areas shall not be permitted to reduce required off-street parking on the lot.
4. If the premises are to be developed as a temporary use the proposer shall provide a plan describing the projected time limitation for the development, the long-term proposed use, if any, of the premises and if no long-term use, how he will return the premises to the predevelopment condition.

AA. Reserved

BB. Commercial Amusement Enterprise

1. Such enterprises shall be entirely within an enclosed building, unless they are a miniature golf course, golf driving range, baseball batting cages or children's amusement center.
2. All outdoor lighting shall be focused and shielded so that it falls entirely within either the areas of activity or parking lot serving the facility.

3. No outdoor loudspeakers or amplifiers shall be permitted.
4. The operator shall present a plan as a condition of approval indicating how the conduct of juvenile patrons will be monitored and controlled.

CC. Clubs and Lodges

1. The proposed use must be in conformity with all of the general requirements for conditional uses as set forth in Chapter 27, Part 6, §601, and the subsections thereof, to wit, Subsections B.1 through 8.
2. A site plan shall be submitted, detailing information as to the layout of parking areas and the manner in which traffic will be directed on site.
3. Access to and from the real estate by vehicular traffic shall be controlled by designated specific locations, not to exceed two in number.
4. All outdoor lighting must be focused and shielded directly on the facility property and shall be designed to prevent glare and interference with adjoining residential properties or public roads.

DD. Large Retailers: Big-box retailers exist on a large volume of vehicular traffic, including truck delivery. Also, due to business volume, such uses generate large amounts of solid waste and shipping accessories (pallets, containers, etc.). Such uses must:

1. Conform to the parking lot standards as contained in Section 5.
2. File a building design plan with the Township of Vernon that adheres to the following criteria:
  - a. All front walls shall have at least one entrance for every 100 lineal feet or fraction thereof.
  - b. By using a combination of paint, building materials, and/or some type of façade articulation as well as landscaping, front and sidewalls shall present a varied appearance, not merely flat painted cement block.
  - c. Any roof top HVAC, or similar rooftop mechanical devices shall be screened by the use of parapets above the roofline.
3. All “dumpsters,” trash areas and storage areas for paste board, cardboard, pallets shall be enclosed as required by §517.

EE. Convenience Store

1. Any fuel pumps shall be at least 25 feet from the front lot line and 50 feet from each side lot line.
2. Any lot line abutting a residential use or district shall provide appropriate screening. Such screening shall be at least 10 feet wide.

3. The canopy shielding gasoline pumps shall be no closer than 20 feet from the front lot line or may follow the average front setback of the structures adjacent on each side and 20 feet from each side lot line. See also §516, Lighting.
4. Any outdoor mechanical or refrigeration equipment shall be visually screened as well as muffled to minimize noise.

FF. Veterinary Establishments: Such uses shall:

1. Provide evidence that arrangements for the disposal of dead animals and “red bag” waste have been made.
2. Areas used for the treatment and overnight care of animals shall be soundproofed.
3. Outdoor animal runs shall be floored with concrete and properly fenced to allow for easy cleaning as well as the proper containment of animals.
4. All side and rear yards which abut residential uses and districts shall provide screening at least 10 feet wide.

GG. Shopping Centers: This is generally a group of commercial establishments planned, developed and managed as a unit with common parking areas. These regulations shall only apply to shopping centers of 100,000 square feet or more of retail building area.

1. All parking shall be on lot.
2. The development shall conform to the site development standards as set forth below:
  - a. All front walls shall have at least one entrance for every 100 lineal feet or fraction thereof.
  - b. By using paint, building materials or some type of façade articulation as well as landscaping, front and sidewalls shall present a varied appearance, not merely flat painted cement block.
  - c. Any roof top HVAC, or similar roof top mechanical devices shall be screened by the use of parapets above the roofline.

HH. Outdoor Recreation (Excluding Outdoor Movie Theaters): These uses can be intrusive and shall adhere to the following standards:

1. Lighting (See §516): Lighting shall be fully or partially shielded (cutoff fixtures) at least 15% below horizontal. A landscaped screening 10 feet in width shall be provided on all side and rear lot lines that abut residential uses or districts. The screening shall provide an effective light screen.
2. No outdoor speakers shall be allowed.
3. The operator shall present a plan indicating how the conduct of juvenile patrons will be monitored and controlled.

II. Wholesale Trade: Wholesale trade establishments shall follow the following regulations:

1. Shall demonstrate compliance with all appropriate PennDOT highway occupancy criteria.
2. All loading/unloading bays and truck parking shall be behind the front of the building in side or rear yards. Automobile parking, consistent with §511 is allowed in the front yard.

JJ. Reserved.

KK. Industrial/Business Park: The Industrial and Business Park use is created as an area to be devoted to industrial and non-retail business activity or business. The district encourages the use of industrial park development. Such development treats large expanse of land as an industrial subdivision by planning, constructing, servicing, and maintaining it in a manner that will make resourceful use of the land, increase the compatibility and attractiveness of these uses to each other, and protect the Township's advantage in attracting industry.

1. Permitted Uses and Accessory Uses

a. Permitted Uses: Only those industrial, manufacturing, compounding, processing, packaging or treatment uses and processes from the following listing are permitted when and if they do not represent a health or safety hazard to the community through air, water and noise pollution, including the production or emission of dust, smoke, refuse matter, toxic or noxious odors, explosives, gas and fumes, excessive noise, or similar substances and conditions.

b. Principal Uses:

- (1) Wholesale, warehousing and storage
- (2) Distributing plants, beverages bottling and/or distribution
- (3) The manufacturing, compounding, processing/packaging, treatment and distribution of such products as bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food and kindred products.
- (4) Laboratories devoted to research, design, experimentation, processing, and fabrication incidental thereto.
- (5) Utility operations (electric and gas company operations, sewer and water authorities), excluding electric-generating facilities.
- (6) Radio and television facilities and operations, telephone exchange and transformer stations.
- (7) Carpenter, electrical, plumbing, welding, heating or sheet metal shop, furniture upholstering shop, laundry and clothes cleaning or dyeing establishments, printing shop or publishing plants.
- (8) Building material supplies, excluding stone crushing or concrete mixing.
- (9) Light manufacturing

(10) Assembly, manufacturing, compounding, processing, packaging or treatment uses or processes which do not produce or emit dust, smoke, toxic or noxious odors, gases and fumes that are offensive to the public.

