



1985

**WEST
MEAD**

Township

**ZONING
ORDINANCE**

Crawford County, Pennsylvania

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ARTICLE 1.

GENERAL PROVISIONS

Section 100 **Title**

This ordinance shall be known and shall be cited and referred to as the "Zoning Ordinance of West Mead Township".

Section 102 **Provisions Of Ordinance Declared To Be Minimum Requirements**

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements. Whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted regulations or ordinances, the most restrictive or those imposing the higher standards shall govern.

Section 103 **Separability**

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the validity of this ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 104 **Repeal Of Conflicting Ordinances; Effective Date**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall take effect five days after its enactment. Building construction begun prior to the effective date of this ordinance may continue unaffected by the provisions of this ordinance as established in Section 801.

Section 105 **Status Of Applications Submitted Prior To Effective Date**

All applications for zoning permits submitted prior to the effective date of this ordinance shall be processed and approved subject to the provisions of West Mead Township's Zoning Ordinance of 1972 and the amendments thereto; providing, however, zoning permits issued under the provisions of the 1972 Zoning Ordinance shall be voided one year after the effective date of this ordinance if the occupancy permit can not be issued for the activity covered under the permit and there has not been continuous and/or substantial progress made towards accomplishing said activity. Where a permit is threatened to be voided under this section, the applicant may request the Board of Township Supervisors to extend the one year period to allow for completion of the

activity covered under the zoning permit issued based on the 1972 Zoning Ordinance and the Board of Township Supervisors may grant such extension of time that it decides is reasonable.

ARTICLE 2.

OBJECTIVES

Section 200

Community Development Objectives

The following objectives establish the general ends, which the Township seeks to achieve through the administration of the provisions of this ordinance. These objectives are set forth explicitly and implicitly in the Comprehensive Plan of West Mead Township adopted by the West Mead Township Supervisors, August 2, 1983.

- 200.1 To promote the health, safety and general welfare of the residents; to lessen congestion in the streets, provide adequate light and air and avoid undue concentrations of population on the land.
- 200.2 To recognize that the Township is part of the Meadville Area economy and that major concentrations of retail commercial activities are more appropriately located in the City of Meadville, on the other hand recognizing that new large sites for 'industrial activities can be appropriately located in the Township.
- 200.3 To promote a limited amount of commercial use in the Township which would serve a local market but to discourage the location of a shopping center development which would serve an area-wide or regional market.
- 200.4 To reserve land for industrial uses in areas where it is feasible and convenient to public sewer and water service and where industrial sites are available on land of reasonably level gradient served by major paved highways.
- 200.5 To encourage existing agricultural activities or prime agricultural soils to remain functioning, discouraging uses harmful to their continuation.
- 200.6 To encourage growth and development in the Township, to manage this growth through the guidance established in this ordinance and to encourage future development in the Township to in-fill areas, which are tributary to the existing sewer system.
- 200.7 To discourage extensive, indiscriminate growth in areas of the Township where public facilities are not able to sustain great measures of commercial, industrial and residential activities.
- 200.8 To guide development into locations and patterns, which will serve to protect property values and preserve residential neighborhood character where such character has been established, preventing incompatible uses

of buildings and sites, which would have the effect of undermining such values and neighborhood character.

- 200.9 To recognize that the Township has only a limited amount of non-farm open land which is relatively isolated from developed areas and therefore to discourage uses from being established on the open land which by reason of odor, gas, dust, noise, etc. would be a hazard to public health and inappropriate in the Township.
- 200.10 To allow citizens maximum opportunities to develop their property consistent with the other objectives of this ordinance.
- 200.11 To promote the use of adequate buffering techniques where neighboring land uses are not of a similar character.
- 200.12 To regulate building development in areas designated as subject to the hazards of flooding.
- 200.13 To help provide residents of the municipality the opportunity to benefit from direct access to sunlight for the use of solar energy by encouraging development sensitive to such concerns.

ARTICLE 3.

DEFINITIONS

Section 300

Meaning Of Words

It is not intended that this article include all words that may be subject to varying interpretations, which are used in this ordinance. The words and phrases used in this ordinance shall be interpreted as having the same meaning they have in normal, "everyday" usage, unless defined differently herein.

Accessory Use or Structure. A use or structure on the same lot with, and of a nature customarily incidental and subordinate to the principal use or structure and which contributes to the comfort, convenience and necessities of occupants of the principal use or structure which is located on the same lot with the principal use or structure. Devices and equipment part of a solar energy system shall be considered accessory structures. Off-street parking and loading serving the principal structure or use on a property would be termed an accessory use.

Adjacent. That which lies near or close to; in the neighborhood or vicinity of.

Adjoining. That which touches or is contiguous to, as distinguished from lying.

Alley. A public street, which affords only a secondary means of access to abutting property and is not intended for general traffic.

Alteration. As applied to a building or structure means a physical change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another. A zoning permit mayor may not be required.

Amendment. Any change in the language of this ordinance including a change in the permitted uses in any district; or any change involving an alteration in the use districts established in the official zoning map. The authority for an amendment lies solely with the municipal governing body.

Applicant. One who seeks permission or authorization under the provisions of this ordinance to engage in an activity governed in whole or in part by this ordinance. The applicant may be a person, partnership, business or corporation.

Basement. A portion of a building all or partly underground, having at least one-half of its height below the average level of the adjoining ground and wherein at no point is there an entrance at, or nearly at, outside grade level. A basement shall not be considered as a story for the purposes of this ordinance.

Board of Township Supervisors. The governing body of the Township also referred to as the Board, the Township Supervisors, the Supervisors, the Township and the West Mead Township Supervisors.

Boarding House or Rooming House. A building or part thereof, other than a hotel, motel or restaurant, where meals and/or lodging are provided for compensation for one or more unrelated persons who are not transient guests where no cooking or dining facilities are provided in individual rooms.

Buffer Areas. A portion of land, usually linear in shape, together with a specified type and amount of planting thereon and/or any structures such as fences or walls and/or land forms (a mounded area) which may be required between land uses to eliminate or minimize conflicts between said land uses.

Building. A combination of materials to form a permanent structure having walls and a roof for the support, enclosure, shelter, or protection of persons, animals, goods or property. Included shall be all mobile homes and trailers to be used for human habitation.

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

Building Line. An imaginary line located a fixed distance from a lot line and interpreted as being the nearest point that a building may be constructed to the lot line. It may also be referred to in some instances as a setback or yard line or a front yard line in the instances where the front yard (the yard adjoining the access road) is at issue.

Building, Principal. A building in which is conducted the main or principal use of the lot on which said building is situated.

Bulk Regulations. The combination of controls, which may establish the maximum size of a building and its location on the lot. Components of bulk regulations may include: height of building; location of exterior walls with respect to lot lines; building coverage; yard requirements; and the amount of lot area provided per dwelling unit. Their purpose is to assure sufficient light, air and open space, and to prevent an overcrowding of the land.

Clinic. A place used for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those in need of medical, dental or surgical attention but who are not provided with room or board or kept overnight on the premises.

Club. A building or portion thereof or premises owned or operated for a social, literary, political, educational, and/or recreational purpose primarily for the exclusive use of members and their guests.

Cluster Development. A building venture developed by a single owner or a group of owners acting jointly involving a number of dwelling units, often of various types, common areas, and in some instances commercial use ancillary thereto, and planned as an entity, therefore amenable to development and regulation as one complex land use unit rather than as an aggregation of individual buildings located on separate lots where height, lot size, yard and land use requirements normally govern development. The cluster development resembles the planned residential development.

Commission, Planning. The legally appointed Planning Commission of West Mead Township sometimes referred to as the Commission in this Ordinance.

Common Area. Any space designed for joint use of residents of a mobile home park, a travel trailer park, a campgrounds or other residential development. Such area is intended for recreation and open space use and shall not include areas devoted to vehicular circulation, etc.

Completely Dry Space. A space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

Comprehensive Plan. A plan or any portion thereof, adopted by a planning commission and/or the legislative authority of a municipality showing the general location and extent of present and proposed land uses and physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community buildings. The plan establishes the goals, objectives, and policies of a community.

Conditional Use. An activity or use not permitted outright in this ordinance but which may be permitted by the Board of Township Supervisors.

Construction. The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

Conversion Unit. The remodeling of a dwelling, or two family dwelling, to accommodate one additional dwelling unit.

Day Care Center. An agency offering group care to five or more children who have not the same parentage for a portion or all of a day and on a regular schedule more often than once a week.

Density. A unit of measure; the number of dwelling units per acre of land. Where a density figure is given the allowable number of dwelling units permitted based on this figure is determined by multiplying the density by the acreage under consideration (gross or net whichever is applicable).

- (a) Gross Density-the number of dwelling units per acre of the total land to be developed.

- (b) **Net Density**-the number of dwelling units per acre of land where the acreage involved includes only the land devoted to residential uses and common or publicly available park and recreation areas and does not include the area devoted to public or private streets.

Development. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations and the subdivision of land.

Dog Kennel. The keeping of four (4) or more dogs, owned or unowned, for any period of time that are more than six (6) months old.

Drive-In Establishments. A business that accommodates its patrons' automobiles and from which automobiles the occupants may make purchases, transact business, or view motion pictures or other entertainment. A restaurant or other business establishment selling prepared food for immediate consumption shall be deemed a drive-in establishment if: (a) table service is not provided or provided only incidentally at the primary service of selling food from a counter or window; or (b) tables for the consumption of food within the premises are not provided or provided only incidentally; or (c) any food is packaged to facilitate its consumption at places other than within the structure and parking or pickup drives are located on the premises.

Dwelling. A building, or portion thereof, used for residential occupancy, including single family, two family and multifamily dwellings, but not including hotels, apartment hotels, motels, rooming and boarding houses, mobile homes modular homes, or travel trailers.

Dwelling Units. One or more rooms in a dwelling which are used as living quarters for occupancy by one family, and which unit contains permanently installed bathroom and kitchen facilities reserved for the occupants of such rooms.

Dwelling, Single Family. A dwelling or building containing one dwelling unit, which is surrounded on all sides by yards on the same lot.

Dwelling, Two-Family. A dwelling consisting of two non-communicating dwelling units each for exclusive use by one family which may be either attached side by side or one above the other, or any combination of the above, and each with its own separate exterior entrance door.

Dwelling, Multi-Family. A building consisting of three or more dwelling units each for exclusive use by one family, which may include apartment houses, row houses, town houses or condominiums.

Dwelling, Seasonal. A dwelling intended for resort purposes and occupied on a seasonal or short-term basis.

Earthmoving Activity. Any construction or other activity which disturbs the surface of the land, including but not limited to excavation, embankments, land development, subdivision development, mineral extraction and the moving, depositing or storing of soil or rock.

Egress. The act of leaving a site or building.

Erosion. The natural process by which the surface of the land is worn away by the action of water, wind or chemical action.

Essentially Dry Space. A space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

Family. An individual; two or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit, mobile home or modular home; or a group of not more than 4 persons, who need not be related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit, mobile home or modular home; plus, in all cases where applicable, domestic servants.

Flood. A temporary inundation of normally dry land areas.

Floodplain Area. A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or water course; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

Flood proofing. Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floor Area Of A Residential Building. The sum of the gross horizontal area of the several floors of a residential building, excluding basement floor areas not devoted to residential use, but including the areas of roofed porches, and roof terraces. All dimensions shall be measured between exterior faces of walls.

Floor Area Of A Non-Residential Building. The sum of the gross horizontal area of the several floors of a non-residential building excluding, where applicable, stair, elevator and maintenance shafts, and display windows. All dimensions shall be measured between exterior faces of walls.

Garage, Private. A detached accessory building or portion of a principal building used for the parking or storage of automobiles, travel trailers, boats, other vehicles and/or other miscellaneous material belonging to the occupants of the premises, and for not more than one additional vehicle owned and used by others.

Garbage. Solid waste resulting from animal, grain, fruit or vegetable matter used or intended for use as food.

Group Home. The coming together of more than 4 persons not related by blood, marriage or adoption in a single housekeeping unit which provides the physical and social needs normal to a residence and whose management is under the direction of a public or semi-public institution operating in pursuit of its objectives.

Health Care Facilities. Buildings or portions thereof from which health care is dispensed including but not limited to medical and dental offices and clinics, hospitals and nursing and convalescent homes.

Home Lot Occupations. The primary use of a building on a property (where there is also located a principal building used as a dwelling, mobile home or modular home) for gainful employment involving the manufacture, provision or sale of goods and/or services.

Home Occupation. A secondary use of a dwelling unit and/or building accessory thereto for gainful employment, involving the manufacture, provision, or sale of goods and/or services.

Identified Floodplain Area. The floodplain area specifically identified in this ordinance as being inundated by the one-hundred (100) year flood. Included would be areas identified as Floodway (FW), Flood-Fringe (FF) and General Flood Plain (FA).

Ingress. The act of entering a site or building.

Junk. Any discarded material or articles including but not limited to scrap metal, abandoned vehicles and machinery, paper or glass. Junk material shall not include garbage kept in containers for periodic disposal, which is regulated by the Pennsylvania Department of Environmental Resources.

Junk Buildings, Junk Yards, Junk Shops. Any land, property, structure, building, or combination of the same, on or in which junk is stored, or processed, or sold.

Land Development. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving (a) a group of two or more buildings, or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features; also a subdivision of land.

Loading Space, Off-Street. Space logically and conveniently located for bulk pickups and deliveries from vehicles and accessible to such vehicles when existing and/or required off-street parking spaces are filled. All off-street loading spaces shall be located totally outside of any street, or alley right- of-way.

Lot. Land occupied or to be occupied by a building and its accessory buildings if any, together with yard spaces as are required under the provisions of this ordinance, having not less than the minimum area and width required by this ordinance and having its principal frontage on a public road or street or on such means of access as may be determined adequate in accordance with the provisions of this ordinance.

Lot, Corner. A lot located in the intersection of two or more streets.

Lot, Frontage. The front of a lot is the portion of the lot nearest the major abutting street. For the purpose of determining yard requirements on corner lots and through lots, all sides adjacent to streets may be considered frontage, but once the front yard is designated (See Yard, Front) the remaining yards are established by definition.

Lot Interior. A lot other than a corner lot.

Lot, Through. A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

Lot, Reverse Frontage. A lot on which frontage is at right angles to the general pattern in the area. A reverse frontage lot may also be a corner lot.

Minor Repair. The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit way requirements nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

Mobile Home. A transportable, single-family dwelling which exceeds either 8 feet in width and/or 32 feet in length, built on a metal chassis, used with or without a permanent foundation, intended for permanent occupancy, office or place of assembly which normally arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations. The term mobile home in this ordinance shall be construed to include the double wide, the triple wide and the expandable mobile home. The term does not include recreational vehicles or travel trailers.

Mobile Home, Double or Triple Wide. A mobile home consisting respectively of two or three sections combined horizontally at the site to form a single building while retaining its individual metal chassis for possible future transport.

Mobile Home, Expandable. A mobile home with one or more room sections that fold, collapse, or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.

Mobile Home Lot. A designated portion of a mobile home development designed for the accommodation of one mobile home and its accessory structures.

Mobile Home Park. A site or tract of land or contiguous tracts of land under single ownership or controlled by a group of owners acting jointly upon which two or more mobile homes, used for living, eating or sleeping quarters by persons not related to the proprietor or his agent, are (or are intended to be) located, whether operated for or without compensation; the land shall be under ownership aforementioned at the time the initial and basic park improvements are made after which time ownership may be extended to the users of the park under some legally accepted form.

Mobile Home Stand. That area of a mobile home lot, which has been reserved for the placement of a mobile home.

Mobile Home (Wheelless Modular). A factory fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into one structure, normally requiring prefabricated panels, trusses, plumbing truss, and other prefabricated sub elements to be incorporated into the structure at the site.

Nonconforming Structure. A structure or part of a structure not complying with the applicable provisions in this zoning ordinance, which structure lawfully existed prior to the enactment of this ordinance.

Nonconforming Use. A use, whether of land or of structure, which does not comply with the applicable, use provisions in this zoning ordinance which use was lawfully in existence prior to the enactment of this ordinance.

Nuisance. Anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

Nursing Or Convalescent Home. Any building containing sleeping rooms where persons are housed and furnished with meals and nursing care for hire.

Obstruction. Any wall, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or flood-prone area, (a) which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water, or (b) which is placed where the flow of the water might carry the same downstream to the damage of life and property.

One Hundred Year Flood. A flood that, on the average, is likely to occur once every 100 years, i.e., that has one percent chance of occurring each year, although the flood may occur in any year.

Open Air Entertainment Activity. A for-profit activity involving a public gathering where a large number of persons (150 or more) not related by blood or marriage having a common purpose of entertainment or recreation assemble in the open air, i.e. the viewing of automobile or motorcycle racing, viewing and listening to musical entertainment, etc. This term shall not include an assembly of people for the purpose of the County Fair, listening to lectures on political, cultural or religious subjects or for viewing cultural exhibitions or for participating in church or school affairs.

Permitted Use. An activity or use permitted outright or as a matter of right in this ordinance.

Person. An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever which is recognized by law as the subject of rights and duties.

Pet. A domesticated animal that is normally and customarily kept in or about a household. Pets shall not include horses, cows, pigs, chickens, ducks, geese, goats, sheep or any other animals domesticated or non-domesticated, which are normally or customarily not kept in or about a household.

Planned Residential Development. An area of land controlled in the initial planning phase by one landowner or development group and which is to be developed as a single entity for a number of dwelling units, the development plan for which does not correspond in terms of bulk regulations, type of dwelling, density, and required open space to the regulations established in anyone residential district created, from time to time, under the provisions of a zoning ordinance. The planned residential development resembles the cluster development.

Principal Use And/Or Structure. The main dominant use and/or structure occurring on an individual lot.

Public Notice. A 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 or less than 14 days from the date of the hearing.

Refuse. All materials, which are discarded as useless.

Regulatory Flood Elevation. The 100-year flood elevation plus a freeboard safety factor of 1 ½ feet.

Right-Of-Way. A strip of land taken or dedicated for use as a public way. In addition to the roadway it normally incorporates curbs, lawn strips, sidewalks, lighting and drainage facilities.

Satellite Dishes, Ground Mounted Dishes. A satellite dish, which is supported by structures or supports in or upon the ground and independent of support from any building.

Satellite Dishes, Portable Satellite Dishes. A satellite dish which is mobile or portable or where the dish is not securely attached to the ground or any other structure.

Satellite Dishes, Roof Mounted. A satellite dish which is attached to the roof of any building and which is supported by such roof.

Service Station. A site including the structures thereon that is used or designed to be used for the supply of gasoline or oil or other fuel for the propulsion of motor vehicles and which may include indoor facilities used or designated to be used for the repair, polishing, greasing, washing, spraying, cleaning or general servicing of such motor vehicles.

Setback Line. A line established by this ordinance generally parallel with and measured from the lot line coterminous with the street right-of-way; no structure may be located above ground between the street right-of-way and this line except as may be provided under the provisions of this ordinance. This line is also referred to as a building line.

Sign. Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any government or government agency or of any civic, charitable, religious, patriotic, fraternal or similar organization.

Sign, Billboard. A ground or pole sign advertising the name of a firm, goods, and/or services provided on the premises and which for the purposes of this ordinance is 150 square feet or greater in area.

Sign, Freestanding. A sign, which is mobile or portable or where the sign is not securely attached to the ground or to any other structure.

Sign, Ground Or Pole. A sign, which is supported by structures or supports in or upon the ground and independent of support from any building.

Sign, Non Point-Of-Sale. A sign advertising the name of a firm, goods and/or services not provided on the same premises; sometimes referred to as a directional sign, or an off-premises advertising sign.

Sign, Point-Of Sale. A sign, which advertises the name of a firm, major enterprise, goods and/or services, offered for sale on the same premises.

Sign, Wall. A sign painted or attached to the face of the outside wall of any building and supported by such wall; the overhanging sign, at or nearly at a right angle to a building facade and having one or two advertising surfaces, is included in this definition.

Solar Collector. A freestanding or fixed device, or combination of devices, structures, or part of a device or structure that transforms direct solar energy into thermal, chemical or electrical energy that contributes significantly to a structure's energy supply.

Solar Energy System. A complete design or assembly consisting of a solar energy collector, an energy storage facility (where used), and components for the distribution of transformed energy.

Solid Waste. Garbage, refuse or other discarded material including but not limited to solid and liquid waste materials resulting from individual, commercial, agricultural and residential activities.

Special Exception. An activity or use not permitted outright in this ordinance but which may be permitted by the zoning Hearing Board through procedures established in this ordinance.

Special Permit. A special approval, which is required for hospitals, nursing homes, jails, and new. Mobile home parks and subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.

Story. That part of a building between the surface of a floor and the ceiling immediately above. A habitable attic shall be counted as a story.

Structure. Anything constructed or erected, which requires a fixed location on the ground or an attachment to something having a fixed location on the ground including, but not limited to, buildings, sheds, billboards, signs, mobile homes, carports, porches, swimming pools, fences, walls, wellhead casings, and other building features but not including sidewalks, drives and patios.

Subdivision. The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development; provided, however, that

- (a) The subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new road or easement of access, or residential dwellings shall be exempted, and

- (b) Conveyances executed for the sole purpose of settling bona fide property line disputes between adjoining owners shall not be considered subdivisions as defined herein.

Thoroughfare Or Street. The full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows:

Arterial Street. A general term denoting a highway primarily for through traffic. Arterial streets are always continuous and are of inter-municipal importance.

Collector Street. Streets that are continuous and that serve primarily as connections between the arterial streets and local streets, which terminate on either end at arterial or other collector streets.

Cul-De-Sac. A local street usually of short length with one end connecting to another street and the other end terminating in a vehicular turnaround.

Dead End Street. A street not having significant continuity and used primarily for providing access to abutting property.

Marginal Access Street. A local or collector street parallel and adjacent to an arterial or collector street, providing access to abutting properties, providing periodic access to the adjacent arterial or collector street.

Time Share Development. Any real property that is subject to an arrangement for time-share interval ownership whereby the use, occupancy and/or possession of real property in the development circulates among purchasers of time-share intervals. Such an ownership arrangement may be for a fixed or floating time period.

Tourist Home. A building other than a hotel, motel, rooming house or conversion dwelling unit where lodging accommodations are offered to transient guests. Periods of stay would normally range from one night to several weeks.

Travel Trailer. A vehicular portable structure, mounted on a chassis, and designed as a temporary dwelling for travel, recreation and vacation uses and which is: (1) identified by the manufacturer as a travel trailer, (2) no more than 8 feet in width, and (3) is of any weight and normally having a body length not exceeding 32 feet.

Travel Trailer Park. A parcel of land under single ownership, which has been, planned and improved for the placement of travel trailers for transient use consisting of two or more travel trailer stands or lots.

Variance. Legal permission by the Zoning Hearing Board to use a property for a permitted use in a particular zoning district, but to do so with some modification in the regulations applicable to that district. A variance applies only to that particular piece of

property for which it is granted. A variance action does not, in most circumstances, involve modifications of the permitted uses within the zoning district.

Vehicle Repair And Welding Shop. A site including the structures thereon that is used for basic repair of vehicles including welding. Activities customary for service station uses are considered accessory to this use. It is expected that more extensive use of the entire site will be characteristic of this facility.

Yard. The open space on a lot which is unoccupied and unobstructed from the lowest level to the sky except for the permitted obstructions listed in this ordinance. Yard requirements unless otherwise stated are measured from the property lines.

Yard, Front. A yard extending along the full length of a front lot line and back to a line drawn parallel with such front lot line at a distance there from equal to the required front yard depth. For corner lots, one of the abutting streets, for the purpose of this ordinance, shall be designated as the front- age street in order to establish the front lot line and, accordingly, the front yard. All other yards are established by definition once the front yard is fixed. Note, the front or main door of a building need not be located on the facade facing the designated front yard.

Yard, Interior Side. A side yard, which adjoins another lot or an alley separating such yard from another lot.

Yard, Rear. A yard extending along the full length of a rear lot line and back to a line drawn parallel with such rear lot line at a distance there from equal to the required rear yard. The rear yard and side yards overlap.

Yard, Side. A yard extending along the side lot line drawn parallel with such side lot line at a distance there from equal to the required side yard width. The side yard shall begin where the front yard ends and shall extend to the rear lot line; the side yards and rear yard overlap.

Yard, Street Corner Side. A side yard, which adjoins a street.

Zoning Hearing Board. A board appointed by the Board of Township Supervisors in order to provide for the administrative requirements set forth in this ordinance; also referred to as the Board.

Section 301 Interpretation Of Words

For the purpose of this ordinance certain terms or words used herein shall be interpreted as follows:

1. The word "shall" is always mandatory;

2. The word "may" is permissive;
3. The word "should" is a preferred requirement;
4. Words used in the present tense shall include the future;
5. Words used in the singular shall include the plural;
6. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

ARTICLE 4.

THE OFFICIAL ZONING MAP

Section 400

The Official Zoning Map

The districts established in Article 5. of this ordinance are shown on the official Zoning Map, which together with all explanatory matter thereon, is hereby adopted as part of this ordinance. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Township Supervisors, and be attested by the Township secretary.

Section 401

Interpretation Of District Boundaries

Where uncertainty exists with respect to the boundaries of the zoning districts as shown on the Official Zoning Map, the following rules apply:

1. District boundaries indicated as approximately following the centerlines of streets, highways, alleys, or streams shall be construed to follow such centerlines.
2. District boundaries indicated as approximately following platted lot or property parcel lines shall be construed as following such lot and parcel lines.
3. District boundaries indicated, as approximately following municipal limits shall be construed as following such municipal limits.
4. District boundaries indicated graphically as parallel to the center lines of streets, highways, alleys or streams shall be construed as being parallel thereto and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such distances shall be determined by the use of the map scale as shown on the Official Zoning Map.
5. Where the Zoning Officer cannot definitely determine the location of a district boundary by the rules 1 to 4 as listed above, he shall refer the matter to the Zoning Hearing Board which shall be responsible for interpreting the district boundary.

ARTICLE 5.

ESTABLISHMENT, PURPOSE AND REGULATIONS OF ZONING DISTRICTS

Section 500 Establishment Of Zoning Districts

In order to carry out the purposes of this ordinance the Township is hereby divided into the following districts:

A	Agricultural
RR	Rural Residential District
LDR	Low Density Residential District
MDR	Medium Density Residential District
MDRS	Medium Density Residential Special District
CN	Commercial-Neighborhood District
LI	Light Industrial
GI	General Industrial
FO	Floodplain Overlay District

Section 501 Compliance With District Regulations

The regulations for each district set forth in this ordinance shall be minimum regulations and shall apply as hereinafter provided. No land shall be used or occupied and no structure or part thereof shall be constructed, reconstructed, moved, structurally altered or occupied except in conformity with the regulations specified for the district in which it is located, and except as regulated in applicable sections of this ordinance.

Section 502 General Regulations

The regulations set forth in this Section 502 shall be applicable in all zoning districts, or, where so stated, to a specific group of zoning districts.

- 502.1 Prevention Of Accelerated Erosion And Resulting Sedimentation. All earth moving activities shall be conducted in such a way as to prevent

accelerated erosion and the resulting sedimentation. To accomplish this any person or applicant engaged in earth moving activities shall develop, implement and maintain erosion and sedimentation control measures which effectively minimize accelerated erosion and sedimentation; this shall be done in accordance with the Pennsylvania Department of Environmental Resources (PennDER) requirements as established in Title 25, Part I. Subpart C. Article II, Chapter 102 Erosion and Sediment Control. The Township, depending on the scope of earthmoving activities, may require the applicant to possess an erosion and sediment control plan, which has been recommended for approval by the Crawford Conservation District; said plans shall be designed based on the guidelines established in the Crawford County Erosion and Sediment Control Handbook dated June 1972 and as amended. This requirement is not applicable to practices normal to carrying on agricultural activities.

- 502.2 Essential Services. The erection, construction, alteration or maintenance and operation by public utilities, municipal governments or authorities of underground, surface, or overhead gas, electrical, storm sewer and water transmission or distribution systems, collection, communication, supply or disposal systems, including mains, drains, sewers, pipes, conduits, wires, cables, fire alarm boxes, traffic signals, hydrants, towers, poles and other similar equipment and accessories in connection therewith as shall be reasonably necessary for the furnishing of adequate service by such public utilities, municipal governments or authorities for the public health or general welfare, - all shall be permitted as a matter of right, subject of course, to other pertinent regulations in this ordinance, i.e. yard requirements; providing, however, major public utility structures and buildings, other than such buildings as are primarily enclosures of the above essential service equipment, shall be regulated as in Section 502.3 following.
- 502.3 Major Public Utility Structures. Public utility structures including but not limited to storage tank farms, electric substations and power generation plants, sewage treatment plants and major cross country transmission lines shall be permitted as conditional uses. In the Floodplain Overlay District these uses shall be in compliance with the regulations of that district.
- 502.4 Property Owned, Leased Or Operated By Public Agencies. Property owned, leased or operated by the Commonwealth of Pennsylvania, the United States or the Township or any other public or governmental body created by the Township shall be subject to the requirements of this ordinance as follows:
- a. Where such public or governmental uses are not specifically listed in the zoning districts, they shall be regulated as indicated.

- b. Where such public or governmental uses are not specifically listed, they shall be permitted only in districts permitting private uses of a similar or substantially similar nature; - otherwise they shall not be permitted.
- c. Property owned or leased by the Commonwealth of Pennsylvania or the United States shall be exempt from the provisions of this ordinance only to the extent that said property may not be constitutionally regulated by the Township.

502.5 On-Lot Sewage Treatment Requirement. Where on-lot sewage treatment is utilized the minimum lot size shall not be less than required by the regulations promulgated and enforced by the Pennsylvania Department of Environmental Resources (PennDER) or its agent. In no case shall the minimum lot sizes or the density provisions of this ordinance take precedence over the regulations promulgated by PennDER where PennDER regulations are stricter.

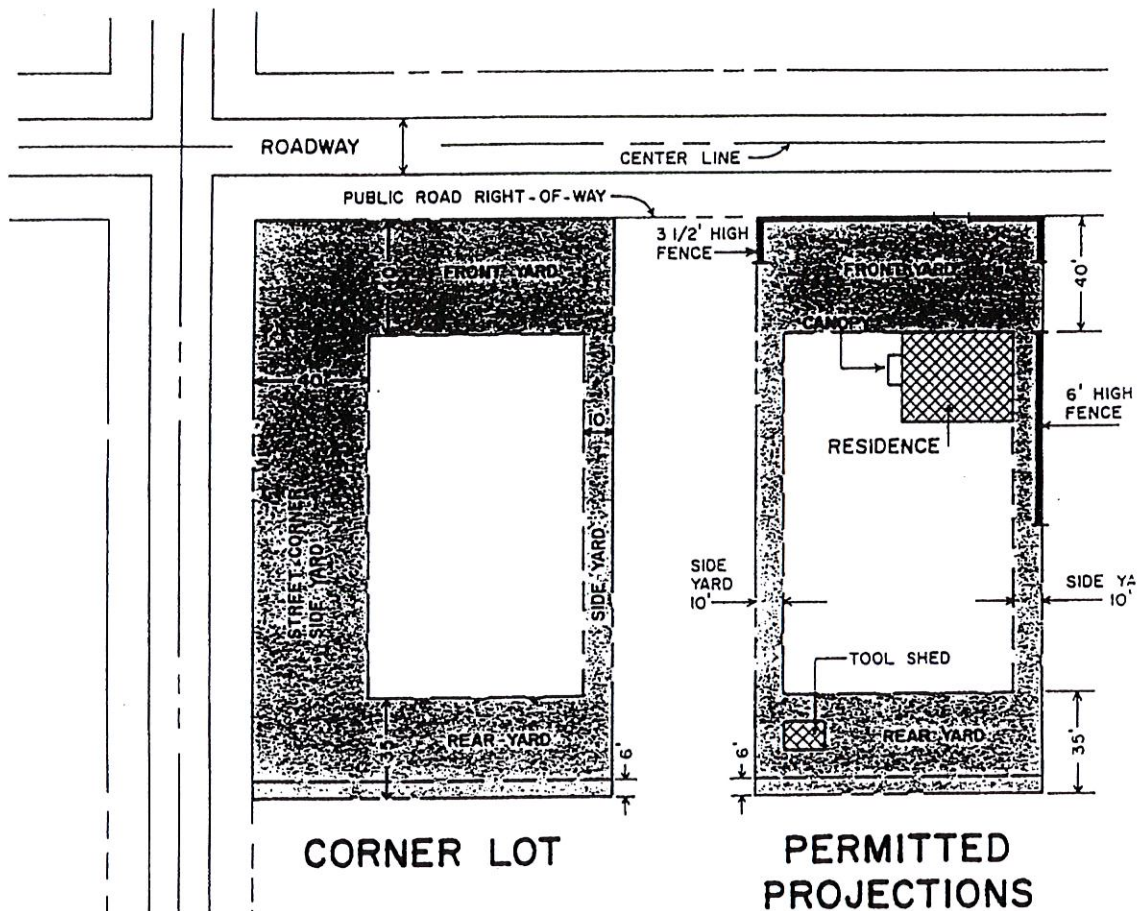
502.6 Permitted Projections And Obstructions Into Required Yards. In the following listing, projections into yards are permitted, and the yards into which projections are permitted as indicated by "F", for the front yard, normally the yard adjacent to the main abutting street including street corner side yards; "S", for the side yard; "R", for the rear yard. The distance from the property line to which the permitted projection may extend is indicated by a number, or where no number is given the projection is unlimited. "Drawing 1" illustrates the meaning of this section. This section is intended to introduce flexibility into the ordinance.

- a. Apparatus or architectural structures needed for the efficient operation of solar energy systems, including but not limited, to overhangs, insulating walls and roofs, solar collectors, or reflectors, - not less than 6 feet from the property line S,R
- b. Air conditioning units, - not less than 10 feet from the property line R
- c. Awnings or canopies for a window, porch or door – not less than 10 feet from the property line R
- d. Fences and walls - not more than 3 ½ feet in height, subject to site distance requirements at street corner lots (Section 611); providing, however, there are no height restrictions in the A District, but Section 611 shall be complied with in the A District F

- e. Fences and walls - not more than 6 feet in height providing, however, that there are no height restrictions in the A District **S,R**
- f. Open off-street loading spaces **F,S,R**
- g. Tennis courts and swimming pools, - not less than 10 feet from the property line in the Agricultural District **S**
- h. Tool sheds and storage buildings for keeping materials accessory to the principal activity on the property in all districts except the LI (Light Industrial) and CN (Commercial Neighborhood). Only one such structure may extend into the required yards and this structure shall be limited to 150 square feet of ground area and 10 feet in height. The structure may extend to within 6 feet of the property line. **S,R**
- i. Satellite Dish - not less than 10 feet from the property line **R**

DRAWING 1

CORNER LOT YARDS & PERMITTED PROJECTIONS INTO REQUIRED YARDS



DISTRICT YARD REQUIREMENTS

FRONT YARD.....	MINIMUM OF 40'
SIDE YARD.....	MINIMUM OF 10'
STREET CORNER SIDE YARD.....	MINIMUM OF 40'
REAR YARD	
PRINCIPAL STRUCTURE.....	35'
ACCESSORY STRUCTURE.....	6'

SCALE 1" = 50' - 0"

502.7 Height Regulations. No structure shall exceed 3 stories or 35 feet (whichever is greater) in height providing, however, that this requirement shall be waived for the following: chimneys, flagpoles, flues and cooling towers. The height requirement may be waived at the discretion of the Township Supervisors after review by the Township Planning Commission for belfries, cupolas, domes, stacks, monuments, spires, steeples, water towers and tanks, elevator enclosures, skylights, windmills, solar equipment and similar devices, stage towers, air conditioning units, all buildings accessory to agricultural operations, grain elevators, utility poles, parapet walls provided such walls shall not exceed such height as necessary to screen mechanical equipment, television and radio towers. Where a building floor level is so constructed as to permit a direct entrance to the building at, or nearly at, outside grade level either into the front or rear yard such building level shall be considered a story for the purpose of interpreting this ordinance, and any measurement of height shall be taken from the outside grade level at said entrance area.

502.8 Prohibited Uses. As provided in the provisions of this ordinance any building may be erected, altered or used for any residence, trade, industry, business or institutional purpose that is in compliance with the applicable district regulations. It is the intention of this ordinance that no uses are established which are obnoxious or offensive by reason of odor, dust, smoke, gas, noise, vibrations, glare or illumination or otherwise create a nuisance or hazard to public health, safety and welfare. In addition to uses, which may be prohibited by reason of the above, the following uses are specifically prohibited:

- a. The incineration of animal wastes; open dumps;
- b. Paper or paper pulp manufacture;
- c. Fertilizer manufacture;
- d. Nuclear reactor facilities and nuclear waste disposal sites;
- e. Hazardous waste disposal sites to include solid, liquid, semisolid or contained gaseous materials.

Nothing in these requirements shall be interpreted to prohibit practices normal to carrying on agricultural activities.

502.9 Uses Not Listed. Where an applicant proposes to develop a use which is not designated in this ordinance or which cannot reasonably be interpreted as being implied or included under a type or category of use listed in this ordinance then such use shall not be permitted. The applicant, however, may request, through the Zoning Officer, a hearing before the Zoning

Hearing Board wherein a full explanation of the applicant's development proposal shall be heard by the Board and an accurate record made thereof. As required in this ordinance, the Board shall render a written decision and/or findings on the matter of the applicant's request, which shall be transmitted, to the Zoning Officer, the Planning Commission, and the Township Supervisors. Depending on this written decision the applicant's proposed use may or may not be permitted. Amendments to this ordinance may be initiated as set forth in Section 907.

- 502.10 Minimum Floor Area Requirements. No single-family dwelling shall have a floor area of less than 720 square feet. Basements shall not be included in accounting for this requirement.
- 502.11 Keeping Of Pets. The keeping of pets shall be permitted in all districts as an accessory use.

Section 503

Agricultural District, A

Purpose: The Agricultural District is intended to protect and encourage the continuing use of lands for agriculture. Generally, properties in this district are comprised of land used for agricultural production and land that is located in areas, which are subject to periodic flooding. The delineation of this District is based on the principle that in order for land to be maintained in agricultural use it must have reasonable size and continuity. Commercial and industrial uses not associated with agriculture and not associated with a residential use should not locate in this district.

503.01 Restriction On New Roads. All lots or parcels which stand alone in one separate, unconnected ownership and which are intended to be used by the applicant for any of the uses permitted in this District if they are subdivided after the effective date of this ordinance, shall have the lot or parcel width as required in this ordinance abutting or fronting on an existing public road from which access is obtainable. No new public roads other than roads to be constructed by the State, County or Township governments shall be located in this District.

503.02 Permitted Uses.

- a. Agricultural and related activities including but not limited to general farming, dairying, pasturage, gardening, animal and poultry husbandry, butchery, forestry, horticulture, floriculture, nursery operations and the pressing of fruits to make juices;
- b. Single-family and two family dwellings, mobile homes, modular homes, seasonal dwellings, boarding and rooming houses, and conversion units;
- c. Keeping of kennels, horse stables and riding academies;
- d. The selling at either retail or wholesale of agricultural produce, the bulk of which was produced on the premises, providing a minimum of 3 off-street parking spaces are provided off the road pavement and shoulder;
- e. Home occupation;
- f. Sawmill operations including but not limited to mill working, barking, edging, chipping, washing and shredding processes;
- g. Accessory uses.

503.3 Conditional Uses. The following uses may be permitted subject to the provisions of Article 9., and subject to any applicable supplementary

regulations established in Article 6. and any other applicable provisions of this ordinance.

- a. Home lot occupation;
- b. Open pit mining including soil borrow pits and sand and gravel quarrying.

503.4 Special Exception Uses. The following uses may be permitted subject to the applicable provisions of Article 10. and other applicable provisions of this ordinance.

- a. Group homes.

503.5 Bulk Regulations.

- a. Lot Area ...A minimum of 1.5 acres shall be required.
- b. Width Of Lot ...A minimum of 250 feet measured at the setback line.
- c. Front Yard ...A minimum of 40 feet measured from the road right-of-way.
- d. Street Corner Side Yard ...A minimum of 40 feet measured from the road right-of-way.
- e. Side Yards...A minimum of 15 feet on each side.
- f. Rear Yard...Principal Structure. A minimum of 35 feet.
Accessory Structure. A minimum of 6 feet.

Section 504

Rural Residential District, RR

Purpose: The Rural Residential District is characterized by rural, low-density residential development including agricultural activity carried out on a full-time, part-time or hobby basis and for a variety of other activities, which require the utilization of relatively large tracts of land. This district is not expected to be served by public sewer and water systems except in areas where service is requested and paid for by the property owners. Commercial and industrial uses normally located on relatively small parcels of land (from ½ acre to 1 ½ acre in size) not associated with a residential use should not locate in this district.

504.1 Permitted Uses.

- a. Agricultural and related activities including but not limited to general farming, dairying, pasturage, gardening, animal and poultry husbandry, butchery, forestry, horticulture and floriculture, nursery operations and the pressing of fruits to make juices; providing, however, that: (1) buildings and pens for livestock and poultry exclusive of grazing areas shall be a minimum of 150 feet from the property line, (2) pig pens and sheds shall be a minimum of 300 feet from the property line;
- b. Single-family and two family dwellings, mobile homes, modular homes, seasonal dwellings, boarding and rooming houses, and conversion units;
- c. Horse stables, riding academies and horse hobbyist's activities; providing, however, that stables, paddocks and exercise pens shall be a minimum of 150 feet from the property line. Grazing areas shall be a minimum of 25 feet from the property line;
- d. The selling at either retail or wholesale of agricultural produce, the bulk of which was produced on the premises, providing a minimum of 3 off-street parking spaces are provided off the road pavement and shoulder;
- e. Private recreation establishments, including but not limited to, archery and skeet ranges, gun clubs and golf courses and country clubs;
- f. Private clubs and lodges;
- g. Philanthropic and charitable institutional buildings and grounds;
- h. Cemetery;
- i. Accessory uses.

504.2 Conditional Use. The following uses may be permitted subject to the provisions of Article 9. and subject to any applicable supplementary regulations established in Article 6. and any other applicable provisions of this ordinance.

- a. Home lot occupation;
- b. Open pit mining including soil borrow pits and sand and gravel quarrying;
- c. Sawmill operations, including but not limited to, mill working, barking, edging, chipping, washing and shredding processes;
- d. Campgrounds;
- e. Processing and disposal of solid waste;
- f. Open air entertainment establishment.

504.3 Special Exception Uses. The following uses may be permitted subject to applicable provisions of Article 10. and other applicable provisions of this ordinance.

- a. Home occupation;
- b. Keeping of kennels providing that the building and fenced area in which the animals are kept shall be a minimum of 150 feet from the property line;
- c. Group homes;
- d. Travel trailers used for occasional living quarters where not part of a travel trailer park; see Section 607.4.

504.4 Bulk Regulations.

- a. Lot Area...A minimum of 1.5 acres shall be required.
- b. Width Of Lot...A minimum of 200 feet measured at the setback line.
- c. Front Yard...A minimum of 40 feet measured from the road right-of-way.
- d. Street Corner Side Yard...A minimum of 40 feet measured from

the road right-of-way.

- e. Side Yards...A minimum of 15 feet on each side.
- f. Rear Yard...Principal structure. A minimum of 35 feet.
Accessory structure. A minimum of 6 feet.

Section 505

Low Density Residential District, LDR

Purpose: The Low Density Residential District is intended to provide a stable environment for conventional single-family housing. Housing sited in this district should be compatible with single-family detached dwellings. The density and pattern of development should be such that, where sewer and water facilities do not currently exist, they can some day be extended, economically, into this area.

505.1 Permitted Uses.

- a. Single family and two family dwellings, modular homes, conversion units; but, not including mobile homes;
- b. Public and semipublic buildings and grounds including activities such as police and fire protection, ambulance service public school, parks and playgrounds and general government;
- c. Churches and building facilities normally incidental thereto;
- d. Cemetery; golf course;
- e. Accessory uses.

505.2 Conditional Uses. The following uses may be permitted subject to the provisions of Article 9., any applicable supplementary regulations as established in Article 6. and other provisions of this ordinance.

- a. Cluster development;
- b. Multi-family dwellings.

505.3 Special Exception Uses. The following uses may be permitted subject to the applicable provisions of Article 10. and other applicable provisions of this ordinance.

- a. Home occupation.

505.4 Bulk Regulations (Low Density Residential District, LDR)

- a. Minimum Lot Area and Width (All lot widths shall be measured at the setback line. In order to accommodate on-lot sewage needs the lot area may have to be greater than the minimum allowed in this table.)