(10) Office buildings.

c. Accessory Uses: The following special uses shall be permitted in an Industrial Park District, providing the buildings and accessory buildings and use comply with all requirements of other districts in which they are normally permitted:

(1) Cafeterias or restaurants and convenience stores specifically designed and intended for use by those employees and management of permitted uses in the Industrial Park District.

(2) Auditoriums, meeting rooms, or other buildings primarily intended for the mutual use of the permitted uses located within the district.

(3) Outdoor recreational facilities designed and intended for use by employees and management of those permitted uses within the district. These facilities, if lighted, must be shielded away from any thoroughfares and residential districts by the use of full out-off fixtures.

(4) Any permitted facility as per the Suburban Residential District (RS).

2. Regulations:

a. Minimum Lot Area and Lot Width:

(1) An Industrial Park District shall be required to contain a minimum of 20 acres of land area.

3. All buildings in a business park shall be connected to the municipal water and sewer system.

LL. Auto/Truck, New and Used Sales and Services, Boat Sales and Services, Farm and Heavy Equipment shall observe the following regulations:

1. Any outside display of vehicles, boats, or boat trailers shall maintain a 20-foot setback from the front property line and at least a 15-foot setback from side or rear property lines (35-foot setbacks from side or rear lines abutting residential districts.)

2. All cleaning, repair, part storage and painting shall occur indoors.

3. The temporary storage of vehicles for repair shall be only behind or beside the principal structure.

4. The long-term (over 30 days) storage of farm and heavy equipment shall be indoors or in a fenced area (fencing height at least six feet but not more than eight feet) behind the principal structure.

5. All drainage plans shall conform to applicable Township ordinances.

6. All activities shall be operated from a permanent building on an approved (UCC) foundation.
  7. No string(s) of bare light bulbs, or pennants, shall be permitted.
- MM. Light Manufacturing/Tool and Die Shops: Such uses are appropriate in the Conneaut Corridor subject to the following criteria:
1. All side and rear yards shall be increased by 10 feet.
  2. All manufacturing and storage shall be inside the building.
- NN. Car Washes: Car washes are subject to the following express standards and criteria:
1. Car washes shall be connected to public sewer. All drainage water from car washing operations shall be contained on site, so as to not become a nuisance or hazard to adjoining properties, berms, or roadways.
  2. All property lines adjoining residential use or zoning classification shall be screened by a buffer area as defined by this Ordinance which is at least 10 feet in depth measured from the property line.
  3. Outdoor areas for parking and queuing shall be covered with an impervious surface, and shall be maintained free of debris and obstruction.

**§604. Planned Residential Development (PRD)**

- A. Planned residential developments are a conditional use in the RR and RS Districts.
- B. The intent of a planned residential development is to encourage innovation in community design, variety and intermixture of housing types, efficiency in the layout of streets and public services and conservation of environmental values. The PRD plan is intended to be a reasonable departure from conventional development regulations and to allow the fitting of development to the specific site proposed for the plan with minimal rearrangement of the site surface and removal of trees. A PRD shall be encouraged where steep slopes, flood hazard areas or significant woods might be destroyed or seriously impacted by conventional subdivision or where an existing park may be expanded or substantial new usable park, recreation or conservation areas may be created. A PRD should be discouraged where a site has no natural barriers to fill development, is lacking in any wooded areas and/or will not add to the Township's inventory of usable open space.
- C. All buildings in a PRD containing fixtures with running water shall also be connected to a public sewage collection system or a community system approved by the State Department of Environmental Protection.
- D. Permitted Uses in Each Zone District
  1. RR District. Single-family detached dwellings and two-family dwellings
  2. RS District. Single-family detached dwellings, two-family dwellings and attached single-family dwellings (townhouses)

E. Dimensional Requirements for the Plan

	<b><u>RR</u></b>	<b><u>RS</u></b>
Minimum site size, in acres	40	20
Maximum density, dwellings per acre	1.5	4.5
Minimum open space, percent of site	50%	40%
Maximum coverage, percent of site	8%	12%
Minimum percent, single-family dwellings	80%	50%
Maximum percent, two-family dwellings	20%	30%
Maximum percent, attached dwellings	--	20%

NOTES:

1. Minimum site size shall not include any existing street rights-of-way.
2. Maximum density shall include the entire site size.
3. Minimum open space shall be that area not to be developed or within street rights-of-way and IS to be controlled by the residents of the plan or offered to the Township for park purposes.
4. Minimum coverage shall mean all ground surface covered by pavement or buildings including streets.
5. Minimum percent single-family dwellings shall mean the percent of all dwelling units in a plan that is single-family detached dwellings on their own lots.
6. Maximum percentages refer to the maximum percent of all dwelling units in the plan that may be two-family dwellings or single-family attached dwellings (townhouses). A dash indicates that the particular housing type is not permitted in a PRD in the specific zone district.

F. Dimensional Requirements for Lot Sizes

	<b><u>RR</u></b>	<b><u>RS</u></b>
Single-family lots, minimum size in square feet	15,000	12,500
Minimum percent of such lots in a plan	60%	60%
Single-family lots, minimum size in square feet	12,500	8,500
Maximum percent of such lots in a plan	40%	40%
Single-family lots, minimum size in square feet	8,500	6,000
Maximum percent of such lots in a plan	20%	20%
Two-family dwelling lots, minimum size in square feet	20,000	15,000
Townhouse lots, minimum size in square feet	--	15,000
Individual townhouse lots, minimum size, square feet	--	2,800

G. Dimensional Requirements for Building Setbacks

1. The following are minimum lot width and front, side and rear setback distances (yard depths), in feet, for single-family lots, by size of lot in square feet:

<b><u>Lot Area</u></b>	<b><u>Width</u></b>	<b><u>Front</u></b>	<b><u>Side</u></b>	<b><u>Rear</u></b>
15,000 square feet	90	40	10	40

12,500 square feet	75	40	10	40
8,500 square feet	65	40	10	40
6,000 square feet	55	40	10	25

NOTE: Lot width shall be measured at the front setback line; on a corner lot, the lot width shall be increased by 10 feet.

2. The following shall apply to all other lots:
  - a. The minimum width and front, side and rear yard setbacks shall be the same as for a 15,000-square-foot single-family dwelling lot.
  - b. Where a lot containing a townhouse abuts, along a common side property line, a lot containing a single-family or two-family dwelling, the townhouse building shall be set back 20 feet from the side property line.
3. Minimum Distance Between Townhouses on the Same Lot
  - a. Front or rear long walls of two buildings face each other: 40 feet.
  - b. Front or rear wall of one building faces end wall of a second building: 25 feet.
  - c. End walls of two buildings face each other: 20 feet.
  - d. Walls shall be considered as facing one another if they are parallel or form an angle of not more than 45 degrees.
  - e. In no case shall two buildings be closer together at any point than 20 feet.
  - f. Where building walls are not parallel to each other, the average distance between the nearest end corners of each building and between the more remote end corners of each building on the walls that face each other shall be used to meet the minimum separation requirements.

#### H. Common Open Space

1. Common open space may include, in addition to improvements and facilities not to be publicly maintained, land whose slope exceeds 25%, rock outcrops, floodplains as indicated on the Flood Hazard Boundary maps of the Township, areas of mature woods, stormwater management facilities, parks or playgrounds.
2. To the extent possible within the plan, common open space areas shall be connected and none shall be less than an acre in area. Such areas shall be provided with access points allowing vehicular entrance for maintenance and pedestrian access from public streets to each such area designated “common open space.”
3. Such areas shall be indicated as a separate property or properties on the plan and designated “common open space.”
4. Such areas shall be held by the developer until deeded in perpetuity to an association of homeowners made up of all the property owners in the plan, such association to operate

under bylaws approved by the Township Solicitor as protecting both the Township and the plan residents.

5. Prior to the establishment of the association the developer may offer all or part of the common open space at no cost to the Township for purposes of expanding an existing or creating a new recreation park or conservation area.
6. The association shall be responsible for the maintenance of improvements within the plan that are not the responsibility of a public body and for the maintenance of the common open space in the plan, including administrative, legal, auditing, insurance, and other expenses. The association may develop recreation facilities within the common open space for the residents of the plan but may not sell any portion of the common open space to others except to the Township, school district, or a public authority.

#### I. Processing of Tentative Plans

1. The application for a proposed planned residential development shall be submitted by the landowner for tentative approval to the Planning Commission and shall include all the materials required by §604. Subsection J in three copies. In addition the landowner shall provide one copy of the plan to the Crawford County Planning Commission.
2. The Commission shall review the application and send one copy to the Board of Supervisors together with recommendations.
3. Within 60 days after the filing of the application, the Board shall call and hold a public hearing on it. The hearing may be continued from time to time but shall be concluded not later than 60 days after being first convened. Notice of the hearing shall appear twice in a newspaper of general local circulation, the first time not less than 14 days before the hearing and the second time not less than seven days thereafter and shall announce the date, time, place and purpose of the hearing and the times and place when and where the application may be examined prior to the hearing. In addition, the property on which the planned residential development is proposed shall be posted in at least one prominent place with the same information contained in the notice.
4. The Board shall conduct the hearing. The Chairman may administer oaths and compel the attendance of witnesses. All testimony shall be given under oath and every party of record shall have the right to cross-examine adverse witnesses. A verbatim record shall be made, but costs of copying shall be borne by those requesting copies. All exhibits accepted in evidence shall be identified and preserved until the conclusion of the hearing.
5. No later than 60 days after the conclusion of the hearing, the Board shall officially notify the landowner in writing that the Board has either:
  - a. Granted tentative approval of the plan as submitted;
  - b. Granted tentative approval subject to specified conditions not addressed or insufficiently addressed in the submitted plan; or
  - c. Denied tentative approval of the plan.
6. Failure of the Board to schedule or hold a public hearing or communicate a decision

within the 60-day limits shall be deemed as approval of the plan a submitted.

7. If conditions are attached to approval, the applicant may either:
  - a. Notify the Board within 30 days that he cannot accept all of them, in which case tentative approval shall be deemed to have been denied; or
  - b. Do nothing within 30 days, in which case tentative approval with the attached conditions shall be presumed granted.
8. The official written grant or denial of tentative approval shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth the reasons for approval or denial and any attached conditions to approval as well as specific reasons why the plan would or would not be in the public interest on the proposed site including, but not limited to, the following:
  - a. In those respects in which the development plan is or is not consistent with the Central Crawford Region Multi-Municipal Plan.
  - b. The extent to which the development plan departs from zoning and/or subdivision regulations otherwise applicable to the subject property including, but not limited to, density, bulk and use and the reasons why such departure is or is not deemed to be in the public interest.
  - c. The purpose, location and amount of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the common open space and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development.
  - d. The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provides adequate control over vehicular traffic and furthers the amenities of light and air and visual enjoyment.
  - e. The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established.
  - f. In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.
9. Upon receiving tentative approval, the applicant shall, not less than six months thereafter, file an application for final approval of the first or only phase of the plan. The second phase shall not be submitted until at least one year but not more than five years after the first phase final plan, and later phases not less than one year or more than five years after the previous phase.
10. The official written communication provided for in this chapter shall be certified by the Secretary of Vernon Township and shall be filed in the office of the Secretary. A certified

copy shall be mailed to the landowner; where tentative approval has been granted, this shall be recorded on the Official Vernon Township Zoning Map.