Type of Use	No Public Water Or Sewer	Public Sewer Only	Public Sewer And Water
Single family and modular dwelling	40,000 square feet 125 feet width	20,000 square feet 100 feet width	15,000 square feet 80 feet width
Two family dwelling	45,000 square feet 125 feet width	30,000 square feet 100 feet width	20,000 square feet 80 feet width
Multi-family dwellings	45,000 square feet plus 2,000 square feet for each unit more than two; 150 feet width for all lots	30,000 square feet plus 1,500 square feet for each unit more than two; 150 feet width for all lots	20,000 square feet plus 1,000 square feet for each unit more than two; 150 feet width for all lots
All other permitted uses except park and recreation areas which have no minimum area or width requirements	40,000 square feet 125 feet width	20,000 square feet 100 feet width	15,000 square feet 80 feet width

- b. Front Yard...A minimum of 40 feet measured from the road right-of-way.
- c. Side Yards...A minimum of 10 feet on each side.
- d. Street Corner Side Yard...A minimum of 40 feet measured from the road right-of-way.
- e. Rear Yard...Principal structure. A minimum of 35 feet.
Accessory structure. A minimum of 6 feet.

Section 506**Medium Density Residential District, MDR**

Purpose: The Medium Density Residential District is intended to provide an environment for higher-density residential uses in areas where public sewer and water service is available or could easily be extended.

- 506.1 Permitted Uses.
- a. Single-family and two-family dwellings; but not including mobile homes;
 - b. Conversion dwelling units;
 - c. Boarding houses;
 - d. Modular homes;
 - e. Multi-family dwellings;
 - f. Public and semi-public buildings and grounds including activities such as police and fire protection, ambulance service, public schools, parks and playgrounds and general government;
 - g. Accessory uses.
- 506.2 Conditional Uses. The following uses may be permitted subject to the provisions of Article 9., any applicable supplementary regulations as established in Article 6. and other provisions of this ordinance.
- a. Cluster development;
 - b. Home lot occupation.
- 506.3 Special Exception Uses. The following uses may be permitted subject to the applicable provisions of Article 10. and other applicable provisions of this ordinance.
- a. Home occupation;
 - b. Group home.
- 506.4 Bulk Regulations (Medium Density Residential District, MDR).
- a. Minimum Lot Area and Width (All lot widths shall be measured at the setback line. In order to accommodate on-lot sewage needs the

lot area may have to be greater than the minimum allowed in this table.)

Type of Use	No Public Water Or Sewer	Public Sewer Only	Public Sewer And Water
Single family and modular dwelling	30,000 square feet 125 feet width	16,500 square feet 100 feet width	12,500 square feet 80 feet width
Two family dwelling	40,000 square feet 125 feet width	25,000 square feet 100 feet width	16,000 square feet 80 feet width
Multi-family dwellings	40,000 square feet plus 2,500 square feet for each unit more than two; 150 feet width for all lots	25,000 square feet plus 1,500 square feet for each unit more than two; 150 feet width for all lots	16,000 square feet plus 1,000 square feet for each unit more than two; 150 feet width for all lots
All other permitted uses except park and recreation areas which have no minimum area or width requirements	30,000 square feet 125 feet width	16,500 square feet 100 feet width	12,500 square feet 80 feet width

- b. Front Yard...A minimum of 40 feet measured from the road right-of-way.
- c. Street Corner Side Yard...A minimum of 40 feet measured from the road right-of-way.
- d. Side Yards...A minimum of 10 feet on each side.
- e. Rear Yard...Principal structure. A minimum of 30 feet.
Accessory structure. A minimum of 6 feet.

Section 507**Medium Density Residential Special District, MDRS**

Purpose: The Medium Density Residential Special District is intended to provide the same type of development as designated for the Medium Density Residential District, with one important exception: mobile homes are considered an appropriate land use in this district where the site planning for this type of housing is handled with care.

507.1 Permitted Uses.

- a. Single-family and two-family dwellings;
- b. Conversion dwelling units;
- c. Boarding houses;
- d. Mobile homes and modular homes;
- e. Multi-family dwellings;
- f. Public and semipublic buildings and grounds including activities such as police and fire protection, ambulance service, public school, parks and playgrounds and general government;
- g. Accessory uses.

507.2 Conditional Uses. The following uses may be permitted subject to the provisions of Article 9., any applicable supplementary regulations as established in Article 6. and other provisions of this ordinance.

- a. Cluster development;
- b. Mobile home parks;
- c. Home lot occupation.

507.3 Special Exception Uses. The following uses may be permitted subject to the applicable provisions of Article 10. and other applicable provisions of this ordinance.

- a. Home occupation;
- b. Group home

507.4 Bulk Regulations. All bulk regulations as established in the Medium Density Residential District, Section 506.4 shall be applicable in the

District. The bulk regulations as established in Section 506.4 for modular homes shall be applicable for mobile homes.

Section 508**Commercial-Neighborhood District, CN**

Purpose: The Commercial-Neighborhood District is to accommodate commercial activities, which are necessary to meet the neighboring needs for goods and services. The existing shopping center developments in the Greater Meadville Area are considered the primary shopping services for the residents of West Mead Township.

508.1 Permitted Uses.

- a. Retail and personal service establishments for the conducting of neighborhood retail business;
- b. Eating and drinking establishments;
- c. Automobile service station;
- d. Artisan and craftwork establishments;
- e. Private clubs and lodges;
- f. Philanthropic and charitable organizations;
- g. Public and semi-public buildings;
- h. Funeral home;
- i. Tourist homes;
- j. Professional offices;
- k. Veterinary clinic providing all facilities are situated within a building except for outdoor kennel runs that shall be a minimum of 200 feet from the nearest building off the property;
- l. Residential uses where they are physically integrated with commercial uses; for example the second and third floors of a building may be devoted to dwelling units;
- m. Home occupations, however, the regulations in Section 601 are not applicable;
- n. Accessory uses.

508.2 Prohibited Uses.

- a. Shopping center serving a wide area or regional market.

508.3 Conditional Uses. The following uses may be permitted subject to the provisions of Article 9. and subject to any applicable supplementary regulations established in Article 6. and any other applicable provisions of this ordinance.

- a. Vehicle repair and welding shop;
- b. Single-family and two-family dwellings, modular homes, conversion units, however, the application should demonstrate that the residential use will not unduly compromise use of the land for commercial use.

508.4 Special Exception Uses. The following uses may be permitted subject to applicable provisions of Article 10. and other applicable provisions of this ordinance.

- a. There are no special exception uses in this district.

508.5 Bulk Regulations.

- a. Minimum Lot Area and Width (All lot widths shall be measured at the setback line.)

Type of Use	No Public Water Or Sewer	Public Sewer Only	Public Sewer And Water
All Uses	20,000 square feet 125 feet width	15,000 square feet 100 feet width	10,000 square feet 80 feet width

- b. Front Yard...A minimum of 40 feet measured from the road right-of-way.
- c. Street Corner Side Yard...A minimum of 40 feet measured from the road right-of-way.
- d. Side Yards...A minimum of 10 feet on each side.
- e. Rear Yard...Principal structure. A minimum of 20 feet.
Accessory structure. A minimum of 10 feet.
- f. Additional Sitting Requirements...Where a site is adjoining a residential district buffer areas in accordance with Section 620

shall be established; and there shall be a minimum of 25 feet between the edge of any off-street parking and/or loading area and/or vehicular access drive and an adjoining residential district property.

Section 509

Light Industrial District, LI

Purpose: The Light Industrial District is intended to provide land area for industrial uses which are not normally considered objectionable in terms of noise, fumes or odors and which can be accommodated on lot sizes which are compatible with surrounding residential uses. Lands designated for this use have reasonably good highway access and can, if not already, be served by sewer and water facilities. Land which has attributes acceptable for industrial location is never abundant. Where such land can be identified, it should be reserved for industrial uses if a community is to do all it can to insure its economic growth.

509.1 Permitted Uses.

- a. Artisan's and craftwork establishments;
- b. Computer center; data processing service;
- c. General government service center;
- d. Accessory Uses.

509.2 Conditional Uses. All conditional uses permitted in this district shall be allowed only after review and approval as conditional uses. Conditional uses shall be subject to the provisions of Article 9., any applicable supplementary regulations as established in Article 6., and other applicable provisions of this ordinance. The following uses may be considered and approved as conditional uses. However, this listing shall not be considered exhaustive; other uses may be permitted providing they meet the broad objectives as stated in the "purpose" section above and providing they meet the standards and comply with the review procedures established herein:

- a. Cameras and other photographic equipment manufacture;
- b. Electronic components and instruments manufacture;
- c. Professional, scientific and controlling instruments manufacture;
- d. Research and testing laboratory;
- e. Manufacture of laboratory apparatus;
- f. Manufacture of business and office machinery;
- g. Medical equipment manufacture;
- h. Novelty products manufacture;

- i. Optical equipment manufacture;
- j. Printing, publishing and bookbinding;
- k. Public utility service center;
- l. Tool, die and pattern making shops;
- m. Beverage manufacturing and bottling;
- n. Wholesale business and storage conducted within a building;
- o. Vehicle Sales.

509.3 Special Exception Uses. The following uses may be permitted subject to applicable provisions of Article 10. and other applicable provisions of this ordinance.

- a. There are no special exception uses in this district.

509.4 Landscape Plan. The application submitted for the conditional use review shall include a landscape plan which shows the proposed treatment for the portions of the site not covered by structures, loading and parking areas, sidewalks, etc. All such "noncovered" areas shall be graded in a careful manner and planted with an all season ground cover and shall be landscaped with trees and shrubs.

509.5 Bulk Regulations.

- a. Minimum Lot Area...
For lots with no public water or sewer – 20,000 square feet;
For lots with public sewer only – 15,000 square feet;
For lots with public water and sewer – 12,000 square feet.
- b. Land Coverage ...The maximum amount of the site which may be covered with buildings of all types is 50%.
- c. Lot width...There shall be a minimum lot width of 90 feet measured at the setback line.
- d. Front Yard ...A minimum of 40 feet measured from the road right-of-way.
- e. Street Corner Side Yard ...A minimum of 40 feet measured from the road right-of-way.

- f. Side Yards ...A minimum on one side of 10 feet and a total minimum width of 40 feet.
- g. Rear Yard ...Principal Structure. A minimum of 40 feet.
Accessory Structure. A minimum of 40 feet.
- h. Additional Site Requirements...Where a site is adjoining a residential property, buffer areas in accordance with Section 620 shall be established; and there shall be a minimum of 25 feet between the edge of any off-street parking and/or loading area and/or vehicular access drive and an adjoining residential property.

Section 510**General Industrial District, GI**

Purpose: The General Industrial District is intended to establish a reservation of land for a wide range of industrial uses in order that the Township, and the Meadville regional area of which the Township is a part, can accommodate a wide range of industrial activities that will provide employment. Lands designated for this use have reasonably good highway access and can, if not already, be served by sewer and water facilities. Land, which has attributes acceptable for industrial location, is never abundant. Where such land can be identified, it should be reserved for industrial uses if a community is to do all it can to insure its economic growth.

510.1**Permitted Uses.**

- a. Manufacturing including the production, processing, cleaning, testing and distribution of materials, goods and products, but excluding those uses which would emit excessive smoke, fumes, noise, vibration or obnoxious odors;
- b. Research, testing or engineering laboratories;
- c. Beverage manufacturing and bottling works;
- d. Wholesale business and storage conducted in a building;
- e. Tool, die and pattern making shops;
- f. Printing, publishing and bookbinding;
- g. Building materials supply establishments; including lumberyards;
- h. Contractor offices and shops such as building, cement electrical heating, masonry, painting and roofing;
- i. Truck terminal;
- j. Plumbing and/or heating shop, carpentry shop, electrical repair shop, cabinet making, furniture making, upholstery;
- k. Vehicle repair and welding shop;
- l. Fuel storage and distribution;
- m. Agriculture and related uses;
- n. Sawmill operations including but not limited to mill working, planing, barking, edging, chipping, washing and shredding processes;

- o. Manufacture of concrete and concrete products;
- p. Maintenance buildings and grounds used by government or by public utilities;
- q. Petroleum products storage and distribution;
- r. Accessory uses.

510.2 Conditional Uses. The following uses may be permitted subject to the provisions of Article 9., any applicable supplementary regulations as established in Article 6. and other provisions of this ordinance.

- a. Junk yard;
- b. Gravel and sand quarrying;
- c. Processing, packing and canning of food products;
- d. Commercial recreation establishments;
- e. Eating and drinking establishments;
- f. Residual waste disposal site.

510.3 Special Exception Uses. The following uses may be permitted subject to the applicable provisions of Article 10. and other applicable provisions in this ordinance.

- a. There are no special exception uses in this District.

510.4 Bulk Regulations.

- a. Minimum Lot Area...There shall be no minimum lot area; however, all requirements with respect to off-street parking and loading shall be met.
- b. Minimum Lot Width...There shall be no minimum lot width.
- c. Front Yard ...A minimum of 40 feet measured from the road right-of-way.
- d. Street Corner Side Yard ...A minimum of 40 feet measured from the road right-of-way.

- e. Side Yards...A minimum of 20 feet on each side.
- f. Rear Yard...Principal Structure. A minimum of 20 feet.
Accessory Structure. A minimum of 20 feet.
- g. Additional Site Requirements...Where a site is adjoining a residential district buffer areas in accordance with Section 620 shall be established; and there shall be a minimum of 25 feet between the edge of any off-street parking and/or loading area and/or vehicular access drive and an adjoining residential district property.

Section 511

Floodplain Overlay District, FO, With Subsections FW, FF And FA

Purpose: The purpose of this district is to prevent the loss of property and life, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditures of public funds for flood protection and relief, and the impairment of the tax base by:

- a. Regulating uses, activities and development which, acting alone or in combination with other existing or future uses, activities and development, will cause unacceptable increases in flood heights, velocities and frequencies;
- b. Restricting or prohibiting certain uses, activities and development from locating within areas subject to flooding;
- c. Requiring all those uses, activities and development that do occur in flood- prone areas to be protected and/or flood-proofed against flooding and flood damage;
- d. Protecting individuals from buying lands and structures, which are unsuited for intended purposes because of, flood hazards.

511.1 Warning And Disclaimer Of Liability. The degrees of flood protection sought by the provisions of this ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ordinance does not imply that areas outside the floodplain overlay district, or that land uses permitted within such districts, will be free from flooding or flood damage. This ordinance shall not create liability on the part of the Township or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made there under.

511.2 Identification Of Floodplain Areas. The identified floodplain shall be those areas of West Mead Township subject to a 100-year flood as determined in the Federal Insurance Study and shown on the Flood Boundary and Floodway Map prepared for West Mead Township by the Federal Insurance Administration on June 15, 1977.

- a. The FW (Floodway Area) is delineated for purposes of this ordinance using the criteria that a certain area within the floodplain must be capable of carrying the waters of a 100 year flood without increasing the water surface elevation of that flood more than 1 foot at any point. The areas included in this area are specifically defined in. the Floodway Data Table contained in the above-

referenced Flood Insurance Study and shown on the accompanying Zoning District Map and based on the Flood Boundary and Floodway Map, June 15, 1977.

- b. The FF (Flood-Fringe Area) shall be that area of the 100 year flood- plain not included in the FW (Floodway Area). The basis for the outermost boundary of this area shall be the 100 year flood elevations contained in the flood profiles of the above-referenced Flood Insurance Study and as shown on the accompanying Zoning District Map and based on the Flood Boundary and Floodway Map, June 15, 1977.
- c. The FA (General Floodplain Area) shall be that floodplain area for which no detailed flood profiles or elevations have been provided. They are shown on the maps accompanying the Flood Insurance Study prepared by the Federal Emergency Management Agency. Where the specific 100 year elevation cannot be determined for this area using other sources of data such as the U. S. Army Corps of Engineers, Floodplain Information Reports, U. S. Geological Survey - Flood prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques.

Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township.

- 511.3 Changes In Identification Of Area. The delineation of the identified floodplain area may be revised by the Township where natural or manmade changes have occurred and/or more detailed studies conducted by the U.S. Corps of Engineers or other qualified agencies or individuals document the need for such changes. Prior to any such change approval must be obtained from the Federal Insurance Administration.
- 511.4 Boundary Disputes. Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Zoning Officer and any party aggrieved by this decision may appeal to the Zoning Hearing Board. The burden of proof shall be on the applicant.
- 511.5 Overlay Concept. The identified floodplain areas in the Township are shown by the extent of the FO (Floodplain Overlay District) with subsections FW, FF and FA. This District is overlayed on the other zoning

districts of the Township and serves as a supplement to the provisions of the underlying districts. In the identified floodplain area as delineated by the Floodplain Overlay District and its subsections the development and/or use of any land shall be permitted only as it is in compliance with the requirements of this District as set forth herein and with any other applicable Township codes and ordinances. Where there is a conflict between the requirements of the Floodplain Overlay District and its subsections and those of an underlying district the more restrictive provisions shall apply. In the event any provision concerning the Floodplain District is declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the underlying district provisions remain applicable.

511.6 Building Permit Required. Building Permits shall be required before any construction or development is undertaken within any area of the Township.

511.7 Issuance Of Building Permit And Zoning Clearance.

- a. A building permit shall be issued only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes or ordinances.
- b. Prior to the issuance of any building permit the applicant shall submit evidence that all other necessary State and Federal permits such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam and Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); the U. S. Clean Water Act, Section 404, 33, U.S.C. 1334. No permit shall be issued until this evidence is submitted and reviewed by the Zoning Officer.
- c. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the Township, and until all required permits or approvals have been first obtained from the Department of Environmental Resources, Bureau of Dams and Waterway Management. In addition, the Federal Insurance Administrator and Pennsylvania Department of Community Affairs, Bureau of Community Affairs, Bureau of Community Planning, shall be notified by the Township prior to any alteration or relocation of any watercourse.

- d. A zoning clearance shall be issued, if determined by the Zoning Office as necessary, as provided for in Article II of this ordinance.

511.8 Application Procedures And Requirements.

- a. Application for a building permit shall be made, in writing to the Building Permit Officer. Such application shall contain the following:
 - 1. Name and address of applicant;
 - 2. Name and address of owner of land on which proposed construction is to occur;
 - 3. Name and address of contractor;
 - 4. Site location;
 - 5. Listing of other permits required;
 - 6. Brief description of proposed work and estimated cost;
 - 7. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- b. If any proposed construction or development is located entirely or partially within an identified floodplain area, applicant for Building Permits shall provide all the necessary information in sufficient detail and clarity to enable the Building Permit Officer to determine that:
 - 1. All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - 2. All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 - 3. Adequate drainage is provided so as to reduce exposure to flood hazards.
- c. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Building Permit Officer to make the above determination:

1. A plan of the entire site drawn at a scale of 1 inch equal to 100 feet or less showing:
 - (a) North arrow, scale and date;
 - (b) A location map showing the vicinity in which the proposed development is to be located;
 - (c) Topography showing existing and proposed contours at intervals of 2 feet with elevations tied into a U. S. Geological Survey or a U. S. Army Corps of Engineers benchmark;
 - (d) All property dimensions and the size of the site expressed in acres or square feet;
 - (e) The location of existing streets and other accessways affecting the proposed development with information concerning widths, pavement types and elevations;
 - (f) The location of existing bodies of water, watercourses buildings, structures and other public or private facilities and any other natural or man-made features affecting or affected by, the proposed development;
 - (g) The location of the identified floodplain area boundary line, information and spot elevations concerning the 100-year flood elevations, and information concerning the flow of water including direction and velocities;
 - (h) A general plan of the entire site accurately showing the location of all existing and proposed buildings, structures, and any other improvements including the location of any existing or proposed subdivision and land development in order to assure that:
 - (1) All proposals are consistent with the need to minimize flood damage;
 - (2) All utilities and facilities, such as sewer, gas, electrical and water systems are located and

constructed to minimize or eliminate flood damage; and

- (3) Adequate drainage is provided so as to reduce exposure to flood hazards.

2. Plans of all existing buildings, structures and other improvements proposed for use and all proposed buildings, structures and other improvements drawn at a suitable scale showing the following:

- (a) Detailed architectural or engineering drawings including building size, floor plans, sections and exterior building elevations as appropriate;
- (b) Proposed lowest floor elevations of any existing or proposed buildings with elevations tied into a U. S. Geological Surveyor or a U. S. Army Corps of Engineers benchmark;
- (c) Complete information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a 100 year flood;
- (d) Detailed information concerning any proposed flood-proofing measures;
- (e) Cross-section drawings for all proposed streets and other access-ways and parking areas showing all rights-of-way and pavement widths;
- (f) Profile drawings for all proposed streets and vehicular accessories including existing and proposed grades;
- (g) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and any other utilities and facilities;
- (h) Soil types.

3. The following data and documentation:

- (a) A document, certified by a registered professional engineer or architect, which states that the proposed construction has been adequately designed to

withstand 100-year flood elevations, pressures, velocities, impact, and uplift forces and other hydrostatic, hydrodynamic and buoyancy factors associated with the 100-year flood. Such statement shall include a description of the type and extent of flood-proofing measures, which have been incorporated into the design of the structure and/or the development.

(b) Detailed information needed to determine compliance with Section 511.18g., Storage, and Section 511.19, Development Which May Endanger Human Life, including:

(1) The amount, location and purpose of any material or substances referred to in Sections 511.18g. and 511.19, which are intended to be used, produced, stored or otherwise maintained on site;

(2) For any proposed structure regulated under Section 511.19 a description of the safeguards incorporated into the design of the structure to prevent leaks or spills of the above-mentioned materials or substances during a 100-year flood.

(c) The appropriate component of the Department of Environmental Resources "Planning Module for Land Development".

(d) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Resources to implement and maintain erosion and sedimentation control.

511.9 Review By The Crawford County Conservation District. Where requested by the Zoning Officer or Zoning Hearing Board, the applicant shall submit his proposed plan to the Crawford County Conservation District for review and comment. The review letter from the Conservation District shall accompany the permit application. The recommendations of the Conservation District shall be incorporated by the applicant into the plan.

511.10 Changes. After the issuance of a permit by the Zoning Officer, no changes of any kind shall be made to the application, permit, or any of the plans, specifications or other documents submitted with the application without

the written consent or approval of the Zoning Officer (or in Special Exception Cases, of the Zoning Hearing Board). Requests for any such change shall be in writing, and shall be submitted by the applicant to the Zoning Officer for consideration.