11. Tentative approval of a development plan shall not qualify the planned residential development for recording nor authorize development or the issuance of any zoning permits. A development plan which has been given tentative approval as submitted or which has been given tentative approval with conditions acceptable to the landowner shall not be modified or revoked nor otherwise impaired by action of Vernon Township pending an application or applications for final approval without the consent of the landowner; provided, an application for final approval is filed or, in the case of development over a period of years, provided applications are filed, within the periods of time specified in Subsection I.9, above.
12. If a development plan is given tentative approval, and thereafter, but prior to final approval, the landowner elects to abandon the development plan and so notifies Vernon Township in writing or in the event the landowner shall fail to file application or applications for final approval within the required period time or times, as the case may be, the tentative approval shall be deemed to be revoked, and all that portion of the area included in the development plan for which final approval has not been given shall be subject to the zoning regulations that applied prior to tentative approval of the development plan or as they may have been amended from time to time and the same shall be noted on the Township Zoning Map and in the records of the Secretary of Vernon Township.

#### J. Plans Required for Tentative Approval

1. A written statement by the landowner setting forth the reasons why, in his opinion, a planned residential development would be in the public interest and would be consistent with the comprehensive plan for the development of Vernon Township.
2. The location, size and topography of the site and the nature of the landowner's interest in the land proposed to be developed.
3. The density of land use to be allocated to parts of the site to be developed.
4. The location and size of the common open space and the form of organization proposed to own and maintain the common open space and services.
5. The use and the approximate height, bulk, and location of buildings and other structures.
6. The feasibility of proposals for the disposition of sanitary wastes and stormwater and the provision of a potable water supply to all dwellings.
7. The substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings, and structures including proposed easements or grants for public utilities.
8. The provisions for parking of vehicles and the location and width of proposed streets and public ways.
9. In the case of development plans which call for development over a period of years, a

schedule showing the proposed times within which applications for final approval of all sections of the planned residential development are intended to be filed with schedule to be updated annually on the anniversary of its approval until the development is completed and accepted.

10. The location, size, and type of landscaping.
11. The Planning Commission may, at its discretion, require a traffic study to be prepared if it is clear the project will have a significant impact on roads adjacent to and near the project. Such study shall address existing traffic volumes and volumes generated by the project particularly with reference to intersections providing access to the project and shall recommend specific improvements to alleviate congestion at intersections and on adjacent roads.

K. Processing of Final Plans

1. An application for final approval may be for all the land included in a development plan or to the extent set forth in the tentative approval for a section thereof. The application shall be made to the Township Secretary within the time or times specified by the official written communication granting tentative approval. The application shall include the documents required by Subsection L as well as any covenants, easements, performance bonds, and conditions set forth in the official written communication at the time of tentative approval. A public hearing on an application for final approval of the development plan, or part thereof, shall not be required; provided that the development plan, or the part thereof, submitted for final approval is in compliance with the development plan theretofore given tentative approval and with any specified conditions attached thereto.
2. The application shall be immediately forwarded to the Planning Commission, which shall review it at its next regular meeting thereafter and recommend approval or further action, as provided in Subsection K.5, below, to the Board of Supervisors.
3. In the event the application for final approval has been filed together with all drawings, specifications and other documents in support thereof and as required by this chapter and the official written communications of tentative approval, Vernon Township shall, within 45 days of such filing, grant such development plan final approval and authorize the issuance of zoning permits.
4. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Board of Supervisors shall refuse to grant final approval and shall, within 45 days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more of said variations are not in the public interest. In the event of such refusal, the landowner may either:
  - a. Re-file his application for final approval without the objectionable variations.
  - b. File a written request with the Board that it hold a public hearing on his application for final approval. If the landowner wishes to take either such alternate action, he may do so within 30 additional days after being informed of the Board's action. In the event the landowner shall fail to take either of these

alternative actions within said time, he shall be deemed to have abandoned the development plan. Any such public hearing shall be held pursuant to public notice within 30 days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed in this chapter for public hearings on applications for tentative approval. Within 30 days after the conclusion of the hearing, the Board shall by official written communication either grant final approval to the development plan or deny final approval.

5. A development plan, or any part thereof, which has been given final approval shall be so certified without delay by the Board and shall be filed of record forthwith in the office of the recorder of deeds before any development shall take place in accordance therewith. Upon filing the development plan, the zoning and subdivision regulations otherwise applicable to the land included in such plan shall cease to apply thereto. Pending completion within a reasonable time of the planned residential development or of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of the development plan, or part thereof as finally approved, shall be made by the Township except with the consent of the landowner.
6. In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner abandons such plan or the section thereof that has been finally approved and shall so notify the Board of Supervisors in writing or in the event the landowner shall fail to commence and carry out the planned residential development within the time limitations contained in the tentative approval, no further development shall take place on the property included in the development plan until after said property is re-subdivided and is reclassified by enactment of an amendment to the Vernon Township Zoning Ordinance, unless written request for an extension of the time period is granted by the Board of Supervisors to the landowner.

L. Plans Required for Final Approval

1. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way and property lines of residential lots and other sites, when applicable, with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves.
2. Name and right-of-way width of each street or other right-of-way.
3. Location, dimension and purpose of easements.
4. Number to identify each lot and/or site when applicable.
5. Purpose for which sites other than residential are dedicated or reserved.
6. Minimum building setback lines on all lots and other sites.
7. Location and description of survey monuments.
8. Names of record owners of adjoining unplatted land.
9. Reference to recorded subdivision plats of adjoining platted land by record name, date and number.

10. Certification by surveyor or engineer certifying to accuracy of survey and plat.
11. Certification of title showing that applicant is the landowner.
12. Statement by owner dedicating streets, rights-of-way and sites for public uses.
13. Bond or escrow account in favor of Vernon Township in an amount not to exceed 110% of the cost of improvements to be installed in the plan for later maintenance by the Township or the municipal authority or outside of but serving the plan and later to become publicly owned.
14. Curb cut approval from PennDOT if access is to a State highway.
15. Title, scale, North arrow and date.

**PART 7**  
**NONCONFORMING USES**

**§701. Nonconforming Lots of Record**

- A. Regardless of the size of a lot of record prior to the passage of this chapter, such lot may be developed for any use permitted in the district in which the lot is located; provided that, where setback, width, density or other requirements make development impractical, the Zoning Hearing Board permits development to occur after granting specific variances.
- B. If two or more abutting side-by-side undeveloped lots of record in the same ownership occur prior to passage of this chapter and if one or all of these lots are less than the requirements of lot width and area as established in this chapter, the total area of all the lots shall be considered as undivided, and no portion of the area of the lots shall be used or sold unless such portion equals or exceeds the lot width and area requirements of this chapter; nor shall any division of the parcel be made which leaves remaining any lot with width or area less than the requirements of this chapter.

**§702. Nonconforming Uses of Lands and Structures**

- A. Where a structure and/or its premises existed lawfully prior to adoption or amendment of this chapter and becomes nonconforming a result of passage of this chapter or amendment, it may remain in the same use, provided that the following conditions are applied.
  - B. A nonconforming use may not be expanded more than 25% beyond the area on the ground it occupied when this chapter was adopted or amended to create the nonconformity, nor may a nonconforming use be increased in volume within a building if such expansion will displace a conforming use in the building or will require structural changes to the building.
  - C. If a nonconforming use is discontinued for a period of at least one year for any reason, any use of the property thereafter shall be in conformance with the development regulations for the zone district containing the property. Discontinuance of a nonconforming use shall be indicated by the removal of stock-in-trade and/or permanent equipment or furniture needed to operate the use. If the use is reopened within the one-year period, an occupancy permit (see §903) will be required.
  - D. A nonconforming use may be changed to a second nonconforming use, provided that an application for the second use is filed with the Zoning Hearing Board and the Board finds that the proposed use is equally compatible or more compatible with the uses permitted in the zone district than the preceding nonconforming use.
  - E. A nonconforming use may be sold, leased or bequeathed by one owner to a member of his family or to a partner or associate. Each succeeding owner of a nonconforming commercial or industrial use shall receive approval of the Zoning Officer before commencing operation to assure that the use will be operated in the same manner as formerly.
- A. Once a nonconforming use is changed to a conforming use, it may not thereafter revert to nonconforming status. If a nonconforming use occupies a building and area of the lot outside the building and the use is discontinued, the nonconforming use of the lot shall also cease.
  - B. The maintaining or strengthening to a safe condition of any nonconforming structures shall not be interpreted as being denied by any portion of this chapter.

**§703. Nonconforming Structures**

- A. Where a structure existed on a property at the effective date of this chapter or any amendment to it affecting the property and does not conform to the requirements of this chapter or amendment regarding height, setbacks from street or lot lines, lot coverage, etc., such structure may remain, subject to the following provisions.
- B. No structure shall be enlarged or altered to create a nonconformity or increase an existing nonconformity.
- C. Replacement of a nonconforming structure shall be done with respect to the setback and height requirements for the zone district containing the property, except that if the owner alleges a hardship, he may petition the Zoning Hearing Board to grant approval of replacement on the foundation of the building to be replaced but in no case in a location more nonconforming than the original location.
- D. If a zoning permit has been issued under §902 and the property to which the permit applies is later rezoned before the construction is completed, making the use or structure nonconforming, such nonconformity shall be subject to the requirements of this chapter.

**§704. Record of Nonconforming Uses**

- A. The Zoning Officer may, at the discretion of the Board of Supervisors, identify and record all lots and uses of land and buildings in the Township made nonconforming by adoption of this chapter. All uses that are not permitted by right or are not special exception or conditional uses in a particular zone district shall be considered as nonconforming.
- B. The Zoning Officer shall keep the record current as amendments to this chapter create new nonconforming uses and as removal of buildings and uses eliminates nonconforming uses. The record may be kept by map or written documentation.
- C. The owner of a property containing a nonconforming use may request the Zoning Officer to issue a certificate of nonconformity for the use, thereby establishing the use as nonconforming and subject to the rights accorded nonconforming uses by this chapter.

**PART 8**  
**ZONING HEARING BOARD AND CONDITIONAL USES**

**§801. Membership**

There is hereby created a Zoning Hearing Board, herein referred to as the Board and consisting of three residents\* of the Township appointed by the Board of Supervisors pursuant to the Pennsylvania Municipalities Planning Code, as amended. Said Board shall perform all the duties, and exercise all powers prescribed by said Code and as herein further provided.

\*Can also be five.

**§802. Appointment**

The terms of office of the Board shall be three years\* and shall be so fixed that the term of office of one (1) member shall expire each year. The Board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other elected or appointed office in the Township, nor be a member of the Planning Commission. The Board of Supervisors shall also appoint up to three alternate member(s) of the Board. The alternate member(s) shall serve upon the absence or disqualification of a regular Board member in accordance with Sections 903 and 906 of the Pennsylvania Municipalities Planning Code. The terms of alternate members shall be for three years.

\*Five years with five-year board.

**§803. Removal of Members**

Any Board member may be removed for malfeasance, misfeasance or nonfeasance in office, or for other just cause, by a majority vote of the Board of Supervisors, taken after the member has received 15 days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

**§804. Organization of Board**

The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing or the taking of any action, a quorum shall be not less than the majority of all the members of the Board, but when any member is disqualified to act in a particular matter, the alternate member shall be seated. The Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Board as provided in Section 908 of the Planning Code. The Board may make, alter and rescind rules and forms for its procedure, consistent with Township ordinances and laws of the Commonwealth. The Board shall keep full public records of its business and shall submit a report of its activities to the Board of Supervisors annually.