- 511.11 Permit Required From PennDER. Within this District, which delineates the extent of the identified floodplain area in the Township, no new construction or development shall be located within the area measured 50 feet landward I from the top-of-bank of any watercourse unless a permit is obtained from the Department of Environmental Resources (PennDER), Bureau of Dams and Waterway Management.
- 511.12 Elevation Requirement For Residential Structures. Within the identified floodplain area, the elevation of the lowest floor (including basement) of any new or improved residential structures shall be 1 ½ feet or more above the 100-year flood elevation.
- 511.13 Elevation Requirement For Nonresidential Structures. Within the identified floodplain area, the elevation of the lowest floor (including basement) of nonresidential structures shall be 1 ½ feet or more above the 100-year flood elevation or be flood-proofed so that the space enclosed by such structure shall remain either completely or essentially dry during any flood up to that height. Any structure or part thereof which will not be completely or adequately elevated shall be flood-proofed in conformance with the standards for W1 or W2 Space Classifications as established in the publication "Flood-Proofing Regulations" (U. S. Army Corps of Engineers, June 1972) or with some other equivalent watertight standard.
- 511.14 FW Floodway Development. In the FW (Floodway) any new construction and/or development that would cause any increase in flood heights shall be prohibited.

a. Permitted Uses.

In the FW (Floodway) the following uses and activities are permitted provided they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance and provided that they do not require structures, fill, or storage of materials and equipment.

1. Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.
2. Public and private recreational uses and activities such as parks, day camps, picnic grounds, golf courses, boat

launching and swimming areas, hiking, and horseback riding trails, wild- life and nature preserves, game farms, fish hatcheries, trap and skeet game ranges, and hunting and fishing areas.

3. Accessory residential uses such as yard areas, gardens, play areas, and pervious parking areas.
4. Accessory industrial and commercial uses such as yard areas, pervious parking and loading areas, airport landing strips, etc.

b. Uses Permitted by Special Exception.

The following uses and activities may be permitted by Special Exception provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other Ordinance;

1. Structures, except for mobile homes, accessory to the uses and activities in Section a. above.
2. Utilities and public facilities and improvements such as railroads, streets, bridges, transmission lines, pipe lines, water and sewage treatment plants, and other similar or related uses.
3. Water-related uses and activities such as marinas, docks, wharves, piers, etc.
4. Extraction of sand, gravel, and other materials.
5. Temporary uses such as circuses, carnivals, and similar activities.
6. Storage of materials and equipment provided that they are not buoyant, flammable or explosive, and are not subject to major damage by flooding, or provided that such material and equipment is firmly anchored to prevent flotation or movement, and/or can be readily removed from the area within the time available after flood warning.
7. Other similar uses and activities provided they cause no increase in flood heights and/or velocities. All uses, activities and structural development, shall be undertaken in strict:

compliance with the flood-proofing provisions contained in all other applicable codes and ordinances.

511.15 FF (Flood-Fringe) and FA (General Floodplain) Development.

Permitted Uses.

In the FF (Flood-Fringe) and FA (General Floodplain) the development and/or use of land shall be permitted in accordance with the regulations of the underlying district, provided that all such uses, activities, and/or development shall be undertaken in strict compliance with the flood-proofing and related provisions contained in all other applicable codes and ordinances.

511.16 Special Exceptions In Floodplain District - Additional Factors To Be Considered.

Review Factors.

In passing upon applications for Special Exceptions, the Zoning Hearing Board shall consider all relevant factors and procedures special in other sections of the Zoning Ordinance and:

- a. The danger of life and property due to increased flood heights or velocities caused by encroachments.
- b. The danger that materials may be swept on to other lands or downstream to the injury of others.
- c. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
- d. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
- e. The importance of the services provided by the proposed facility to the community.
- f. The requirements of the facility for the waterfront location.
- g. The availability of alternative locations not subject to flooding for the proposed use.
- h. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.

- i. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- j. The safety of access to the property in times of flood of ordinary and emergency vehicles.
- k. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.
- l. Such other factors which are relevant to the purposes of this Ordinance.

511.17 Technical Review.

Upon receipt of an application, the Zoning Officer shall refer the proposed plan to the Township Engineer for technical review.

The Zoning Hearing Board may refer any application and accompanying documentation pertaining to any request for a special exception to any engineering or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for protection and other related matters.

511.18 Design And Construction Standards. The following minimum standards shall apply for all construction and development proposed to be undertaken within any identified floodplain area:

- a. Fill. If fill is used, it shall:
 - (1) Extend laterally at least 15 feet beyond the building line from all points;
 - (2) Consist of soil and/or rock materials only; sanitary landfills shall not be permitted;
 - (3) Be compacted to provide the necessary permeability and resistance to erosion, scouring or settling;
 - (4) Be no steeper than one vertical to two horizontal, unless substantiated data, justifying steeper slopes, are submitted to, and approved by the Zoning Officer;
 - (5) Be protected from erosion and scouring by vegetation, rip-rap or other means; and

- (6) Be used to the extent to which it does not adversely affect adjacent properties.
- b. Drainage. Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets; and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
 - c. Sanitary Sewer Facilities. All new or replacement sanitary sewer facilities, and private package sewage treatment plants (including all pumping stations and collector systems) shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into the flood waters. In addition, they should be located and constructed to minimize or eliminate flood damage and impairment.
 - d. Water Facilities. All new or replacement facilities shall be designed to minimize or eliminate infiltration of floodwaters into the system, and be located and constructed to minimize or eliminate flood damages.
 - e. Streets. The finished elevation of proposed new streets shall be no more than one foot below the Regulatory Flood Elevation.
 - f. Utilities. All utilities such as gas lines, electrical and telephone systems being placed in an identified flood-prone area should be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
 - g. Storage. All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal or plant life, and not listed in Section 511.19 Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or flood-proofed to the maximum extent possible.
 - h. Placement Of Buildings And Structures. All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.
 - i. Anchoring.

- (1) All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
- (2) All air ducts, large pipes, storage tanks, and other similar objects or components located below the Regulatory Flood Elevation shall be securely anchored or affixed to prevent flotation.

j. Floors, Walls and Ceilings.

- (1) Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
- (2) Plywood used at or below the Regulatory Flood Elevation shall be of a "marine" or "water-resistant" variety.
- (3) Walls and ceilings at or below the Regulatory Flood Elevation shall be designed and constructed of materials that are water-resistant and will withstand inundation.
- (4) Windows, doors, and other components at or below the Regulatory Flood Elevation shall be made of metal or other water resistant material.

k. Paints and Adhesives.

- (1) Paints or other finishes used at or below the Regulatory Flood Elevation shall be of the "marine" or water-resistant quality.
- (2) Adhesives used at or below the Regulatory Flood Elevation shall be of a "marine" or water-resistant quality.
- (3) All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or water-resistant paint or other finishing material.

l. Electrical Systems And Components.

- (1) Electric water heaters, furnaces, air conditioning and ventilating systems, and other electrical equipment or apparatus shall not be located below the Regulatory Flood Elevation.

- (2) Electrical distribution panels shall be at least three feet above the 100-year flood elevation.
- (3) Separate electrical circuits shall serve lower levels and shall be dropped from above.

m. Plumbing.

- (1) Water heaters, furnaces, and other mechanical equipment or apparatus shall not be located below the Regulatory Flood Elevation.
- (2) No part of any on-site sewage disposal system shall be located within any identified floodplain area.
- (3) Water supply systems and sanitary sewage systems shall be designated to prevent the infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
- (4) All gas and oil supply systems shall be designed to prevent the infiltration of floodwaters into the systems and discharges from the systems into floodwaters. Additional provisions shall be made for the drainage of these systems in the event that floodwater infiltration occurs.

511.19 Development Which May Endanger Human Life.

- a. In accordance with the Pennsylvania Floodplain Management Act, and the regulations adopted by the Department of Community Affairs as required by the Act, any new or substantially improved structure which will be used for the production or storage of any of the following materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume or any amount of radioactive substances) of any of the following materials or substances on the premises, shall be subject to the provisions of this section, in addition to all other applicable provisions:

(1) Acetone, (2) Ammonia, (3) Benzene, (4) Calcium carbide, (5) Carbon disulfide, (6) Celluloid, (7) Chlorine, (8) Hydrochloric acid, (9) Hydrocyanic acid, (10) Magnesium, (11) Nitric acid and oxides of nitrogen, (12) Petroleum products, (gasoline, fuel oil, etc.), (13) Phosphorus, (14) Potassium, (15) Sodium, (16) Sulphur and sulphur products, (17) Pesticides (including insecticides,

fungicides and rodenticides), (18) Radioactive substances, insofar as such substances are not otherwise regulated.

- b. Within any FW (Floodway Area), any structure of the kind described in subsection 511.19a. above, shall be prohibited.
- c. Within the identified floodplain area any new or substantially improved structure of the kind described in item a. above shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.
- d. Where permitted within any identified floodplain area, any new or substantially improved structure of the kind described in subsection a. above, shall be:
 - (1) Elevated or designed and constructed to remain completely dry up to at least 1 ½ feet above the 100-year flood, and
 - (2) Designed to prevent pollution from the structure or activity during the course of a 100-year flood.

Any structure, or part thereof, that will be built below the Regulatory Flood Elevation shall be designed and constructed in accordance with the standards for completely dry flood-proofing contained in the publication "Flood-proofing Regulations" (U. S. Corps of Engineers, June 1972), or with some other equivalent watertight standard.

511.20 Special Requirements For Mobile Homes.

- a. Within any FW (Floodway Area), mobile homes shall be prohibited.
- b. Within any identified floodplain area all mobile homes and any additions thereto shall be prohibited within the area measured 50 feet landward from the top-of-bank of any watercourse.
- c. Where permitted within any identified floodplain area all mobile homes and additions thereto shall be:
 - (1) Anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the American National Standards as specified in the Standard for the Installation of Mobile Homes Including Mobile Home Park Requirements (NEPA No. 501A-1974 (ANSI A119.301975) as amended for

Mobile Homes in Hurricane Zones or other appropriate standards such as the following:

- (a) Over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations for units 50 feet or more in length, and one additional tie per side for units less than 50 feet in length.
 - (b) Frame ties shall be provided at each corner of the mobile home, with five additional ties per side at intermediate locations for units 50 feet or more in length, and four additional ties per side for units less than 50 feet in length.
 - (c) All components of the anchoring system shall be capable of carrying a force of 4800 pounds.
- (2) Elevated in accordance with the following requirements:
- (a) The stands or lots shall be elevated on compacted fill, or on piling so that the lowest floor of the mobile home will be at or above the elevation of Regulatory Flood.
 - (b) Adequate surface drainage is provided.
 - (c) Adequate access for a hauler is provided.
 - (d) Where piling are used for elevation, piling foundations shall be placed in stable soil no more than 10 feet apart; reinforcement shall be provided for pilings that will extend for 6 feet or more above the ground level.
- d. An evacuation plan indicating alternative vehicular access and escape routes shall be filed with the appropriate Township officials for mobile home parks.

511.21 Prohibited Uses. The following activities are prohibited if located entirely or partially within the Floodplain Overlay District.

- a. Hospitals, public or private;
- b. Nursing homes, public or private;

- c. Jails or prisons;
- d. New mobile home parks and mobile home subdivision, and substantial improvements to such existing parks and development.

511.22 Non-conforming Structures And/Or Uses In The Floodplain Overlay District. Structures and/or uses existing in any identified floodplain area prior to the enactment of this ordinance and which are not in compliance with these provisions may continue to remain, provided that any modification, alteration, reconstruction or improvement of any kind to an existing structure and/or use to an amount of 50 percent or more of its market value shall be undertaken only in full compliance with the provisions of this ordinance and no expansion or enlargement of any existing structure or use shall be allowed within the floodway that would cause any increase in flood heights. Also see the provisions in Article 8. of this ordinance.

511.23 Variances. If compliance with any of the requirements of this ordinance would result in an exceptional hardship for a prospective builder, developer, or landowner, the Township may, upon request, grant relief from the strict application of the requirements. Requests for variances shall be considered by the Township in accordance with the provisions of Article 10. of this ordinance and in accordance with the following:

- a. No variance shall be granted for any construction, development, use or activity within any FW (Floodway Area) that would cause any increase in the 100-year flood elevation.
- b. Except for a possible modification of the freeboard requirement involved, no variance shall be granted for any of the other requirements set forth in Section 511.12, 511.16, 511.19.
- c. If granted, a variance shall involve only the least modification necessary to provide relief.
- d. Whenever a variance is granted the Township shall notify the applicant in writing that:
 - (1) The granting of the variance may result in increased premium rates for flood insurance;
 - (2) Such variance may increase the risks of life and property.
- e. In reviewing any request for a variance the Township shall consider at a minimum that the granting of the variance will,

- (1) Neither result in an unacceptable increase in flood heights, additional threats to the public safety or extraordinary public expense;
 - (2) Nor create nuisances, cause fraud on or victimize the public or conflict with any other applicable state or local ordinances or regulations.
- f. A complete record of all variance requests and related actions shall be maintained by the Township. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Insurance Administration.

ARTICLE 6.

SUPPLEMENTARY REGULATIONS

Section 600

General

In this article regulations are established which apply to all zoning districts, unless specifically noted otherwise, and which relate directly to the use and development of land yet which would be inappropriately placed in Article 5. In particular, development standards for uses permitted as special exceptions and conditional uses are placed in this article. This article should be examined by the applicant as thoroughly as he would examine applicable zoning districts regulations in Article 5.

Section 601

Home Occupation

Except in the Agricultural District, where it is permitted as a matter of right, the home occupation may be permitted in the various residential districts as a special exception providing the activity is judged to be in compliance with the general requirements established in Section 1005.4 and the following more specific requirements. It is recognized that new businesses often begin in the entrepreneur's home and this ordinance intends to accommodate this activity providing the use will not be a nuisance to adjacent activities nor operate to destroy neighborhood property values. Home occupations shall be limited to those uses, which may be conducted on residential grounds (in the building where the dwelling unit is established and/or in a structure which is accessory to the principal building or structure) without altering its basic residential character. A home occupation use, once approved, is transferable to new residents on the premises providing there is no change in the nature of the use or any of the requirements under which the use was approved to operate.

- a. There shall be no more than one sign permitted on the premises advertising the home occupation, and its size shall be limited to a maximum of 2 square feet and may include the name, occupation and logotype or trademark. Such signs shall not be illuminated. There shall be no business displays, which will substantially alter the visual dominance of residential use for the property.
- b. The sale of goods not produced or fabricated on the premises shall not constitute, either by volume or by amount of dollars, more than ½ of total sales.
- c. There shall not be more than 1 person engaged at any one time in the home occupation activity in addition to family members living on the premises who participate in whole or in part in said activity.

- d. Normally there shall not be more than 8 vehicular trips generated by the use to and from the premises at the busiest hour of the normal operating day.
- e. There shall be sufficient off-street parking spaces to accommodate one space for each person engaged in the home occupation plus two additional spaces; in cases where home occupations provide instructional classes there shall be 1 parking space for each student at any given time; off-street parking requirements, except for members of the family occupying the residence, shall be met in an area other than the required front yard.
- f. Outdoor work, off-street parking (except for family parking), service and storage areas, if any, where readily visible and viewable from adjoining properties and from the abutting road and where the reviewing officials judge such areas may be destructive to an appropriate residential character shall be effectively screened from such views. Where family parking is integrated with other required parking these provisions shall be applicable to all off-street parking. Screening may be accomplished by walls, fencing, planting and/or terrain or landscape features, and it may be required that the screening shall be completed in a manner that is immediately perceived throughout all seasons of the year.
- g. There is no electrical disturbance that would create visual or audible interference in radio or television receivers off the premises.
- h. There shall be no noise, odor, dust, fumes, glare or flashing lights, which normally are considered objectionable, perceptible without instruments beyond the boundaries of the property.
- i. Where a new structure is proposed for construction on a premises for purposes of use in a home occupation activity, the new structure shall be subordinate to the dwelling on the premises and be compatible with the residential character of the premises.

When a home occupation is permitted as a matter of right, the zoning officer shall make a determination that the above listed standards will be met by the applicant before a permit is issued.

Section 602 Home Lot Occupation

The following standards shall be applicable to all home lot occupation uses: The applicant shall demonstrate in the application process that he will meet the following standards. A home lot

occupation use, once approved, is transferable to new residents on the premises providing there is no change in the nature of the use or any of the requirements under which the use was approved to operate.

- a. The applicant's property shall have a minimum area of 1 acre.
- b. There shall be no more than 2 persons engaged in the home lot occupation in addition to persons resident on the premises.
- c. Normally there shall be no more than 8 vehicular trips to and from the premises generated by the use at the busiest hour of the normal operating day.
- d. There shall be a minimum of 50 feet between the location of any structure used for gainful employment activity and the side and rear property line.
- e. The home lot occupation shall conform to the minimum front yard setback for the district in which it is located and, further, in no case shall the setback be less than the primary structure.
- f. Outdoor work, off-street parking (except for family parking), service and storage areas, if any, where readily visible and viewable from adjoining properties and from the abutting road and where the reviewing officials judge such areas may be destructive to an appropriate residential character shall be effectively screened from such views. Where family parking is integrated with other required parking these provisions shall be applicable to all off-street parking. Screening may be accomplished by walls, fencing, plantings and/or terrain or landscape features, and it may be required that the screening shall be completed in a manner that is immediately perceived throughout all seasons of the year.
- g. There shall be sufficient off-street parking spaces to accommodate each employee plus a minimum of 2 additional spaces; in cases where home lot occupations provide instructional classes there shall be 1 parking space for each student at any given class time; no more than 3 off-street parking spaces shall be located in the front yard.
- h. The building(s) shall be constructed so that they are appropriately similar to the buildings in the general neighborhood.
- i. The normal workday hours at the activity shall be between 7:00 a.m. and 7:00 p.m.

- j. The activity shall be permitted one sign and it shall be a maximum of 2 square feet and may include the name, occupation and logotype or trademark. Such signs shall not be illuminated.

Section 603

Relationship Between Principal And Accessory Use And/Or Structure

The relationship of an accessory use to a principal use shall be one of subordination providing however this requirement is not applicable to the home lot occupation use as defined in this ordinance. In order to insure a subordinate relationship the following requirements shall be applicable to accessory uses:

- a. The area of an accessory structure shall be no more than 90% of the primary structure.
- b. The height of an accessory structure shall be equal to or less than the height of the principal structure.

Section 604

Modular Home Standards

Where modular homes are permitted the following standards shall apply:

- a. The dwelling shall look substantially similar to the dwellings existing in the immediate neighborhood.
- b. The main portion of the dwelling shall have a length not exceeding four times the width.
- c. A minimum of 70% of the total roof area of the dwelling shall have a slopping surface at a pitch no less than 10 feet of fall in 100 feet (10% slope).

Section 605

Mobile Home Standards

Where mobile homes are permitted they shall comply with the following standards.

- a. Stable foundation. Each mobile home shall be securely fastened to a frost-free foundation structure. Foundation structures may be of slab type, continuous wall, cross wall or pier types.
- b. Skirting. An enclosure of a compatible material and design shall be installed on all sides of the mobile home in a manner so as to provide sufficient ventilation to prevent deterioration.

- c. Site location. The applicant is encouraged to consider locating the mobile home parallel or generally parallel to the road, which the lot abuts in order that the residence presents a substantially similar appearance as conventional housing.

Section 606

Conversion Dwelling Units

A conversion dwelling unit shall have a minimum floor area of 500 square feet. Basements as defined in this ordinance cannot be used in accounting for this minimum floor area. The dwelling unit shall have a bathroom and two additional habitable rooms. For living space to be counted as habitable the minimum clearance for a minimum of 500 square feet of floor area shall be 7 feet of clearance measured from floor to ceiling. In the LDR District a residence shall retain the appearance of a single family dwelling; there shall be no major structural alterations to the building exterior other than that required for ingress and egress to the dwelling units; stairways or fire escapes leading to second floor areas shall be completely enclosed.

Section 607

Temporary Structures And Residence

- 607.1 Construction trailers are permitted for use as offices in all districts during the period construction work is covered under a valid zoning permit but they may not be used for living quarters.
- 607.2 Mobile homes may be permitted as living quarters on construction sites for the period of time the construction process is carried on providing this arrangement is approved as a special exception. The mobile home installation in this instance needs not be fastened to a frost-free foundation.
- 607.3 Residence in a basement structure during the time of home construction may be permitted, as a special exception providing the maximum time this living arrangement shall be permitted is 3 years. This requirement is not applicable to earth sheltered dwellings, which are permitted.
- 607.4 Use Of Trailer Etc. Outside Of Established Park.
 - a. Travel trailers, motor homes, tent trailers and pickup campers where they are not part of an established recreational vehicle park and where they are located adjacent to an established residence on the same property which serves said facility with sewage and water needs may be used for occasional living quarters for periods of time up to and including 15 days per year in all zoning districts. Should longer periods of residence be desired under these conditions the applicant shall be required to obtain approval for this from the Zoning Hearing Board as a special exception. The

Board in making its decision on such a request shall ascertain that this residency shall not be detrimental to the public health, safety and welfare.

- b. Travel trailers, motor homes, tent trailers and pickup campers where they are not part of an established recreational vehicle park and where they are not located adjacent to an established residence on the same property may not be used for living quarters.

Section 608 **Building Setback Line Modifications**

Where one or more existing structures are located on adjacent lots and on the same side of the street, within 150 feet in either direction of the applicant's lot, the setback of the proposed structure may conform with the average of the setbacks of these applicable existing structures if such "average setback" is less than that required in the district. Required setbacks are minimum; setback may be greater than required. Where an addition is proposed to an existing structure which has a setback less than that required in the district, the setback required for the proposed addition need not be more than the existing setback but may not be less.

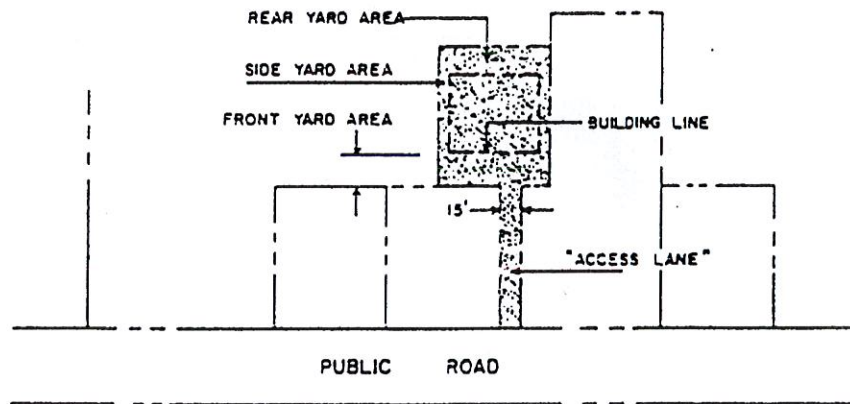
Section 609 **Access Drives And Off-Street Parking Areas**

Access drives and off-street parking areas should be planned and constructed in a manner so that vehicles preparing to leave a site may conveniently turnaround on the site. Vehicles shall re-enter the public right-of-way from a forward position. This requirement is mandatory for access drives from all public roads classified as minor arterial, major collector and minor collector roads in the Township's Comprehensive Plan dated May 1983; it is recommended for all other Township road classifications except the local access road where it may be desirable.