**§805 Expenditures for Services**

Within the limits of funds appropriated by the Board of Supervisors, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services.

## **§806 Legal Counsel**

Where legal counsel is desired, an attorney, other than the Township Solicitor, shall be used.

## **§807 Hearings**

The Board shall conduct hearings and make decisions in accordance with Article IX of the Planning Code and the following requirements.

- A. Notice of hearings shall be given to the public-by-public notice as set forth in the Planning Code in a newspaper of general circulation in the County. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. Written notice shall be given to the applicant, the Zoning Officer, and to any person who has made timely request for the same. Written notices shall be prescribed by rules of the Board. In addition to the notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.
- B. The Board of Supervisors may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation for the Secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.
- C. The first hearing shall be held within 60 days from the date of receipt of the applicant=s application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing shall be held within 45 days of the prior hearing unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his case-in-chief within 100 days of the first hearing. Upon the request of the applicant, the Board or Hearing Officer shall assure that the applicant receives at least seven hours of hearings within the 100 days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within 100 days of the first hearing held after the completion of the applicant=s case-in-chief. An applicant may, upon request, be granted additional hearings to complete his case-in-chief provided the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the application may, upon the written consent or consent of the record by the applicant and Township, be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings for rebuttal.
- D. The hearings shall be conducted by the Board or the Board may appoint any member or an independent attorney as a Hearing Officer. The decision, or, where no decision is called for, the findings shall be made by the Board, but the parties may waive decision or findings by the Board and accept the decision or findings of the Hearing Officer as final.
- E. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.

- F. The Chairman or Acting Chairman of the Board or the Hearing Officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- G. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- H. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
- I. The Board or the Hearing Officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or Hearing Officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.
- J. The Board or the Hearing Officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, except that advice from the Board's Solicitor is exempt from this restriction; shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.
- K. The Board or the Hearing Officer, as the case may be, shall render a written decision or, when no decision is called for, makes written findings on the application within 45 days after the last hearing before the Board or Hearing Officer. Where application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of this Ordinance or the Planning Code, or any rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a Hearing Officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within 45 days, and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than 30 days after the report of the Hearing Officer. Except for challenges filed under 916.1 of the Planning Code, where the Board fails to render the decision within the period required by this Ordinance or the Planning Code, or fails to commence, conduct or complete the required hearing as required by Article IX of the Planning Code, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein above provided, the Board shall give public notice of said decision within 10 days in the same manner as provided in Subsection 607(1) of the Pennsylvania Municipalities Planning Code. Nothing in this subsection shall prejudice the right of any party to appeal the decision to a court of competent jurisdiction.

- L. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board no later than the last day of the hearing, the Board shall provide by mail or otherwise, a brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

**§808. Board's Functions**

- A. Substantive challenges to the validity of any land use ordinance, except those brought before the Board of Township Supervisors pursuant to Sections 609.1 and 916.1(a) (2) of the Planning Code.
- B. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance. Where the ordinance appealed from is the initial zoning ordinance of the Township and a zoning hearing board has not been previously established, the appeal raising procedural questions shall be taken directly to court.
- C. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
- D. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
- E. Applications for variances from the terms of the Zoning Ordinance and flood hazard ordinance or such provisions within a land use ordinance, pursuant to Section 910.2 of the Planning Code and Section 517.H of this Ordinance.
- F. Applications for Special Exceptions under this Ordinance or the Floodplain Ordinance.
- G. Appeals from the Zoning Officer's determination under Section 916.2 of the Planning Code.
- H. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving Article V or VII applications of the Planning Code.
- I. Variances: 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 may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance provided that all of the following findings are made where relevant in a given case:
  - 1. 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;

2. 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 that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
3. That such unnecessary hardship has not been created by the applicant;
4. 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
5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

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

- J. Special Exceptions: The Board shall hear and decide requests for such special exceptions in accordance with the standards and criteria of this Ordinance. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of the Planning Code and the Zoning Ordinance.

When this Ordinance requires certificates, licenses, permits or similar documents, and when, in the Board's opinion, such documents will be issued in a matter of time, the Board may issue a conditional approval based upon the final issuance of such documents.

#### **§809. Parties Appellant Before Board**

Appeals under Section 909.1 of the Planning Code and proceedings to challenge the Ordinance under Section 608 may be filed with the Board, in writing, by the landowner affected, any officer or agency of the Township, or any person aggrieved. Requests for a variance under Section 910.2 of the Planning Code may be filed with the Board by any landowner or any tenant with the permission of such landowner.

#### **§810. Time Limitations; Persons Aggrieved**

No person shall be allowed to file any proceeding with the Board later than 30 days after an application for development, preliminary or final, has been approved by an appropriate Township officer, agency or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. See also Section 914.1 of the Planning Code.

#### **§811. Stay of Proceedings**

Upon filing of any proceeding referred to in Section 913.3 of the Pennsylvania Municipalities Planning Code and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action there under shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the

development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. See also Section 915.1 of the Planning Code.