Section 610 **Access To Lots**

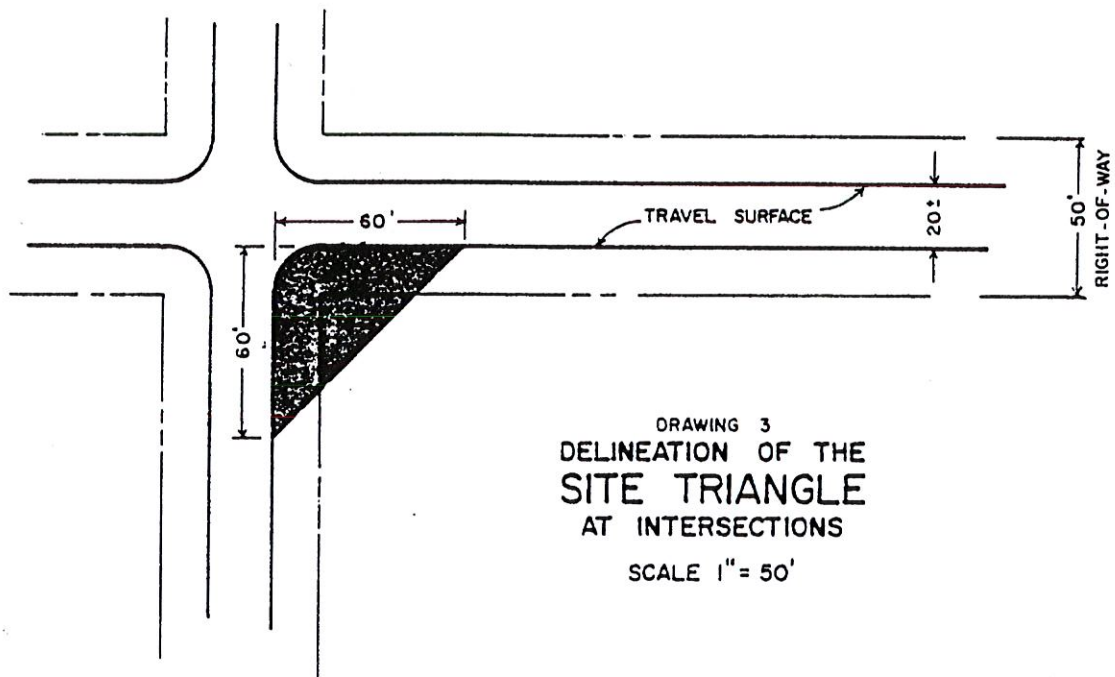
No building development shall hereafter be erected unless there is a direct access to it through an open space on the same lot to a public street or highway or to a private street constructed and maintained that vehicles of all kinds may readily pass over it in all seasons of the year. Normally the full width of a lot will front on or abut on the street. However, whenever it is otherwise impossible to access an existing parcel, or where a special subdivision design concept believed to be appropriate for the site and for the consuming public is being advanced by the applicant, the minimum frontage distance may be utilized subject to review and approval by the Township. The minimum of 15 feet of frontage on a public road permits the use of an "access lane" to the public street (private streets in some instances) as shown in the following drawing where the minimum width of the "access lane" shall be 15 feet. In instances where the "access lane" is used the lot width, lot area and yard requirements shall be established beginning at the location where the "access lane" terminates and the bulk of the property begins as shown on Drawing 2.

DRAWING 2
LOT SERVED BY AN "ACCESS LANE"



Section 611 **Clear Site Distance At Corner Lots**

At all street intersections, no obstructions to vision shall be placed or erected in the area of the "site triangle" as hereinafter defined. Obstructions shall be considered any objects which have (or will have) sufficient bulk to block vision such as buildings, landscape plantings, sign boards, etc. Objects whose surface bulk lies below 4 feet and above 10 feet, as measured from the centerline elevation of adjacent streets, shall not be considered obstructions under the terms of this ordinance, unless the zoning officer interprets them as an obstruction due to a unique set of circumstances peculiar to a particular site or development application. The sight triangle shall be formed by the edges of the travel surfaces of the intersecting roads abutting a property and a line drawn between points along the edge of the travel surfaces, 60 feet distant from their point of intersection. See Drawing 3.



Section 612

Parking Major Items Of Recreational Equipment In Areas Outside Of Travel Trailer Parks

The outdoor storage of major recreational equipment owned by the occupant of the premises, including but not limited to travel trailers, motor homes, tent trailers, pickup campers (designed to be mounted on automotive vehicles), boats and boat trailers shall be permitted in all zoning districts; however, in the A, RR, LDR, MDR and MDRS zoning districts storage locations shall comply with the following minimum yard requirements (storage shall not take place in these yard areas):

- a. Front yard...40 feet.
- b. Side Yard...10 feet.
- c. Street Corner Side Yard (corner lot)...40 feet.
- d. Rear Yard...6 feet.

Section 613**Parking Of Vehicles Used In Vocational/Avocational Pursuits**

Nothing in this ordinance shall be considered to prohibit the occupancy of the residential property from parking a truck or bus, owned and/or used by the occupant in his vocational or avocational pursuits, on the occupant's property at times when said truck or bus are not used in said vocational or avocational pursuits; providing, however, that truck tractor and/or semi trailers shall not be parked in the open air any closer than 150 feet from the nearest residence on a neighboring property.

Section 614**Road Access Standards For Multi-family Permitted As Conditional Use**

A site proposed for multi-family dwellings under the conditional use process shall (1) have direct access to the public road system of the Township, and (2) be served by a paved access road(s) with a minimum paved travel way of 16 feet leading to the nearest collector road or be accessed directly by a paved collector road.

Section 615**Off-Street Parking Lots In Residential Districts**

Where an off-street parking lot is permitted in a residential district the following requirements are applicable:

- 615.1 Access driveways to the parking lot from surrounding streets shall be no closer than 25 feet from an adjoining residential property on which a residence is established.

The provisions of Section 620, Buffer Areas shall be applicable to this development.

- 615.2 Shade trees planted on 30 feet centers may be required on the perimeter of the parking area, including in particular the area(s) between the parking lot and the residential district.

Section 616**Storage Of Vehicles, Machinery And Other Items Of General Storage**

Automotive vehicles including trailers and travel trailers of any kind or type which are unlicensed, unlicensed or inoperable; other machinery which is clearly abandoned and/or deteriorated; garbage, old appliances and rubbish are all herein defined as refuse. The aforementioned items and/or artifacts shall be stored or maintained either within a structure or positioned on a site in such a manner as to be screened from the views of all adjoining properties and from the adjoining public roads. Where the outdoor storage of the aforesaid abandoned vehicles, machinery, garbage, old appliances, rubbish and other materials herein defined as refuse does not comply to the above regulations such outdoor storage shall be considered as a

threat to public health and safety and a public nuisance; the Township under the State Laws and the provisions of this ordinance and other applicable Township Ordinances, may abate such threats to the public health and safety and public nuisances.

Section 617 **Relationship To The Subdivision And Land Development Ordinance**

Standards for the cluster development and for the mobile home park, travel trailer park and, campground development are found in the Township's Subdivision and Land Development Ordinance. For each of these developments, the applicant shall be in compliance with both this ordinance and the Subdivision and Land Development ordinance. For timeshare interval ownership developments the standards for cluster developments as found in the Township's Subdivision and Land Development Ordinance shall apply. Where there is a conflict between the provisions of this ordinance and the Subdivision and Land Development Ordinance the more restrictive provisions shall apply.

Section 618 **When Two Or More Separate Buildings Are Involved In Districts Where Multi-family Units Are Allowed By Right**

In districts where multi-family units are allowed by right and where 2 or more separate buildings are involved they shall be processed as a land development and shall be in compliance with both this ordinance and the Township Subdivision and Land Development Ordinance.

Section 619 **Satellite Dishes**

- a. Ground Mounted Dishes. Ground mounted satellite dishes shall be permitted in all zoning districts as a matter of right. Where ground mounted dishes are installed they shall comply with the yard regulations as required for principal structures in the applicable districts. Except that as provided in Section 502.6i., satellite dishes may project into the required rear yard to a distance not less than 10 feet from the property line. It is suggested that owners may paint the dishes a color other than white to blend in with the surroundings.
- b. Roof Mounted Dishes. Roof mounted satellite dishes shall be permitted in all zoning districts providing they are not greater than four feet in diameter. Roof mounted dishes over four feet in diameter are permitted (in all districts) only as special exceptions.
- c. Portable Satellite Dishes. Portable satellite dishes are permitted only on a temporary basis not to exceed 15 days per year in all zoning districts; however, they shall comply with the yard

regulations as required for principal structures in the applicable districts.

Section 620

Buffer Areas

Buffer areas are utilized to ameliorate possible nuisances among adjacent land use activities which are markedly different in character; properly used buffer areas can promote compatible relationships among different land uses where negative characteristics are present, i.e. a great amount of vehicular circulation and/or off-street parking, the presence of outdoor work and storage areas which are unattractive and/or noisy, very dissimilar and/or unattractive building styles, etc. The following requirements are applicable to all where designated and for all special exception and conditional uses unless otherwise stated in this ordinance.

620.1 Buffer Area Techniques. Buffer area techniques shall include:

- a. Fencing and walls a minimum of 5 ½ feet high consisting of a solid material that will effectively block views; and/or
- b. Plant materials providing they are dense and high enough; plant materials may include, but are not limited to, small deciduous trees where many lateral branches emerge from the main stem or those with multiple stems near ground level (for example, the hawthorn, the crabapple); evergreen trees and shrubs (for example, the hemlock, the spruce, the yew, the arbor vitae); deciduous shrubs (for example, the privet, the honeysuckle); and, where space is adequate, shade trees (for example, the maple, the ash); the type, amount and spacing of the planting will depend on the space available and the nature of the activities requiring the buffer areas;
 - (1) Where plant materials are used as the buffer technique the Zoning Hearing Board or the Township Supervisors may require that the desired effect of these plant materials as a screening agent be immediate and that the screening shall be effectively perceived throughout all seasons of the year. Should immediate effectiveness not be necessary this condition shall be made a part of the record of the public review of the application.
- c. And/or landscape forms such as a mound of earth a minimum of 5 ½ feet high; and/or
- d. Minimum amounts of space between uses.
- e. All buffer areas should be designed and constructed to be easily maintained in an aesthetically attractive condition.

Buffer Area Requirements.

- a. Where the distance between the area of an activity, carried out whether on the open land or in a structure, and an adjoining property line is less than 40 feet, the Township may require fence and/or wall techniques to be used to form a buffer. The uses of plant materials or land forms to achieve the buffer effect would not be mandatory in these instances but usually are recommended as supplementary to the fence or wall. Vehicular access ways and off-street parking are considered land use activities, as are outdoor work and storage areas.
- b. Where the distance between the area of a land use activity, carried out either on the open land or in a structure, and an adjoining property line is 40 feet or greater, fence and/or wall techniques are not required; the buffer effect may be achieved through the use of plant materials or land forms.

Section 621**Recovery Of Subsurface Gas And Oil Deposits**

Activities associated with the recovery of the subsurface gas and oil deposits are permitted only in the A, RR, and GI Districts, except where these districts are part of the Floodplain Overlay District (where these activities are prohibited) subject to the following requirements:

- a. All structures, including wellhead casings shall comply with the yard requirements established for the zoning district in which they are located. A zoning clearance shall be obtained before any activity is begun at a site.
- b. The gas and oil well casing, tank structures and any other structures used in the drilling and recovery operations shall be a minimum of 300 feet from any habitable building whether a residence, a commercial or an institutional building or water source for these uses; and shall be a minimum of 300 feet from the nearest property line, except in the instance of the property line at the road right-of-way in which case the front yard setback requirement shall prevail; and shall be a minimum of 100 feet from a stream with year-round flow.
- c. All above ground structures, including tank structures and other structures used in the recovery operations shall be painted and maintained in a neat and orderly manner.

- d. All gas and oil recovery operations shall meet applicable state law including PennDER requirements.
- e. A road bond, assignable to the Supervisors and satisfactory to them shall be secured by the applicant to insure that possible damage to Township roads and bridges can be repaired at no cost to the Township. The amount of bond shall be set on a case-by-case basis. Prior to the issuance of the zoning clearance the Township Supervisors shall evaluate the vehicular routing the applicant proposes to use to handle his activities and shall set the amount of the bond accordingly.
- f. A performance guarantee in the form of a bond, assignable to the Supervisors and/or such Authority as may exist for the supply of public water, and satisfactory to such body shall be secured by the applicant to insure that possible damage to any existing public water supplies can be repaired at no cost to the public. The amount of the bond shall be set on a case-by-case basis. Prior to the issuance of the zoning clearance the Township Supervisors and/or appropriate public authority shall evaluate the drilling activities and shall set the amount of the bond accordingly.

Section 622

Private Swimming Pools

A private swimming pool shall be permitted as an accessory use in all districts providing the swimming pool is:

- a. Located, including any paved areas or accessory structures which are part of the swimming pool development, a minimum of 10 feet from the side and rear property line of the property on which it is located and it shall not be permitted in the required front yard; and
- b. Walled or fenced to prevent uncontrolled access by persons, particularly children, from adjacent areas; said fence or wall shall not be less than 4 feet in height, and maintained in good condition with a gate and lock; this requirement shall be considered as complied with where the pool deck is constructed in such a manner as to be a minimum of 4 feet above ground level and the access point can be closed or secured.

Section 623

Dumping, Depositing And/Or Storage Of Solid Waste

- 623.1 Open dumping or depositing of solid waste on the surface of the ground, into the ground, or into the waters of the Township, (established or

perpetuating a dump) without having obtained a permit as under the regulations established in Section 629 of this ordinance shall not be permitted in any zoning district; providing, however, this requirement shall not prohibit:

- a. The use of solid wastes in normal farming operations.
- b. The depositing by individuals of solid waste resulting from their own residential activities on to the surface of the ground or into the ground owned or leased by them when such wastes are managed with proper soil cover and/or compaction and do not thereby constitute a dump as defined in this ordinance nor create a public nuisance or adversely affect the public health.

623.2 The storage of solid waste shall be practiced so as to prevent the attraction, harborage or breeding of insects or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness and public nuisances.

Section 624 **Funeral Homes**

The following standards shall be applicable to the funeral home use. The applicant shall demonstrate in the application process that he will meet the following standards:

- a. The primary ingress and egress drives to a funeral home shall be from a public street with a minimum travel way width of 18 feet, and said street shall have permanent hard surface pavement.
- b. The front yard area shall not be used for the required off-street parking spaces as provided in Section 705.
- c. Buffer areas shall be provided as established in Section 620.

Section 625 **Automobile Service Stations**

Prior to granting a zoning clearance for an automobile service station the zoning officer shall ascertain that the application, and primarily the site plan submission, meet the following requirements:

- a. No structure shall be closer than 20 feet to the property line of the site.
- b. Where the site adjoins a residential district or where the site adjoins a road on the other side of which is located a residential

district, on or near the site boundary lines adjoining said residential district a fence, a minimum of 5 ½ feet in height shall be erected. The fence shall block all ground level views into the service station site.

- c. Vehicle parking and access shall be so arranged that there shall be no backing over the public right-of-way to maneuver on the site. (Refer to Section 705.)
- d. Where special vehicular care and maintenance activities are performed such activities shall be carried on entirely within an enclosed building on the site.
- e. No access drive into the site shall be closer than 30 feet from nearest edge of the travel way (projected) of an intersecting street.

Section 626

Junk Yards

The following standards shall be applicable to the junkyard use. Where the requirements of this ordinance are more restrictive than the requirements established in the Township's junkyard ordinance these requirements shall govern. The applicant shall demonstrate in the application process that he will meet the following standards and any other applicable requirements:

- a. The operations area of the junkyard shall be a minimum of 60 feet from every property line bounding the parcel of land on which the junkyard is located. For purposes of this ordinance the operations area shall be the area in which activities normal to a junkyard use are carried on exclusive of buffer areas, which accomplish the screening objective.
- b. Views into the junk yard operations area from surrounding properties and from adjacent public roads shall be completely obscured throughout all seasons of the year by either fencing, walls, landscape plantings, terrain or topographic features, or a combination of these techniques. Fences and walls, etc. should be designed and constructed to be easily maintained in an aesthetically attractive condition. The screening of views into the junkyard operations area shall be in effect when this use commences activities.
- c. Sufficient off-street parking spaces shall be provided to accommodate a minimum of 5 vehicles and the necessary aisle and maneuvering area to service these spaces.

Section 627

Sand And Gravel Quarrying

The following standards shall be applicable to proposed sand and/or gravel quarries. The applicant shall demonstrate in the application process that he will meet the following standards; he must also comply with the regulations established by the Bureau of Land Protection And Reclamation, Pennsylvania Department of Environmental Resources under the Surface Mining Conservation and Reclamation Act of May 31, 1945 as amended:

- a. Quarrying operations shall not be closer than 300 feet from existing residences nor closer than 200 feet from the boundary of any zoning district where such operations are not permitted; nor shall quarrying operations be conducted closer than 100 feet from the boundary of an adjoining property line or from the right-of-way line of an existing or platted road.
- b. Existing trees, shrubs and ground cover along public road frontage shall be preserved, maintained and supplemented for the depth of the front yard setback (100 feet) as established in item "a" above. Weeds and any other unsightly or noxious vegetation, shall be cut or trimmed as may be necessary to preserve a reasonably neat appearance to the sand and gravel operations from adjacent public roads and nearby residential, commercial, and industrial uses. Buffer or screening plantings may be required to insure an appropriate appearance of the quarry site in the community.
- c. During quarrying operations when excavations will have a depth of 20 feet or more and will create slopes of more than 50 percent and where, for a period of operation 30 days or longer, the quarrying is located within 300 feet of occupied residential structures or a public road, a fence shall be erected at least 20 feet outside the edge of the excavation, which fence shall be at least 3 feet high and shall effectively control access to the area in which such excavation is located.
- d. Upon completion of operations the land shall be left in a safe condition. All cut slopes shall be at a gradient no greater than 33 percent and shall be graded in substantial conformity to the surrounding natural topography. Sufficient drainage shall be provided so as to prevent water pockets from forming. The final grading shall be such that all storm water drainage leaves the property at the original, natural drainage points and that the area drainage to anyone natural drainage point is not materially increased. All excavated areas shall be backfilled with topsoil to a minimum depth of 6 inches; upon replacement of topsoil, trees, shrubs, legumes, grasses or other ground cover shall be planted to avoid erosion.

- e. In addition to the information required on the plan to be submitted with the conditional use application as set forth in Section 901. the following items shall be shown:
 - (1) Existing topography including the location of drainage systems;
 - (2) An outline of the area to be excavated;
 - (3) The sequence of operations and the schedule of finishing or rehabilitation measures to be performed including plans and proposals for reuse, if any.

Section 628

Open Air Public Entertainment Establishments

The following standards shall be applicable to proposed open-air public entertainment establishments. Where this activity may be permitted as a conditional use, in addition to meeting the requirements of Article 9. the following specific requirements shall be complied with:

- a. All vehicular access to and from the site shall be from a minor arterial or major collector highway as established in the West Mead Township Comprehensive Plan. Site access roads and off-street parking areas shall be paved with a hard surface material and be dust-free. All vehicles visiting the entertainment establishment shall be parked on the premises, off the public road right-of-way.
- b. All activity areas shall be a minimum of 1000 feet from the nearest habitable building, except that vehicular access ways and off-street parking areas shall be a minimum of 500 feet from the nearest habitable building; providing, however, that all activity areas including off-street parking areas shall be a minimum of 200 feet from the sites property lines.
- c. No entertainment shall be held between 11:00 o'clock p.m. and 10:00 o'clock a.m.
- d. The owner and/or manager of the open-air entertainment establishment shall not condone nor permit the presence of alcoholic beverages or drugs or the consumption of same on the property.

Section 629

Processing And Disposal Facilities For Solid Waste

Processing and disposal facilities may be permitted as a conditional use in the applicable district of this ordinance providing they meet the general criteria established in Article 9., providing they comply with all of the regulations and permit requirements of the Pennsylvania Department of Environmental Resources (PennDER); and providing that the following more specific process and requirements are met:

- 629.1 Local Permit Required. It shall be unlawful for any applicant to use land for solid waste processing or disposal without first obtaining a permit from the Township and PennDER: Providing, however, activities as set forth in Section 623.1 are permitted.

- 629.2 Additional Standards. In addition to the application requirements, which PennDER enforces, the following requirements shall be met wherever they are more restrictive than PennDER requirements:
 - a. The primary ingress and egress to the processing and/or disposal facility areas shall be from a minor arterial or major collector highway as established in the West Mead Township Comprehensive Plan. Site access roads shall be paved with a hard surface material and shall be kept dust-free.

 - b. The disposal and/or processing areas on the site shall be:
 - (1) For municipal waste sites,
 - (a) A minimum of 100 feet from adjacent properties and road right-of-ways and

 - (b) A minimum of 300 feet from the nearest private or public water supply well.

 - (2) For residual waste sites where the ASTM Method A waste generated leachate meets the U. S. Environmental protection Agency National Interim Primary And Secondary Drinking Water Standards (40 CFR 141, 40 CRF 143),
 - (a) A minimum of 50 feet from adjacent properties and road right-of-ways and

 - (b) A minimum of 100 feet from the nearest private or public water supply.

- (3) For residual waste sites where the ASTM Method A waste generated leachate exceeds the U. S. Environmental Protection Agency National Interim primary And Secondary Drinking Water Standards,
 - (a) A minimum of 100 feet from adjacent properties and road right-of-ways and
 - (b) A minimum of 300 feet from the nearest private or public water supply well.
- c. The disposal and/or processing areas shall be located and constructed such that views to said areas (including parking and service facilities) shall be screened from adjacent uses by walls, fences, plantings and/or terrain or landscape features such that this visual screening shall be perceived immediately and through all seasons of the year.
- d. Municipal and residual wastes shall be transported within the Township only by vehicles registered, licensed and inspected by the State of Pennsylvania. It shall be the duty of the operator of a solid waste processing or disposal facility to insure that no municipal or residual wastes are transported to or accepted at the facility in violation of this requirement. Violation of this requirement may result in revocation of the Township permit for solid waste processing and disposal facilities.

629.3 Prohibited Activities: It shall be unlawful for any applicant to:

- a. Place or allow to be placed any solid waste upon the road, streets, public or private property, or waters of the Township contrary to the provisions of this ordinance.
- b. Store, collect, transport, process or dispose of solid waste within the Township contrary to the laws, rules, regulations, standards or orders of the State of Pennsylvania.
- c. Transport any solid waste within the Township in any vehicle, which permits the contents to blow, sift, leak or fall there from.
- d. Operate a solid waste processing, storage or disposal facility whereby any noxious or offensive odors, putrid or polluted water, or other discharge, smoke, soot, ash, refuse, rubbish, or filth of any nature whatsoever are blown, carried or discharged in any manner onto public roads or upon premises of other persons or municipalities. The solid waste management facility site itself shall

not be allowed to become littered or be unsightly and shall be strictly policed by the permittee.

- e. Operate a solid waste processing or disposal facility whereby unauthorized dumping is allowed to occur and solid waste is allowed to accumulate outside of the fence or access gate, which may border the solid waste management facility. The operator of a solid waste management facility shall routinely police the outside perimeter and areas immediately adjacent thereto, including any transportation routes within one-quarter mile of the solid waste processing or disposal facility, and shall prevent said areas from becoming littered, unsightly and offensive to other persons.

629.4 Performances Which May Be Required. The Board of Supervisors, depending on the nature of the application, may require the applicant to do the following:

- a. Submit specifications for the construction of an appropriate fence, which shall be erected around the perimeter of any land on which a solid waste processing and/or disposal facility will be operated and which will provide external security and prevent solid waste from being blown or otherwise removed from the site.
- b. Enter into a written agreement with the Township obligating the applicant to:
 - (1) Establish and maintain set facility operating hours;
 - (2) Sample and analyze the water quality for parameters relating to the waste, in private and public water wells within 2,000 feet of the site, prior to facility operation and at set intervals.
 - (3) Submit to the Township copies of all monitoring analyses relating to the facility including those mentioned in paragraph (2) above within 10 days of receipt of the analyses.
 - (4) Repair any damage that may be caused to Township roads by vehicles transporting solid waste to and from the facility.

- (5) Compensate the Township for any administrative, inspection consulting, maintenance, or other expenses associated with the operation of the solid waste processing and/or disposal facility or for damages resulting from the operation of the facility. The compensation may take the form of a fixed cost per ton.
- (6) Establish and maintain bonding or letter of credit payable to the Township and to Township residents and property owners for damages arising from the operation of the solid waste processing and/or disposal facility. The term of the bonding or letter of credit shall be a minimum of 20 years beyond the operational life of the facility.
- (7) The agreement shall be in accordance with terms and specifications formulated by the Board of Supervisors.

629.5 Processing Requirements. It is recognized that the applicant, in order to construct processing and disposal facilities for solid waste, must comply with a lengthy application process, which PennDER administers. The Township's review process should parallel the PennDER process in an appropriate manner; the Township's review process is set forth in Article 9. and is termed a conditional use permit process. The application to the Township shall not be considered complete until copies of all of the PennDER application documents have been supplied by the applicant. The documents include but are not limited to the application form, modules, reports, analyses, and plans. In no event shall the Township resolve to grant a permit for said facilities without making the issuance of a Township permit dependent on PennDER's issuance of a permit.

629.6 Fees. The Township Supervisors may establish a schedule of fees for solid waste process and disposal facility applications. Until all applicable fees, charges and expenses have been paid no action need be taken on any application.

629.7 Municipality Liability. The grant of a permit or approval of a solid waste processing or disposal facility shall not constitute a representation, guarantee or warranty of any kind by the Township or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Township, its official or employees. The Board of Supervisors or any of its duly authorized representatives or

deputies charged with the enforcement of this Ordinance, acting in good faith and without malice, in the discharge of its duties, shall not hereby render itself personally liable and it is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required by reason of any act or omission in the discharge of its duties.

Section 630

Sign Regulations

It is recognized that signs serve an important function; yet reasonable regulations for their display is desirable. The provisions herein are intended to promote the public safety and welfare, to protect property values, and to enhance the physical appearance of the community.

630.1 General Regulations.

- a. Sign permits shall be required for the erection of all signs except those listed in Section 630.2.
- b. No flashing, rotating, or oscillating sign shall be permitted Any sign which, by reason of its intensity, color, location, or movement, may interfere with traffic lights, signals, or other traffic controls shall not be permitted.
- c. No sign shall exceed the height of the primary structure on the property on which it is located; providing, however;
 - (1) Rooftop signs shall be permitted in the GI District; they shall be considered as wall signs for purposes of administering these regulations and shall be limited in height to 2 feet.
 - (2) Automotive service station uses may erect signs to a maximum height of 25 feet.
- d. No signs other than those erected by public officials in order to identify streets and guide the public in the use of the street system and to control and render traffic safe shall be placed in the public road right-of-way.
- e. Except as otherwise required in Section 630 of this ordinance signs may be placed at (or adjoining) the public road right-of-way in the declared front yard area; on corner lots one frontage shall be declared the front yard, and the provisions of Section 611 shall be noted.

- f. Applicable yard requirements shall be met for pole and freestanding signs except for the front yard. Unless otherwise indicated front yard setback requirements need not be met; signs may be positioned adjoining the public right-of-way but the provisions of Section 611 shall be complied with.
- g. Notwithstanding the other provisions of this ordinance no sign shall be placed in such a position that it will cause danger to traffic on a road because of obscuring views.
- h. All signs may have a reflective surface. Signs preferably should be illuminated from within the sign; they may, however, be illuminated by lights on the sign's surface or by lights directed upon the sign from outside of the sign. Where illuminated by exposed lights on the sign's surface or from lights outside of the sign, said lights shall be totally directional casting beams only on the sign display and/or they shall not be the cause of glares to the operation of vehicles on the public roads or on access drives from the public roads and they shall not cause glares for adjacent activities.
- i. Painted signs on building surfaces shall be considered as wall signs and permitted according to the provisions of this ordinance.
- j. All signs shall be constructed of durable material, maintained in good condition and not permitted to become dilapidated. Where not mounted on a building as a wall sign, signs shall be firmly secured against blow-downs.
- k. Nonconforming uses shall be permitted signs as though they were conforming uses.
- l. Signage shall not be positioned on vehicles, which are driven and parked in various locations on a property; this provision includes vehicles, which are moved daily or on a periodic basis, and vehicles, which are parked in a position for long periods of time. This ordinance permits freestanding signs (moveable); see Section 630.4.
- m. Each sign shall be removed when the circumstances leading to its erection no longer apply.
- n. Non-point of sale signs shall not be permitted.

630.2

Signs Permitted In All Zoning Districts Without Zoning Clearances.

- a. All signs erected and maintained pursuant to and in discharge of any governmental function are permitted.
- b. Signs advertising the sale or rental (or indicating "sold" or "rented") of the premises upon which they are erected; providing, (1) the size of any such sign is not in excess of 6 square feet except in the CN, LI and GI districts where they may be 9 square feet and (2) there are not more than two such signs placed upon the property.
- c. Signs of mechanics, painters, and other such artisans during the period such persons are performing work on the premises; providing, (1) the size of the sign is not in excess of 9 square feet, and (2) the sign is removed upon completion of the work.
- d. Trespassing signs and signs indicating the private nature of a driveway or property; providing the size of the sign shall not exceed 3 square feet.
- e. Signs directing and guiding traffic and parking on private property and bearing no advertising matter.
- f. Signs not exceeding 4 square feet in area installed on a temporary basis, not exceeding two weeks, to sell an occasional item from the premises, or to hold a garage sale or similar event.
- g. Temporary signs not exceeding 32 square feet in area announcing special public or institutional events, the erection of a building, the architect, and/or the contractors may be erected for a period of 60 days plus the construction period.

630.3 Signs For Home Occupations And Home Lot Occupations.

As established in Section 601 and 602 where a home occupation use is permitted the maximum area of the sign, where used, shall be 2 square feet and where a home lot occupation is permitted, the maximum area of the sign, where used, shall be 2 square feet. For an elaboration of these provisions, see Sections 601 and 602.

630.4 Specific Regulations For Point-Of-Sale Signs By Type Of Land Use.

The following regulations are given based upon the type of the principal land use activity occurring on a property. These regulations are applicable where a land use activity is functioning on a property - not on vacant land.

All land use activities are divided among the following categories residential, institutional, commercial and industrial.

- a. Signs On Residential Properties. On properties with established residential land use (households) signs shall not be installed except as provided in Section 630 of this ordinance; providing, however, that for housing developments (subdivisions and apartment complexes) one ground sign not exceeding 32 square feet may be installed for each such development, denoting its name and/or other items of pertinent information.
- b. Signs On Institutional Properties. Signs designating and/or explaining institutional uses such as churches, schools, nursing homes, philanthropic and charitable institutions, private clubs, lodges, etc. may be of the wall, ground and/or freestanding types. Wall signs shall be limited to 20 square feet and there shall be no more than one wall sign of any type. There shall be no more than one ground sign installed and its area shall be a maximum of 32 square feet. There shall be no freestanding signs on the property.
- c. Signs On Commercial And Light Industrial Properties And On These Same Uses In The Commercial-Neighborhood And Light Industrial Districts. Signs designating, advertising and/or explaining commercial and industrial uses (including agricultural operations) shall be subject to the following regulations:
 - (1) The area of wall signs shall be limited to 32 square feet and there shall be no more than one wall sign of any type for each principal activity.
 - (2) There shall be one ground sign permitted for each principal activity; the maximum area that may be displayed through ground signage shall be 32 square feet. Should an applicant want to install more than one ground sign, he may request permission to do so making his case before the Zoning Hearing Board. In presenting his appeal to the Board, he shall provide a plan, including sketches and elevation drawings, where possible, showing the overall signage plan for the site.
 - (3) There shall be one freestanding sign permitted for each commercial activity, the maximum area of which shall be 45 square feet.
 - (4) There shall be one ground sign permitted for a neighborhood shopping center or industrial park

development in addition to the signage permitted each principal activity in these developments. The maximum area permitted for this ground sign shall be 64 square feet.

d. Signs On Industrial Properties In The General Industrial District
Signs designating, advertising and/or explaining general industrial uses shall be subject to the following regulations:

- (1) There shall be no limit on the area of wall signage except that there shall be no more than one overhanging sign for each principal activity.
- (2) There shall be one ground sign permitted for each principal activity; the maximum area that may be displayed through ground signage shall be 100 square feet. Should an applicant want to install more than one ground sign, he may request permission to do so making his case before the Zoning Hearing Board. In presenting his appeal to the Board, he shall provide a plan, including sketches and elevation drawings, where possible, showing the overall signage plan for the site.
- (3) There shall be no freestanding signs permitted.
- (4) There shall be one ground sign permitted for a general industrial park development in addition to the signage permitted each principal activity in these developments. The maximum area permitted for this ground sign shall be 100 square feet.

e. Point-Of-Sale Signs 150 Square Feet Or Larger (Billboards)
Located In The General Industrial District. A sign permitted under this section shall be called a billboard even though it may not be designed like the conventional billboard. Billboards may be erected in the General Industrial District only when they pertain or refer directly to the use conducted on the property. Billboards shall comply with the following requirements:

- (1) Be no larger than 300 square feet in area;
- (2) Be positioned a minimum of 25 feet back from the public road right-of-way; (from both roads if on a corner lot);
- (3) No more than one billboard (one panel with two sides) shall be permitted on each industrially used property;

- (4) Be located a minimum of 500 feet from the nearest residential, public or institutional building;
- (5) Be located a minimum of 150 feet from the nearest side property line;
- (6) A minimum of 1,000 feet distance shall be maintained between billboards on the same side of the road.

ARTICLE 7.

OFF-STREET PARKING AND LOADING REGULATIONS

Section 700

General Requirements

- 700.1 No use shall be established and/or structure shall be erected, substantially altered, or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this ordinance.
- 700.2 The provisions of this Article, except where there is a change of use, shall not apply to any existing structure. Where a change of use occurs after the effective date of this ordinance and involves no building additions or enlargement, off-street parking for the new use shall be provided based upon the requirements of this ordinance.
- 700.3 Whenever a structure constructed after the effective date of this ordinance is changed or enlarged to create a need for an increase in the number of parking and loading spaces, additional parking and loading spaces shall be provided on the basis of the area of the enlargement or change. If a structure was erected prior to the effective date of this ordinance new or additional off-street parking and loading spaces shall be provided based only on the additional building area added.

Section 701

Size Of Off-Street Parking And Loading Areas

An off-street parking space shall be a minimum of 9 feet in width and 20 feet in length, and it shall be located off the road pavement, road shoulder and road drainage area. A loading space shall be a minimum of 14 feet in width and be adequate in length to accommodate the largest vehicle expected to service the establishment, which may be a length up to 60 feet. These dimensions are exclusive of required driveway and aisle (approach) space. For parking spaces where 90 degree angle (perpendicular) parking is utilized the aisle and parking space together shall be a minimum of 40 feet. For parking spaces where 45 degree angle parking is utilized the aisle and parking space together shall be a minimum of 30 feet.

Section 702

Off-Street Loading Spaces

The number of required off-street loading spaces is not fixed in this ordinance. Where loading spaces are a consideration they vary depending on the type and size of the activity. Normally one off-street loading space is sufficient to serve the average establishment.

Section 703

Surfacing, Drainage And Maintenance

The required number of parking and loading spaces together with driveways and aisles shall be planned in a manner, which insured safe and convenient vehicular movement into and throughout the parking and loading area. The parking and loading area shall be improved with a durable, dust-free surface such as gravel, concrete, or bituminous concrete. Storm water drainage shall be handled so that water previously not concentrated in defined channels is not collected and directed in new channels onto adjacent property. The parking and loading area shall be maintained in good condition without hazardous holes and shall be free of dust, trash and other debris.

Section 704

Location Of Off-Street Parking And Loading Spaces

Required parking and loading spaces shall be located on the same lot as the uses which they are intended to serve; providing, where necessary, required parking spaces for commercial, industrial and institutional uses may be located on property adjoining the principal use.

Section 705

Parking Space Requirements

For purposes of this ordinance the following minimum parking space requirements shall apply. Parking space requirements for other permitted special exception uses not listed herein shall be determined by the Zoning Hearing Board, in the case of other permitted conditional uses the Board of Township Supervisors shall make this determination, based on a comparative evaluation of the requirements listed below. Where fractional numbers result from off-street parking requirement calculations the required number of spaces shall be increased, or decreased, to the nearest whole number. In the listing below, unit means dwelling unit; floor area shall be construed to mean the sum of the several floors of a structure including the basement; measurements shall be from the outside faces of the exterior walls.

Type of Use	Minimum Parking Spaces Required
Residential	
Single-family dwellings.....	Two per dwelling
Two-family dwelling (2 units).....	Four per building
Mobile and modular homes.....	Two per dwelling unit
Seasonal dwelling.....	Two per dwelling unit
Conversion dwelling.....	Two per dwelling unit not to be located between the road right-of-way and the required front yard building line
Multi-family dwellings.....	Two per dwelling unit; however, for elderly family housing the requirement may be reduced by one-half.
Boarding and rooming houses.....	One per guest room. Two for resident manager.

Type of Use	Minimum Parking Spaces Required
Group homes.....	One for each full-time staffer and one for every four persons that can be served in the home.
Tourist home.....	One per each guest room and two for the resident manager.
Commercial	
Automobile service station.....	One for each gasoline pump hose and two for each service bay.
Bowling Alley.....	Four for each alley
Drive-in establishment.....	Provisions must meet approval of Supervisors
Laundromat.....	One for each three machines on the premises
Motel and hotel.....	One for each rental unit and one for each two employees
Office buildings, both municipal and private, professional service establishments, banks.....	One for each 200 square feet of gross floor area
Restaurants.....	One for each 3 seats
Retail store and personal service establishments.....	One for each 200 square feet of gross floor area
Industrial	
Manufacturing activities, upholstering shops, artisan shops and printing establishments.....	One for each employee and one for each motor vehicle used in the business and spaces for visitors
Wholesale and warehousing establishments.....	One for each 3,000 square feet of floor area
Other Uses	
Churches and other places of Assembly.....	One for each five seats
Clubs and lodges.....	One for each 200 square feet of floor area
Convalescent and nursing homes.....	One for each three beds and one for each employee
Day care centers.....	One for each employee, one for every four children proposed to be accommodated and one for each vehicle used in the day care center activity
Public schools.....	One for each teacher and staff member and one for each three seats provided for public assembly

Type of Use	Minimum Parking Spaces Required
Funeral homes.....	One for each 50 square feet or aggregate floor area in the viewing rooms and service rooms, one for each vehicle used in the business and two for the family residence, if any
Health care facilities.....	Five for each doctor or dentist and one for each employee
Philanthropic, charitable institutions and other quasi public uses.....	One for each 300 square feet of gross floor area
All Other Uses.....	Provisions must meet approval of Supervisors

ARTICLE 8.
NONCONFORMITIES

Section 800 **Intent**

Within the district established by this ordinance or amendments that may be later adopted, there exists lots, structures, uses of land, uses of structures, and characteristics of use which were lawful before this ordinance was adopted or amended, but which are or would be prohibited, regulated, or restricted under the terms of this ordinance or future amendments to this ordinance. These uses of structure and/or land may exist, and may be sold, leased, or otherwise legally transferred and the new owner may continue such lawful nonconforming uses. It is the intent of this ordinance to permit these nonconformities to continue until they might be removed and, under certain conditions as set forth in this Article, to permit these structures and uses of land to expand to a limited degree.

Section 801 **Avoidance Of Hardship Where Construction Or Use Has Begun**

To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction or designated use of any structure on which actual construction was lawfully begun prior to the effective date of the adoption of this ordinance, or the adoption of an amendment of this ordinance, and upon which actual building construction has been carried on diligently.

Section 802 **Single, Separate, Nonconforming Lots Of Record**

In any district any lot or parcel of record existing at the effective date of this ordinance, which lot or parcel is held in separate ownership and not part of a continuous ownership with other adjacent lots or parcels, may be used for the erection of a structure conforming to the use regulations of the district in which it is to be located, even though lot area and lot width requirements, or both, are less than the minimum required in this ordinance. Variance of other yard requirements shall be obtained only through action of the Zoning Hearing Board, providing, however, for the aforementioned lots of record the zoning officer shall exercise the authority to grant side and rear yard variances for single family dwelling development proposals to within 5 feet of each side yard lot line and within 5 feet of the rear yard lot line.

Section 803 **Multiple And Contiguous Nonconforming Lots of Record**

If two or more lots or parcels or a combination of lots and portions of lots or parcels are contiguous and in single ownership and are of record on the effective date of this ordinance, or amendments thereto, and if all or part of the lots or parcels with no buildings thereon do not meet the requirements established for lot width and area, the lands involved shall be considered to be a single undivided parcel for the purposes of this ordinance and no portion of said parcel shall be

used or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this ordinance.

Section 804 Nonconforming Uses Of Land

Where, at the time of adoption of this ordinance, lawful uses of land exist which would not be permitted by the regulations imposed by this ordinance the uses may be continued and shall be subject to the following additional provisions:

- 804.1 A nonconforming use of land may be enlarged or extended to occupy an area which is greater by 50% than the area occupied at the effective date of adoption of this ordinance or an amendment thereto, providing such enlargement or extension is permitted as a special exception by the Zoning Hearing Board.
- 804.2 A nonconforming use of land may be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption of this ordinance or amendment thereto providing that such use shall not be enlarged or extended except as permitted in Section 804.1, and providing such move is permitted as a special exception by the Zoning Hearing Board.
- 804.3 In the event a nonconforming use of land ceases or is abandoned, for whatever reason, for a period of more than 12 months, any subsequent use of the land shall conform to the regulations specified by this ordinance for this district in which such land is located.

Section 805 Nonconforming Uses Of Structures Or Of Structures And Premises In Combination

Where at the time of adoption of this ordinance a lawful use of structure or of structures and premises *in* combination exists which would not be permitted by the regulations imposed by this ordinance the use may be continued and shall be subject to the following additional provisions:

- 805.1 A nonconforming use of part of a building may be extended throughout the building if no exterior structural changes are made and no additional floor area is added to the building, providing such enlargement or extension is permitted as a special exception by the Zoning Hearing Board.
- 805.2 A nonconforming use of a whole building may be enlarged or extended to occupy additional building area which is greater by 50% than the area occupied at the effective date of adoption of this ordinance or an

amendment thereto, providing such enlargement or extension is permitted as a special exception by the Zoning Hearing Board.

- 805.3 A nonconforming building may be altered or reconstructed providing such work does not extend the area of the nonconformity.
- 805.4 A nonconforming use may be changed to another nonconforming use providing this change is permitted as a special exception by the Zoning Hearing Board. In considering such an action the Zoning Hearing Board shall determine that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use.
- a. Nothing in this ordinance shall be interpreted to prohibit the replacement of a nonconforming mobile home with another mobile home of substantially the same floor area. Such a replacement shall be permitted as a matter of right; providing, however, such action shall be in compliance with any other applicable Township ordinances. Should the applicant desire to enlarge the mobile home floor area, Section 805.2 is applicable.
- 805.5 Where a nonconforming use is superseded by a permitted use, the permitted use shall thereafter conform to the district regulations and the nonconforming use may not thereafter be resumed.
- 805.6 A nonconforming use which has been damaged or destroyed by fire, windstorm, explosion or similar cause, which was no fault to the owner, may be rebuilt on the same foundation providing, however, the rebuilding is initiated no later than one year after the event of the destruction.
- 805.7 In the event a nonconforming use of building or building and premises in combination ceases or is abandoned, for whatever reason, for a period of more than 12 months such nonconforming use, building or building and premises in combination, shall not be reconstructed and any future use shall be in conformity to the district regulations.
- 805.8 For nonconforming structures located in the Floodplain District see Section 511 for requirements in connection with any proposed modifications, alterations, reconstruction or improvements of any kind.