## **§812. Conditional Uses**

Certain uses, as specified by this Ordinance, are conditional uses to be granted or denied by the Board of Township Supervisors. The Planning Commission is to advise the Board of Township Supervisors relative to conditional uses. In general, the Board of Township Supervisors is to be governed by the specific criteria set forth by this Ordinance, the general intent of the Ordinance, the welfare of the community and the recommendations of the Planning Commission in rendering its decision. The Board of Township Supervisors may attach reasonable conditions to its decision. Specific procedures for action follow:

- A. Where the Board of Township Supervisors, in the zoning ordinances, has stated conditional uses to be granted or denied by the Board of Township Supervisors pursuant to express standards and criteria, the Board of Township Supervisors shall hold hearings on and decide requests for such conditional uses in accordance with such standards and criteria. The hearing shall be conducted by the Board of Township Supervisors, or the Board of Township Supervisors may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board of Township Supervisors. However, the appellant or the applicant, as the case may be, in addition to the Township, may, prior to the decision of the hearing, waive decision or findings by the Board of Township Supervisors and accept the decision or findings of the Hearing Officer as final. In granting a conditional use, the Board of Township Supervisors 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 the Zoning Ordinance.
- B.
  1. The Board of Township Supervisors shall render a written decision or, when no decision is called for, makes written findings on the conditional use application within 45 days after the last hearing before the Board of Township Supervisors. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons thereof. Conclusions based on any provisions of the Planning Code or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.
  2. Where the Board of Township Supervisors fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing, as provided in Section 908 (1.2) of the Pennsylvania Municipalities Planning Code, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board of Township Supervisors to meet or render a decision as herein above provided, the Board of Township Supervisors shall give public notice of the decision within 10 days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this act. If the Board of Township Supervisors shall fail to provide such notice, the applicant may do so.

3. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him no later than the day following its date.

**PART 9  
ADMINISTRATION**

**§901. Duties of the Zoning Officer**

- A. A Zoning Officer shall administer and enforce this chapter in accordance with its literal terms. He shall be appointed by and be responsible to the Board of Supervisors, shall demonstrate to the Board of Supervisors a working knowledge of municipal zoning and shall hold no elective office in the Township.
- B. The Zoning Officer shall receive and process applications for zoning permits and permission to occupy in accordance with this chapter and shall not permit any construction or any use or change of use which does not conform to this chapter.
- C. The Zoning Officer shall investigate alleged violations and take action in accordance with §904 of this chapter. He shall also testify before the Zoning Hearing Board on contested decisions he has made or when otherwise called to testify.
- D. All questions of interpretation of this chapter shall be first presented to the Zoning Officer, who shall make a decision thereon. Such questions shall be considered by the Zoning Hearing Board only on appeal from the Zoning Officer's decision.
- E. In addition, the Zoning Officer shall represent the Township at hearings before the District Magistrate (see §904), shall maintain public files of all permits issued and applications processed, shall attend meetings of the Supervisors to provide a monthly report of his activities (see §902, Subsection I), shall examine permitted work in progress (see §902, Subsection E) and may, at the discretion of the Board of Supervisors, prepare and maintain a record of nonconforming uses (see §704).

**§902. Zoning Permits**

- A. No buildings or structures including a manufactured home or a sign shall be erected, moved or enlarged unless a zoning permit for such action has been issued by the Zoning Officer.
  - 1. Permits shall be required only for the following:
    - a. Any new building or structure except for the erection of a farm building with an area on the ground of less than 600 square feet if not in a flood hazard area.
    - b. Any structural alteration to an existing building or structure that increases the volume.
    - c. Any swimming pool as defined in §508, Subsection E.
    - d. Any sign requiring a permit as indicated in §512.
    - e. Any paved surface whose area exceeds 600 square feet.
    - f. The removal of a building.
    - g. Development, as defined in Part 2, within a flood hazard area.

2. Once a permit has been issued by the Zoning Officer, anyone aggrieved by that action may, within 30 days thereafter, appeal the action to the Zoning Hearing Board.
- B. An application for a zoning permit shall include the following in duplicate on forms provided by the Zoning Officer. A site plan may be waived by the Zoning Officer if the application includes no construction outside the existing buildings on the lot.
1. A site plan drawn to scale showing the location of the proposed new construction on the property relative to property boundaries and abutting streets with distances indicated; the location of driveway entrances, signs and off-street parking areas noting the arrangement and number of spaces; method of collecting and draining stormwater runoff and any grading contemplated.
  2. A statement describing the proposed use of the new construction and the length, width and height of its components as well as the number of dwellings and/or commercial units to be included, if applicable.
  3. Affidavit of the applicant that all information provided is true and correct to the best of his knowledge.
  4. Highway occupancy permit if access to property is from a State highway. Access from a Township road may also require a permit. Contact the Road Master.
  5. Such additional information as the Zoning Officer may require securing conformance with other Township ordinances.
  6. Letters from the Township's water and sewer authorities noting that all plans have been approved and fees paid.
- C. If the application is not satisfactory, the Zoning Officer shall return one copy of the application together with a letter indicating the specific reasons why the application cannot be approved.
- D. The Zoning Officer may from time to time visit the property whereon the approved construction is taking place in order to assure himself that the work is proceeding in accordance with the zoning permit. The Zoning Officer shall not be denied access to the property during working hours in order to inspect the construction in progress and may order the work corrected to conform to the permit or halted pending appeal to the Zoning Hearing Board.
- E. If an applicant wishes to amend the use, arrangement or construction of his building from that shown on the permit after the permit is approved; he shall file with the Zoning officer an application for an amended zoning permit.
- F. A zoning permit shall become void if after six months from the date of issue construction has not commenced and been vigorously pursued. The life of a zoning permit shall be one year from the date of issue. Permits may be extended for not more than one additional year on large projects or where the applicant can prove to the Zoning Officer a hardship exists making it impossible to complete the project in one year. Once a permit has become void a replacement permit may be obtained in the same manner as for the original permit. The replacement permit shall be for the uncompleted part of the project. No work shall be done after a permit has become void and before a replacement permit has been issued.

- H. A permit shall be required for the removal of any building or part of any building on a permanent foundation. The applicant shall be responsible for backfilling any excavation created by the razing and for the removal of all debris on the lot within 60 days after the issuance of the permit.
- I. The Zoning Officer shall keep records of all applications either approved or disapproved; including one copy of each permit issued, shall maintain a journal of his activities and shall submit a monthly report and an annual summation report to the Board of Supervisors detailing building activity in the Township during the preceding year.
- J. Failure of a developer to secure a zoning permit prior to commencing construction shall result in a fee for the permit being double the amount indicated in the schedule of fees listed in §906.