Section 806

Repairs and Maintenance

On any nonconforming structures and premises work may be done on ordinary repairs, maintenance of all walls and support elements, replacement of heating systems, wiring, or plumbing, providing that the cubic content of the nonconformity shall not be increased except as provided herein. Nothing in this section shall be deemed to prevent the strengthening or restoring

to a safe condition of any building or structure or part thereof declared to be unsafe by any public official charged with protecting the public health and safety.

Section 807

Where any existing use of premises, or of a building, or of premises and building in combination is permitted under this ordinance as a conditional use, such use shall in no way be considered nonconforming. However, if such a conditional use is to be expanded it shall be reviewed by the Planning Commission and the Board of Township Supervisors for compliance with any such additional requirements as may have been made part of the terms under which the conditional use was granted.

ARTICLE 9.

CONDITIONAL USES AND AMENDMENTS

Section 900

Conditional Uses

There are times when decisions as to what particular uses shall or shall not be allowed to locate in a district should be based upon special facts and characteristics peculiar to the specific application. A simple listing of permitted or prohibited uses may be too inflexible to accommodate basically sound development proposals. Where uses are generally consistent with a particular zoning district they should be permitted of right; where uses are generally inconsistent with a particular zoning district they should be prohibited; but the character of a number of uses falls between these two "extreme" situations. The conditional use is allowed only as listed in Article 5. which provides district regulations. The conditional use is much like the special exception use explained in Article 10. except that it is permitted or denied by the Board of Township Supervisors; the Planning Commission has an opportunity to review and make recommendations on conditional use applications.

Section 901

Application For Conditional Use

An application for a conditional use permit shall be filed with the Zoning Officer. At a minimum the application shall contain the following information:

1. Name, address and phone number of applicant;
2. Legal description of property;
3. Description of existing use;
4. Present zoning district;
5. Description of proposed use;
6. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and circulation, open spaces, landscape treatment on all surfaces, refuse and service areas, utility services, signs, yard areas and such other information as the Board of Township Supervisors may require to determine if the proposed use meets the requirements of this ordinance.
7. A narrative statement: (a) evaluating the effect of such elements as noise, glare, odor, fumes, vibrations, storm runoff and waste discharges on adjoining property; (b) discussing the general compatibility with other

properties in the district; and (c) explaining the relationship of the proposed use to the Township's Comprehensive Plan.

8. Any such other materials as may explain how the proposed use will comply with the requirements established in Section 902 of this ordinance.
9. A listing of all property owners and their addresses within, contiguous to and directly across the road from the parcel proposed for a conditional use permit. Also all other property owners that may have substantial interest in the proposed conditional use shall be listed.

Section 902

Standards Applicable To All Conditional Uses

In addition to specific requirements for conditional uses as specified elsewhere in this ordinance the Township shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and shall permit said use after finding adequate evidence showing that such use at the proposed location:

- | | |
|-------|--|
| 902.1 | Will be in accordance with the community development objectives set forth in Article 2.; |
| 902.2 | Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance and function with the existing or intended character of the general area in which the use is located; |
| 902.3 | Will not be hazardous or disturbing to existing or future neighboring uses; |
| 902.4 | Will be served adequately by public facilities and services such as highways, streets, police and fire protection, drainage systems, refuse disposal, water and sewers, and schools; and that the persons or agencies responsible for the establishment of the proposed use shall be able to provide additional or supplementary public facilities and services should their need be demonstrated in relation to the proposed use; |
| 902.5 | Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community; |
| 902.6 | Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, vibrations, smoke, dust, fumes, glare or odors; and more specifically the uses shall meet the following standards |

- a. There shall be no undue pollution of the air or water by dust, dirt, fumes, smoke, odor or other polluting substances which will cause damage to human health or to animals, vegetation or other property or which will soil property and be perceptible beyond the boundary or lot line of the proposed use.
 - b. There shall be no direct or reflected glare or heat perceptible by the average person beyond the boundary or lot line of the proposed use.
 - c. There shall be no discernable vibration perceptible without instruments beyond the boundary or lot lines of the proposed use.
 - d. There shall be no activity permitted which produces radioactivity.
 - e. There shall be no electrical disturbances adversely affecting the operation of equipment, such as radio and television apparatus, at any point beyond a line 10 feet outside of the boundary or lot lines of the proposed use.
 - f. There shall be no noise which is considered objectionable, because of its volume, frequency or beat, to the average person's sense of hearing perceptible at any point beyond a line 10 feet outside of the boundary or lot lines of the proposed use.
 - g. There shall be no emissions and/or discharges into the air or water, which do not meet the standards established by the Pennsylvania Department of Environmental Resources.
- 902.7 Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance and significance.
- 902.8 Will, - when the character of outdoor service, storage, operational and parking activities are such that unsightly views shall be exposed to adjacent uses in such a way as to cause, in the judgment of the reviewing officials, property devaluation, - provide through, minimum distances, screening by wall, fence, plantings and/or terrain or landscape features an effective barrier which blocks said unsightly views to a height of 6 feet, from ground level at the property line with adjacent uses and at road rights-of-way, at the time of occupancy of the use and throughout its future operations. See Section 619, Buffer Areas.

In its review of the application the Board of Township Supervisors may seek the opinion of specialists in the Pennsylvania Department of Environmental Resources or other qualified experts of their choice to advise them regarding compliances with the above listed standards.

Any expense associated with obtaining expert advice from knowledgeable and qualified specialists may be charged to the applicant.

Section 903 **Supplementary Requirements For Conditional Uses**

Supplementary standards may be set forth for specific conditional uses as established in the appropriate sections of this ordinance. In granting a conditional use the Board of Township Supervisors may prescribe additional requirements and safeguards providing they are in harmony with the community development objectives set forth in Article 2. Violations of such additional requirements, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this ordinance and punishable under Section 1107.

Section 904 **Procedure For Approval Of Conditional Use**

Three copies of the complete application shall be filed with the Zoning Officer. An application fee shall be paid in the amount set by the Board of Township Supervisors. The Zoning Officer shall refer immediately one application to the Planning Commission and one application to the Supervisors. The Planning Commission shall review the proposal and forward its recommendations to the Supervisors. The Planning Commission may request the Zoning Officer and the applicant to be present at its meeting in order to obtain more complete information concerning the proposals. The Planning Commission shall forward its recommendation within 45 days of the date the application was accepted by the Zoning Officer as complete; failure to act within this allotted time shall be considered a favorable recommendation.

Within 50 days of the date the application was accepted by the Zoning Officer as complete the Township Supervisors, after giving one public notice a minimum of 7 days prior to the public hearing, shall hold a public hearing on the proposal.

Upon approval by the Township Supervisors the application shall be appropriately signed and all development and construction and use shall be in accordance with the approved application and accompanying plan unless a revised plan is submitted and approved. Any development contrary to the approved plan shall constitute a violation of this ordinance.

Section 905 **Procedure For Uses Considered Accessory To A Permitted Conditional Use**

In the case that it should become necessary for the applicant, at some time in the future, to revise the conditional use site plan from what was originally proposed the applicant shall provide the Zoning Officer with a plan of the proposed changes. The Zoning Officer shall evaluate whether the proposed changes to the site plan constitute a change of use and/or whether they would be considered accessory to the conditional use. The Zoning Officer shall, according to the standards set forth in Section 902, determine whether the proposed accessory use will be in keeping with and not obstructive to the neighborhood character; in these instances the Zoning Officer may

permit the accessory use. In the case the Zoning Officer is unsure as to whether the proposed use can be classified as an accessory use, or if the Zoning Officer determines it is significantly different from the originally permitted conditional use, he shall require the proposal to be submitted under the full conditional use process.

Section 906 **Expiration Of Conditional Use Permit**

A conditional use permit shall be considered to authorize only one particular use as approved by the Township Supervisors and said permit shall automatically expire if, for any reason, the conditional use shall cease for 2 years or longer. To reinstate a conditional use a new application shall be filed and approved under the terms of this ordinance.

Section 907 **Zoning Ordinance Amendments**

Whenever the public necessity and convenience, or the general welfare, or good zoning practices require it the Board of Township Supervisors may, subject to the procedures and requirements set forth herein, amend, supplement, change, or repeal the regulations, restrictions, and boundaries or classifications of property established in this ordinance.

Section 908 **Initiation Of Zoning Amendments**

Amendments to this ordinance may be initiated through proper application in the following ways:

1. By resolution of the Board of Township Supervisors;
2. By resolution of the Township Planning Commission; and
3. By a landowner who desires to challenge on substantive grounds the validity of this ordinance claiming that the provisions of this ordinance prohibit or restrict the use or development of land in which he has an interest. An amendment proposed in this manner shall be known as a curative amendment and shall be heard and decided upon as provided for in this ordinance and in Sections 609.1, 609.2 and 1004 of the Pennsylvania Municipalities Code, Act 247 as amended.

Section 909 **Contents Of Zoning Amendment Application**

The application for an amendment shall contain at a minimum the following:

1. Name, address and phone number of applicant;

2. Specific language or proposed amendment to the text, and/or the legal description of any district or boundary change;
3. The present use and zoning district;
4. The proposed use and zoning district;
5. An accurate map at a reasonable scale showing property lines, streets, existing and proposed zoning and other items that may clarify the application and/or may be required by the Zoning Officer;
6. A listing of all property owners and their addresses within, contiguous to and directly across the road from the parcel proposed to be rezoned. Also all other property owners that may have substantial interest in the proposed amendment shall be listed.
7. A statement on how the proposed amendment relates to the Township's comprehensive plan;
8. A fee as may be established by the Board of Township Supervisors.

Section 910

Procedures For Zoning Amendments

- 910.1 In the instance of the initiation of a zoning amendment by a landowner the application shall be filed with the Zoning Officer. Before a proposed amendment may be voted on by the Township Supervisors opportunities shall be offered the Township Planning Commission and the Crawford County Planning Commission to review the amendment. The Township Supervisors shall hold a public hearing on the proposed amendment pursuant to public notice before taking action.
- 910.2 The Township Planning Commission and the Crawford County Planning Commission shall have a maximum of 45 days from the date of their receipt of a proposed amendment during which time they shall review the amendment and transmit their comments and recommendations to the Supervisors. Action by the Township Supervisors on the amendment need not be delayed beyond the 45-day limit set for the reviewing organization.
- 910.3 If, after a public hearing is held on an amendment, the proposed amendment is revised to include land previously not affected by the proposal, or, if substantial alterations are made in the text of the ordinance, the Supervisors shall hold another public hearing, pursuant to public notice, and shall provide for review as established in Section 910.2 before proceeding to a decision on the amendment.

- 910.4 Contents Of Public Notice - Public notices of proposed zoning amendments shall include either the full text thereof, or a brief summary setting forth the principal provisions in reasonable detail, and a reference to a place in the municipality where copies of the proposed amendment may be examined. The time and place of the hearing also shall be indicated.
- 910.5 Publication After Enactment - After enactment, if the advertisement of a zoning amendment is required by other laws respecting an advertisement of ordinances, the advertisement may consist solely of a reference to the place within the municipality where copies of such ordinance or amendment may be obtained for a charge not greater than cost, or a reference to the place where the ordinance is available for examination without charge.

ARTICLE 10.
ADMINISTRATION

Section 1000 **Zoning Officer**

A Zoning Officer shall be appointed by the Township Supervisors. The Zoning Officer shall administer this ordinance; he may not hold any elective office in the Township.

Section 1001 **Duties Of The Zoning Officer**

The Zoning Officer shall have the following duties.

1. Receive applications for zoning clearances including sign permits and issue same; he shall administer the zoning ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use which does not conform to this ordinance;
2. Identify and register all nonconforming uses and structures existing in the Township at the effective date of this ordinance;
3. Issue building permits;
4. Issue certificates of occupancy;
5. Maintain a permanent file of all applications for zoning clearances, certificates of occupancy and all other actions, as he is required to perform under this ordinance;
6. Inspect premises as may be necessary;
7. Order the action necessary to correct any violation of this ordinance where violations are found to exist;
8. Order discontinuance of illegal uses of land, buildings or structures removal of illegal structures; discontinuance of any illegal work;
9. Utilize proceedings before district magistrates to enforce the provisions of this ordinance.

Section 1002 **Duties Of The Planning Commission**

The Planning Commission shall have the following duties:

1. Review all proposed amendments to this ordinance and make recommendations to the Township Supervisors thereon;
2. From time to time as needs arise, propose to the Supervisors amendments to this ordinance;
3. Conduct other reviews and make recommendations as required by the provisions of this ordinance.

Section 1003 **Zoning Hearing Board**

Creation and Appointment - A Zoning Hearing Board shall be created by the Township Supervisors. The Board shall consist of three members appointed by the Supervisors. Each member shall be a resident of the Township. The term of office of the members shall be three years and shall be so fixed that the terms of office of some members shall expire each year. The board shall promptly notify the 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 office in the Township, except that no more than one member of the Board may also be a member of the Planning Commission.

Section 1004 **Organization Of Zoning Hearing Board**

The Board shall elect from its own membership a Chairman and a Secretary who shall serve annual terms as such and may succeed themselves. The Board may make and alter rules and forms for its procedures, consistent with laws of the Township and the Commonwealth. The Board shall keep full public records of its business and shall submit a report of its activities to the Supervisors once a year. For the conduct of any hearing and the taking of action, a quorum shall be not less than a majority of all members of the Board, but where two members are disqualified to act in a particular matter, the remaining member may act for the Board. Within the limits of funds appropriated by the Supervisors, the Board may employ or contract for a secretary, a clerk, and a legal counsel.

Section 1005 **Functions Of Zoning Hearing Board**

- 1005.1 The Board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Officer in the administration of this ordinance.
- 1005.2 The Board shall hear challenges to the validity of the zoning ordinance and/or map and any parts thereof; except it may not hear challenges pertaining to the process of enactment or adoption of the ordinance and

map. At the conclusion of the hearing the Board shall decide all contested questions and shall make findings on all relevant issues of fact, which shall become part of the record on appeal to the Court.

1005.3 The Board shall hear requests for variances where it is alleged that the provisions of the zoning ordinance, strictly applied, inflict unnecessary hardship upon the applicant; public notice shall be given for such hearings. The Board may vary the application of any requirements of this ordinance wherein strict enforcement would result in practical difficulty or unnecessary hardship, which would deprive the applicant of a reasonable use of his land or building. A variance may be granted provided the following findings are made by the Board:

- a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size and shape, or exceptional topographic or other physical conditions peculiar to the property and that the unnecessary hardship is due to these conditions and not due to circumstances or conditions generally created by the provisions of the zoning ordinances;
- b. That because of such physical circumstances there is no possibility that the property can be developed in strict conformity with the provisions of this ordinance;
- c. That such unnecessary hardship has not been created by the applicant;
- d. That the variance, if authorized will not alter the essential character of the neighborhood in which the property is located nor substantially or permanently impair the appropriate use of adjacent property nor be detrimental to the public welfare.
- e. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulations in issue.

Furthermore in considering requests for variances the following principles shall apply:

- f. Nonconforming uses of neighboring lands, or certain types of structures in the same district and permitted or nonconforming uses of land or structures in other districts shall not be considered grounds for the issuance of variances.
- g. The Board shall not permit variances, which allow a use not permissible under the terms of this ordinance in the district

involved unless the Board finds that the applicant cannot make a reasonable use of his land.

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. Violation of such conditions and safe- guards, when made a part of the terms under which the variance is granted, shall be considered a violation of this ordinance and punishable under Section 1107.

- 1005.4 The Board shall issue special exception permits for any of the uses requiring such permits under the terms of this ordinance. The Board shall hear and decide requests in accordance with the established standards and criteria; one public notice shall be given a minimum of 7 days prior to the public hearing for such hearing. In granting special exception permits the Board shall prescribe the basis upon which the permit was issued and the conditions deemed necessary or desirable for the protection of public interests. No special exception permits shall be granted by the Board unless it finds that the use for which such permit is sought will not be injurious to the neighborhood, not be inconsistent with the objectives of this ordinance as established in Article 2., not be inconsistent with the character of the surrounding neighborhood or otherwise detrimental to the public health and welfare, and that the use will not substantially impair an adequate supply of light and air to adjacent properties or overcrowd the land, or create undue concentration of population or substantially increase congestion in the streets, or create hazardous traffic conditions or increase the danger of fire.

Applications for special exceptions may be subject to additional more specific standards and criteria as established in other sections of this ordinance, and in granting a special exception the Zoning Hearing Board may attach such reasonable conditions, in addition to those established in this ordinance, as it may deem necessary to implement the purposes of this ordinance.

- 1005.5 Where the Board has jurisdiction over matters pursuant to the above subsections the Board shall also hear all appeals which an applicant may elect to bring before it with respect to any other municipal ordinance or requirement pertaining to the same development. In any such case, the Board shall have no power to pass upon non-zoning issues but shall take evidence and make a record thereon as provided in this ordinance. At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact, which shall become part of the record on appeal to court.

Section 1006

Zoning Hearing Board Procedures

The hearing procedure of the Zoning Hearing Board shall be governed by the provisions of the Pennsylvania Municipalities Planning Code (Act 247) of 1968 as amended and such rules, not inconsistent therewith, as the Board may adopt. The Board shall conduct the hearings and make decisions in accordance with the following requirements.

- 1006.1 Any appeal for a variance from the strict requirements of the zoning ordinance or an appeal for an order, decision or interpretation of the Zoning Officer shall be taken by filing a notice of appeal with the Zoning Officer who shall transmit immediately said notice of appeal to the Zoning Hearing Board. The Zoning Officer shall transmit to the Board all of the documentary material constituting the record upon which the action for appeal was taken.
- 1006.2 The appellant shall, at the time of filing his appeal, pay the Zoning Officer a fee as determined by the Township Supervisors to defray or help defray the cost of the appeal, including advertising.
- 1006.3 Each appeal shall be tried on its merits at a public hearing. One public notice of such appeal shall be given a minimum of 7 days prior to the public hearing. The Board also shall give notice to the applicant, the Zoning Officer and such other persons as the Supervisors may designate by ordinance. Notices shall be given at such time and in such manner as shall be prescribed by ordinance, or, in the absence of ordinance provisions, by rules of the Board. The Board may adjourn any hearing for the purpose of giving further notice.
- 1006.4 The Planning Commission shall furnish all pertinent narrative material, maps, charts and other data relative to the problem for reference by all concerned. The Board may adjourn any hearing for the purpose of reviewing such data as may be pertinent to the problem and request interpretations of said data by a representative of the Planning Commission.
- 1006.5 The Chairman of the Board shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers.
- 1006.6 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.
- 1006.7 The Board shall keep a stenographic record of the proceedings and a transcript of the proceedings, and copies of graphic or written material

received in evidence shall be made available to any party at cost. Proceedings may be taped.

- 1006.8 The Board shall hold the required hearing within 60 days from the date of the applicant's request for the hearing. The Board shall render a written decision or, when no decision is called for, make written findings on the application within 45 days after the last hearing before the Board. Each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore.
- 1006.9 Where the Board fails to hold the required hearing within the time limit required and/or where the Board fails to render a decision within the time period required the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing to an extension of time.
- 1006.10 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 not later than one day following the date of the decision. To all other persons who have filed their name and address with the Board not 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.
- 1006.11 No person shall be allowed to file any proceeding with the Board later than 30 days after any application for development has been approved by an appropriate municipal official, agency, or body if such procedure is designed to secure the reversal or to limit the approval in any manner unless such person alleges and proves that they had no notice, knowledge, or reason to believe that such approval had been given.

Section 1007

Relationships: Zoning Officer, Zoning Hearing Board, And The Board Of Township Supervisors

It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Zoning Officer and that such questions shall be presented to the Zoning Hearing Board only on appeal from the decision of the Zoning Officer, and that recourse from the decisions of the Zoning Hearing Board shall be in the courts as provided by law. It is further the intent of this ordinance that the duties of the Supervisors shall not include hearing and deciding questions of interpretation and enforcement that may arise.

ARTICLE 11.

ENFORCEMENT

Section 1100 Actions Requiring Building Permits

No structure, as defined in Article 3. of this ordinance, shall be constructed, moved, added to, altered or demolished except that a building permit has been lawfully obtained in full compliance with the provisions of this ordinance; providing, however:

1. Alterations to a building internally or externally where the value of the improvement does not exceed \$1,000 shall not require a building permit,
2. The construction of a silo accessory to an agricultural operation shall not require a building permit,
3. Water wells shall not require a building permit, and
4. Fences shall not require a building permit.

Within the identified floodplain area of the Township, all other provisions of this ordinance notwithstanding, all construction and development shall require a building permit.

Section 1101 Actions Requiring Zoning Clearance

No structure, as defined in Article 3., of this ordinance, shall be constructed, moved, added to, or altered except that the Zoning Officer shall make a determination based upon terms of this Zoning Ordinance as to whether an application for zoning clearance shall be made. Accessory buildings, fences and walls incidental to agricultural operations shall not require a zoning clearance. Structures such as sidewalks, steps, driveways, terraces, patios, flagpoles, doghouses, fences, and water wells and lawn furniture such as benches, birdbaths, and sundials shall not require a zoning clearance. Alterations to building interiors not affecting the external form and size of a building and alterations involving shingling, siding and roofing where no substantial change is made to the building form or size shall not require a zoning clearance.

- 1101.1 Linkage With State Permitting Actions. Where the state Bureau of Labor and Industry has regulatory authority under the Fire and Panic Law, Act 299, and regulates places of public assembly, commercial, institutional and industrial buildings, apartment buildings of two or more dwelling units, a zoning clearance shall not be issued to an applicant until the state has approved the applicant's plans and given them a file number which number shall be noted on the zoning application.

Section 1102**Zoning Clearance Application Requirements**

The application for the zoning clearance shall be signed by the owner, or applicant or his authorized agent attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the permit shall expire and may be revoked if the work has not begun within one year of issuance. At a minimum the application shall contain the following information:

1. Name, address and phone number of applicant;
2. Legal description of property;
3. Existing use of property;
4. Proposed use of property;
5. Description of work contemplated;
6. Zoning district;
7. Plans in duplicate drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact size and location of an existing building on the lot, if any; the location and dimensions of the proposed building(s) or alterations; and the location of drives and drive entrances;
8. Building heights;
9. Number and location of off-street parking spaces, and loading spaces where applicable
10. Number of dwelling units where applicable;
11. Estimated time for completion;
12. Estimated cost;
13. Such other matters as may be necessary to determine conformance with and provide for the enforcement of this ordinance.