**§903. Permission to Occupy**

- A. Before a building may be occupied or before the use of a property or structure can be changed or a property occupied without the need of a zoning permit, the owner shall secure the approval of the Zoning Officer in writing. Such approval shall be required also whenever additional dwelling units are being installed in a structure, a home occupation is introduced or changed or commercial or industrial premises are converted to a second commercial or industrial use. It shall be the responsibility of the building owner to request the occupancy certificate from the Zoning Officer.
- B. If the Zoning Officer, upon inspection, finds the premises to have been developed in violation of any of the conditions of the zoning permit or occupied in violation of any of the terms of this chapter, he shall order the violations corrected to conform to the zoning permit and or to the conditions of this chapter and shall not issue an occupancy permit until satisfied these corrections have been made.
- C. The owner shall be responsible for the use of his property even though he leases it to others and for securing the necessary occupancy permission if needed.

**§904. Enforcement and Penalties**

- A. If the Zoning Officer finds any provisions of this chapter are being violated, such as the operation of an illegal use or the locating of a structure illegally on a lot, he shall notify the owner of the property upon which the alleged violation is occurring by mail with a copy to the Township Secretary.
- B. The notice shall indicate the suspected violation, citing specific sections of this chapter, the action necessary to correct the violation within 30 days or less and the owner's appeal procedure.
- C. At the end of the period within which the violation is to be corrected, the Zoning Officer shall inspect the property to determine if the violation has been removed. Unless the owner has appealed to the Zoning Hearing Board to reverse the Zoning Officer's decision, modify it or grant a time extension, the Zoning Officer shall take the owner before the District Magistrate, who, if he finds the owner guilty, shall assess penalties and/or order appropriate action in accord with Subsection D, below.
- D. Continuation of a violation beyond the period within which it is to be corrected without an appeal having been filed shall constitute a civil offense. While an appeal is in process, development shall not continue on the contested portion of the project. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter shall, upon being

found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$500 plus all court costs, including reasonable attorneys' fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good-faith basis for the person, partnership or corporation violating this chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation.

- E. The owner or tenant of any structure, premises or part thereof and any architect, engineer, builder, contractor, agent or other person who commits, participates in, assists in or maintains a violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- F. Nothing herein contained shall prevent the Township from taking such other lawful action as is necessary to prevent or remedy any violation or to bring action to enjoin any violation of this chapter.

**§905. Amendment of this Chapter**

- A. An amendment of this chapter may be initiated by the Planning Commission, by the Board of Supervisors or by petition presented to the Planning Commission by a property owner or owners or by a person or corporation who or which has an option to purchase a property in the Township. The proposed amendment or petition shall be written as proposed to be adopted. Revisions to the zoning map shall be specified in writing citing particular boundaries including bearings and distances.
- B. The Planning Commission shall review an amendment petition or a proposal by the Board of Supervisors and prepare recommendations to the Board not later than the Commission's second regular meeting after receiving the proposal. The Commission may recommend approval of the proposal as presented, approval with specific changes or rejection. If the proposal is made by the Board of Supervisors, the Board shall allow the Commission at least 30 days to review and comment on the proposal before taking action. The Planning Commission may call and hold a public hearing if it determines that the amendment proposal requires additional testimony.
- C. The Board of Supervisors shall call and hold a public hearing after reviewing the Commission's recommendations. In addition, the Board shall send the proposal to the Crawford County Planning Commission for review and comment at least 30 days before the hearing.
- D. The Board of Supervisors shall advertise for its hearing twice in a newspaper of general local circulation once in each of two consecutive weeks, the first notice not more than 30 days and the second notice not less than seven day before the hearing. The notice shall contain the full text of the amendment or a summary reference to a place and times where and when the amendment may be examined free of charge before the hearing and the date, time, place and purpose of the hearing.
- E. In addition, where a change of zoning district boundary is sought, the property or group of properties affected shall be posted in at least one conspicuous location not less than seven days

before the hearing with the same information as in the hearing advertisement. Owners of real property within the boundaries of an area proposed for a change of zoning classification (per tax records) shall be informed by mail at least 30 days before the hearing with the same information.

- F. The Board of Supervisors shall hold the hearing, keeping a written or sound record of the testimony and shall make a decision by majority vote to adopt or reject the amendment within 90 days after the hearing. Within 30 days thereafter the Board shall submit a copy of the adopted ordinance to the County Planning Commission.
- G. If an amendment is substantially revised after the hearing, or zoning district boundaries are further altered, the Board shall hold another hearing on the revisions before taking action.
- H. If a landowner submits a curative amendment under the provisions of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended, the Board of Supervisors shall call and hold a public hearing within 60 days of receiving the petition and shall proceed as for any other amendment petition. If the Board declares all or part of this chapter invalid, it shall not be required to receive a curative amendment during the period of the ordinance review but shall, within 30 days of its declaration, make a statement of the specific deficiencies it proposes to correct and shall, within 180 days thereafter, either adopt its curative amendment after public hearing or reaffirm the validity of the ordinance as it was prior to the declaration. Such action by the Board may not again be taken for at least three years after deciding on a previous municipal curative amendment.
- I. Appeal from a decision of the Board of Supervisors on an amendment proposal shall be to the Zoning Hearing Board.
- J. If a petition for amendment of this chapter is denied by the Board of Supervisors, another petition for a similar change shall not be filed within a period of one year from the date of denial except upon the initiation of the Board of Supervisors based upon a change in circumstances which would warrant a rehearing.

**§906. Schedule of Fees**

- A. The Board of Supervisors shall establish by resolution a schedule of fees to cover the costs of permits, conditional use approvals, petitions to amend the ordinance, or any action brought before the Zoning Hearing Board.
- B. The current fee schedule shall be available at the office of the Township Secretary and may be amended only by official resolution of the Board.
- C. No permit shall be issued nor any action taken on proceedings before the Board of Supervisors or the Zoning Hearing Board until the appropriate fees has been paid in full.