Section 1103**Approval Of Zoning Clearance**

Within 15 days after receipt of an application the Zoning Officer shall either approve or disapprove the application. One copy of the plans shall be returned to the applicant by the Zoning Officer after he shall have marked such copy either approved or disapproved and attested to same by his signature. One copy of the plans, similarly marked shall be retained by the Zoning Officer. The Zoning officer shall issue a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use, structure or alteration is in conformance with the provisions of this ordinance.

Section 1104**Expiration Of Zoning Clearance**

If the work described in the zoning clearance application has not begun within one year from the date of issuance, the clearance shall expire. It shall be revoked by the Zoning Officer, and written notice thereof shall be given to the applicant. If the work described in any zoning clearance has not been substantially completed within 2 ½ years of the date of issuance said clearance shall expire and be revoked by the Zoning Officer, and written notice thereof shall be given to the applicant, together with notice that further work as described in the cancelled clearance shall not proceed unless and until a new zoning clearance has been obtained or an extension of time granted.

Section 1105**Certificate Of Occupancy**

It shall be the responsibility of the Zoning Officer to assure that the applicant has performed the development activities as established in the approved permit application including any additional requirements fixed by the Zoning Hearing Board or the Township Supervisors where special exception and conditional uses are approved. In performing this function the Zoning Officer may issue a certificate of occupancy. The certificate of occupancy, if issued, indicates that the building and/or proposed use is in compliance with the provisions of this ordinance. Where the applicant is not in compliance he shall be so notified by a written statement indicating reasons for the non-compliance. Continued non-compliance shall be considered a violation of this ordinance and shall be prosecuted as provided for herein.

- 1105.1 Temporary Certificate Of Occupancy. A temporary certificate of occupancy may be issued by the Zoning Officer for occupancy of a building undergoing construction or alteration pending final completion of the construction and/or alteration work.

Section 1106**Construction And Use To Be As Provided In Application, Plans, Permits, And Certificates**

Zoning clearances or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Officer authorize only the use and arrangement set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Uses, arrangements, or construction at variance with that authorized shall be deemed a violation of this ordinance.

Section 1107**Complaints Regarding Violations**

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the cause and basis thereof, shall be filed with the Zoning Officer who shall investigate the matter and take action thereon as provided by this ordinance.

Section 1108**Penalties For Violation**

Any person, partnership or corporation who or which shall violate the provisions of this ordinance shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than 500 dollars (\$500.). In default of payment of the fine, such person, the member of such partnership, or the officers of such corporation shall be liable to imprisonment for not more than 60 days. Each day that a violation is continued shall constitute a separate offense. All fines collected for the violation of this ordinance shall be paid over to the Supervisors. Nothing herein shall prevent the Supervisors from taking such other lawful action as is necessary to prevent, restrain, or abate any violations.

Section 1109**Fees**

The Township Supervisors may establish a schedule of fees for zoning clearances, building permits, certificates of occupancy, appeals, amendments and other matters pertaining to the ordinance. Until all applicable fees, charges, and expenses have been paid no action needs to be taken on any application or appeal.

Section 1110**Municipal Liability**

The granting of a Zoning Clearance for the erection and/or use of a building or lot shall not constitute a representation, guarantee, or warranty of any kind or nature by the municipality, or an official or employee thereof, of the safety of any structure or use and shall create no liability upon, or a course of action against, such public official or employee for any damage that may result pursuant thereto.

ZONING ORDINANCE OF WEST MEAD TOWNSHIP

ORDINANCE NO. 1985-1

AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR WEST MEAD TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, ACT 247 OF 1968 AND ITS AMENDMENTS; AND FOR THE REPEAL OF ALL ORDINANCES THAT MAY BE IN CONFLICT HEREWITH.

WHEREAS ARTICLE VI OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, empowers West Mead Township to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS West Mead Township deems it necessary for the purpose of promoting the health, safety, morals, and general welfare of the Township to enact such an ordinance; and

WHEREAS the Board of Township Supervisors of West Mead Township pursuant to Article II of the Pennsylvania Municipalities Planning Code has appointed a Planning Commission which has studied the Township and fashioned a comprehensive plan for all Township lands which contains mapped, descriptive and statistical information about the Township, which articulates development objectives for the Township and which establishes a land use and facilities plan for the Township;

WHEREAS the Planning Commission has studied zoning regulations for the Township, divided Township lands into districts and prepared regulations for said districts in general accordance with the comprehensive plan and in such a way as (1) to guide development into areas that are suitable to handling it, (2) to prevent overcrowding of the land, (3) to encourage existing agricultural activities to remain functioning, (4) to protect property values based on existing uses and patterns of settlement and established development character, and (5) to promote the health and general welfare of the Township; and

WHEREAS the Planning Commission has held public meetings thereon and submitted its final report to the Board of Township Supervisors; and

WHEREAS the Board of Township Supervisors has given due public notice to public hearings relating to zoning districts and regulations and has held such public hearings; and

WHEREAS all requirements of the Pennsylvania Municipalities Planning Code with regard to the preparation of a comprehensive plan and zoning regulations have been met;

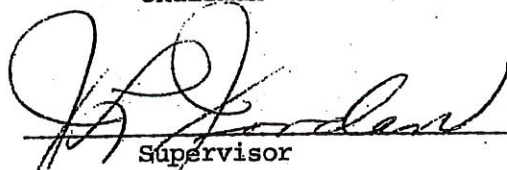
NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE BOARD OF TOWNSHIP SUPERVISORS OF WEST MEAD TOWNSHIP, CRAWFORD COUNTY, PENNSYLVANIA AS FOLLOWS:

ORDINANCE NUMBER 1985-1

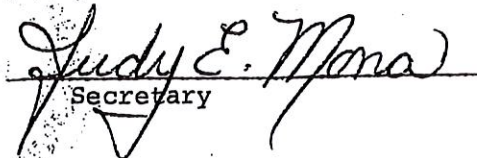
ORDAINED AND ENACTED as an ordinance
of West Mead Township on the 18th
day of June, 1985
by the Board of Supervisors of West
Mead Township.

WEST MEAD TOWNSHIP BOARD OF SUPERVISORS


Chairman


Supervisor

ATTEST:


Secretary

Amendments to
the West Mead Township
Zoning Ordinance
1985-1

Ordinance No. 1989-3
Ordinance No. 1992-4
Ordinance No. 1996-2
Ordinance No. 2001-4
Ordinance No. 2005-1
Ordinance No. 2007-1

Ordinance 1989-3
West Mead Township Board of Supervisors
Proceeding Regarding Proposed Curative Amendment To Section 805.2
Of West Mead Township Zoning Ordinance

Whereas, James Anders of R.D. #7, Springs Street, Meadville, Pennsylvania, submitted a proposed Curative Amendment to Section 805.2 of the West Mead Township Zoning Ordinance to the Township Zoning Officer Mr. Moore by letter dated May 30, 1989, a copy of which is attached as Exhibit "A".

Whereas, Mr. Anders proposes that Section 805.2 should read "a nonconforming use of a whole building may be enlarged or extended to occupy additional building area up to 50% of the area occupied at the effective date of this Ordinance or an amendment thereto" rather than as it currently reads in order to (1) clarify that the extension of the nonconforming use may be allowed to the extent of 50% or less than the current area occupied, and (2) to remove the requirement that a proposed expansion of the nonconforming use under this Section must be submitted to the Zoning Hearing Board by way of a special exception application.

Whereas, the proposed Curative Amendment was submitted to the West Mead Township Planning Commission and the Crawford County Planning for their review and comments and the Township has received the comments of the respective Planning Commissions.

Whereas, the West Mead Township Board of Supervisors did provide public notice in accordance with Section 609.1, 610 and 916.1 of the Pennsylvania Municipalities Planning Code and Notice to Mr. Anders, copies of said Notice being attached hereto as Exhibit "B", that a hearing would be held by the Board of Supervisors regarding the proposed Curative Amendment on Wednesday, July 12, 1989, at 8:00 P.M. at the Township Building.

Whereas, testimony was presented at the public hearing regarding the proposed Curative Amendment by James Anders and no other persons.

Whereas, at the public hearing, Mr. Anders presented additional documentary materials in support of his Proposed Curative Amendment and in addition, made an amendment to the Curative Amendment Proposal to clarify that within the General Industrial Zoning District, Section 510.3 should be amended to allow for special exception uses in the case of non-conforming use changes pursuant to Article 800.

Whereas, based upon the additional information presented, it was determined that the public hearing should be continued in order to allow the Solicitor and the Planning Commission the opportunity to review the additional materials and proposals.

Whereas, the additional materials were presented to the Planning Commission for further comment and the public hearing was reconvened on Wednesday, October 11, 1989 at 7:00 P.M. pursuant to Notice.

Whereas, at the reconvened hearing, additional testimony was presented by Mr. Anders.

And Now Therefore, the West Mead Township Board of Supervisors makes the following findings of fact and Conclusion of Law:

Findings of Fact

1. Deleting the words "which is greater by 50%" from the existing Section 805.2 of the Zoning Ordinance and replacing those words with the words "up to 50%" clarifies the intent of the Zoning ordinance in that the purpose was to not limit an expansion only to 50% of the area occupied but to allow for an expansion of a nonconforming use of 50% or less of the area occupied by the nonconforming use.
2. The requirement that an expansion of a nonconforming use of a building be permitted only as a special exception upon hearing by the Zoning Hearing Board should not be removed because unrestricted expansion of a nonconforming use up to 50% may have an adverse impact on roads, sewer facilities, water supplies and other public service facilities within the Township and may have an adverse effect upon the woodlands, wet lands, flood plains, and other natural resources.
3. There is no need to change Section 510.3 of the Zoning Ordinance to read "there are no special exception uses in this District except those relating to non-conforming uses" because Section 510.3 refers to specific uses which could be allowed within the General Industrial District by way of special exception review proceedings whereas in the non-conforming use sections of the Ordinance, the special exception procedure is used for purposes of determining the propriety of allowing a change of a non-conforming use already existing in the District.

Conclusions of Law

1. An amendment to Section 805.2 of the West Mead Township Zoning Ordinance to delete the words "which is greater by 50%" and replace these words with the words "up to 50%" clarifies the meaning consistent with the original intent and is proper and the proposed Curative Amendment is accepted to that extent.
2. An amendment to Section 805.2 of the West Mead Township Zoning Ordinance to delete the words "providing such enlargement or extension is permitted as a special exception by the Zoning Hearing Board," is not required or proper because of the potential adverse impact on the public interest and that portion of the proposed curative amendment is rejected.
3. An amendment to Section 510.3 of the West Mead Township Zoning Ordinance to read "there are no special exceptions except for non-

conforming uses" is not required or proper because non-conforming uses within the zone are already permitted by reason of their non-conformity and the special exception process within the non-conforming article of the ordinance is used for purposes of allowing expansions or alterations of the already existing non-conforming use, and accordingly, that portion of the Proposed Curative Amendment is rejected.

Order

The West Mead Township Board of Supervisors hereby grants the Curative Amendment proposed by James Anders in part and denies it in part, and Section 805.2 of the West Mead Township Zoning Ordinance shall hereafter read as follows:

Section 805.2 A nonconforming use of a whole building may be enlarged or extended to occupy additional building area up to 50% of the area occupied on the effective date of this Ordinance or an amendment thereto, providing that such enlargement or extension is permitted as a special exception by the Zoning Hearing Board."

Further, there are no other changes made to the ordinance.

In Witness Whereof the Board of Supervisors of West Mead Township signs this Decision and Order this 8th day of November, 1989.

West Mead Board of Supervisors

By: _____

Chairman

By: _____

Supervisor

By: _____

Supervisor

Attest:

Judy E. Mona

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 1989-3 as advertised and was duly enacted and approved as set forth at the West Mead Township Board of Supervisors meeting on November 8, 1989.

Judy E. Mona, Secretary
(seal)

West Mead Township
Crawford County, Pennsylvania
Ordinance No. 1992 - 4

AN ORDINANCE AMENDING WEST MEAD TOWNSHIP ZONING
ORDINANCE NO. 1985-1 TO INCORPORATE REVISIONS REQUIRED BY
AMENDMENTS TO THE NATIONAL FLOOD INSURANCE PROGRAM
REGULATIONS.

Whereas, West Mead Township enacted a Zoning Ordinance in 1985, Ordinance No. 1985-1, which included Floodplain regulations required in order to participate in the National Flood Insurance Program to afford protection, including flood insurance protection for persons in areas subject to flooding; and

Whereas, in order to maintain the Township's participation in the National Flood Insurance Program, the Township is required to revise certain provisions of the existing Ordinance in order to bring these provisions into conformity with the 1986 and 1989 revisions to the National Flood Insurance Program regulations; and

Whereas, the Township Supervisors believe it is in the best interest of the Township to adopt the amendments necessary to continue the protection of the National Flood Insurance Program to its residents.

Now Therefore, be it ordained and enacted by the Board of Supervisors of West Mead Township, Crawford County, Pennsylvania, and it is hereby ordained and enacted by the authority of same as follows:

Section 1

Section 300 entitled Meaning of Words of Ordinance 1985-1, the Zoning Ordinance, is amended by adding the following definitions:

Floodway - the designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) - year magnitude.

Manufactured home - a transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly, contained in one or more sections, built on a permanent chassis, 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 with or without a permanent foundation. The term does include park trailers, travel trailers or other similar vehicles which are placed on a site for more than 180 consecutive days.

Manufactured home park- a parcel of land under single ownership which has been planned and improved for the placement of two or more manufactured homes for non-transient use.

Section 2

Section 301 entitled "Interpretation of Words" of Ordinance 1985-1, the Zoning Ordinance, is amended by adding a subsection as follows:

7. As used in the floodplain regulations set forth in Section 511 of this Ordinance, the terms "mobile home" and "mobile home park" shall mean and be substituted by the terms "manufactured home" and "manufactured home park" respectively.

Section 3

Section 511.2 entitled "Identification of Floodplain Areas" of Ordinance No. 1985-1, the Zoning Ordinance is amended to read as follows:

Section 511.2 *identification and Description of Floodplain Areas*. The identified floodplain shall be those areas of West Mead Township subject to a 100 year flood as determined in the Federal Insurance Study and shown on the Flood Boundary and Floodway Map prepared for West Mead Township by the Federal Insurance Administration on June 15, 1977 or the most recent revision thereof. The identified floodplain shall consist of the following specific areas:

- a *FW (Floodway Area)* the areas identified as "Floodway" in the A Zone in the Flood Insurance Study prepared by Federal Insurance Administration. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.

For the purposes of this Ordinance, the floodway is based upon the criteria that a certain area within the floodplain would be capable of carrying the waters of the one hundred (100) year flood without increasing the water surface elevation of that flood more than one (1) foot at any point.

- b. The FF (Flood Fringe Area) shall be that area of the 100 year floodplain not included in the FW (Floodway Area). The basis for the outermost boundary of this area shall be the 100 year flood elevations contained in the flood profiles of the above-referenced Flood Insurance Study and as shown on the accompanying Zoning District Map and based on most recent Flood Boundary and Floodway Map.
- c. *FA (General Floodplain Area)* - The areas identified as Zone A in the FIS for which no one hundred (100) year flood elevations have been provided. When available, information from other Federal, State and other acceptable sources shall be used to determine the one hundred (100) year elevation,, as well as a floodway area, if possible. When no other information is available, the one hundred (100) year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question. In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and Hydraulic analyses shall be undertaken only by professional engineers, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality.

Section 4

Sections 511.12 and 511.13 entitled "Residential Structures" and "Non-residential Structures" respectively, of Ordinance No. 1985-1, the Zoning Ordinance are amended to read as follows:

511.12 Residential Structures.

Within any identified floodplain area, the lowest floor (including basement) of any new residential structure, or any substantial improvement to an existing residential structure, shall be at least one and one-half (1 1/2) feet above the one hundred (100) year flood elevation. Fully enclosed spaces below the lowest floor shall be prohibited.

511.13 Non-residential Structures.

- a. Within any identified floodplain area, the lowest floor (including basement) of any new non-residential structure, or any substantial improvement to an existing non-residential structure, shall be at

least one and one-half (1 1/2) feet above the one hundred (100) year flood elevation, or be designed and constructed so that the space enclosed by such structure shall remain either completely or essentially dry during any flood up to that height. Fully enclosed spaces below the lowest floor shall be prohibited.

- b Any non-residential structure, or part thereof, having a lowest floor which is not elevated to at least one and one-half (1 1/2) feet above the one hundred (100) year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972), or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.

Section 5

Section 511.20, entitled "Special Requirements for Mobile Homes", of Ordinance No. 1985-1, the Zoning Ordinance, is amended to read as follows:

Section 511.20 *Special Requirements for Manufactured Homes.*

- a. Within any FW (Floodway Area), manufactured homes shall be prohibited.
- b. Within any FA (General Floodplain Area) manufactured homes shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
- c. Where permitted within any floodplain area, all manufactured homes, and any additions thereto, shall be:
 - 1. placed on a permanent foundation;
 - 2. elevated so that the lowest floor of the manufactured home is one and one-half (1 1/2) feet or more above the elevation of the one hundred (100) year flood;

3. anchored to resist flotation, collapse, or lateral movement.

Section 6

Subsection d of Section 511.21 entitled "Prohibited Uses" of Ordinance No. 1985-1, the Zoning Ordinance, is amended to read as follows:

- d The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

Section 7

Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 8

Severability. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance, it is hereby declared as the intent of the Township Supervisors that this ordinance would have been adopted had the unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

Section 9

Effective Date. This ordinance shall become effective five days after enactment.

Ordained and Enacted this 9th day of September, 1992.

West Mead Township Board of Supervisors

By: David M. Miel
Chairman
By: John J. Sordani
Supervisor
By: Thomas E. Wasson
Supervisor

Attest:

By: Judy E. Mona
Secretary

[seal]

WEST MEAD TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA

ORDINANCE NO. 1996 - 2

AN ORDINANCE OF WEST MEAD TOWNSHIP TO AMEND THE WEST MEAD TOWNSHIP ZONING ORDINANCE, NO. 1985 - 1, AS AMENDED, TO ADD A NEW SECTION 1008 TO AUTHORIZE PARTICIPATION OF WEST MEAD TOWNSHIP POLICE IN ENFORCEMENT.

Be it Enacted and Ordained, by the Board of Supervisors of West Mead Township, Crawford County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

Section 1. Article 10 of the Zoning Ordinance of West Mead Township, Ordinance No. 1985 - 1, as amended, is hereby amended by adding a new Section 1008 to said Article which shall read as follows:

Section 1008. Enforcement by Township police.

The police officers of West Mead Township may, at the direction of the Township Supervisors, or a designated Supervisor, or the Zoning Officer, undertake the following duties with respect to enforcement of this Ordinance:

1. Inspect premises to ascertain compliance with the zoning ordinance, orders or permits, and make reports to the Township Supervisors and Zoning Officer regarding their findings.
2. Issue and serve warnings, enforcement notices and orders pertaining to violations of this Ordinance, directions to correct violations, and discontinuance of illegal uses of land or buildings or of illegal work, and make reports regarding same to the Supervisors and Zoning Officer.
3. Participate in proceedings before the District Justice to enforce the provisions of this Ordinance.

Section 2. Repealer. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Section 3. Severability. Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions and parts hereof, and of any Code of which this Ordinance may be or may be considered to be part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of final enactment hereof.

Section 4. Effective Date. This Ordinance shall be effective five (5) days after the date of enactment.

Ordained and Enacted into law by the Board of Supervisors of West Mead Township this 10th day of July, A.D., 1996.

West Mead Township Board of Supervisors

By: Daniel C. Minin

Chairman

By: Grace S. Trasson

Supervisor

By: Walter R. Young

Supervisor

Attest:

By: Judy E. Mona
Secretary

[seal]

I do hereby certify that the foregoing is a true and correct copy of Ordinance NO. 1996 - 2 as advertised and was duly enacted and approved as set forth at the West Mead Township Board of Supervisors meeting on July 10, 1996.

Judy E. Mona, Secretary

**West Mead Township
Crawford County, Pennsylvania
Ordinance No. 2001 - 4**

**ORDINANCE TO AMEND THE WEST MEAD TOWNSHIP ZONING ORDINANCE TO ADD
LAND USE REGULATIONS FOR COMMUNICATIONS TOWERS**

Whereas, the Board of Supervisors of West Mead Township has determined that due to the expansion of wireless communication facilities in the area of the Township, and the lack of existing regulations in the Township's Zoning Ordinance, the best interests of the West Mead Township residents will be served by adding land use regulations to the Zoning Ordinance for communications structures, consistent with the 1996 Federal Telecommunications Act.

Now Therefore, be it Ordained and Enacted by the Board of Supervisors of West Mead Township, Crawford County, Pennsylvania, and it is hereby enacted and ordained by and with the authority thereof as follows:

Section 1. Section 504.2 of the West Mead Township Zoning Ordinance entitled "Conditional Uses", Ordinance No. 1985-1, adopted June 18, 1985, the zoning regulations for the Rural Residential (**RR**) zoning district, is amended by adding a subsection (g) as follows:

(g) Communications tower(s) subject to the regulations set forth in Section 631.

Section 2. Section 509.2 of the West Mead Township Zoning Ordinance, Ordinance No. 1985-1, adopted June 18, 1985, entitled "Conditional Uses" the zoning regulations for the Light Industrial (**LI**) zoning district, is amended by adding a subsection (p) as follows:

(p) Communications tower(s) subject to the regulations set forth in Section 631.

Section 3. Section 300 of the West Mead Township Zoning Ordinance, Ordinance No. 1985-1, adopted June 18, 1985, as amended, the definitions section of the Ordinance is amended by adding the following definitions:

Alternative Tower Structure means man-made trees, clock towers, tall steeples, light poles, and similar alternative design mounting structures that camouflage or conceal the presence of antennas on towers.

Communications Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers or monopole

towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like. The term includes the structure and any support thereto. A communications tower shall not include towers and antenna structures of 100 feet or less for government or private, non-commercial and amateur purposes, including, but not limited to, ham and citizens band radios.

Communications Antenna means 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, omnidirectional 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 citizens band radio antennas.

Section 4. Article 6 entitled Supplementary Regulations of the West Mead Township Zoning Ordinance, Ordinance No. 1985-1 adopted June 18, 1985, as amended, is amended by adding a new Section 631 as follows:

Section 631. Communications Tower Regulations.

Section 631.1 Application. An application for a conditional use permit for a communications tower shall be submitted and include the following:

- (a) Information required by Section 901 of this Zoning Ordinance.
- (b) Scaled site plan showing the location, type and height of the tower and other related structures, fenced area and access road, surrounding land uses within 500 feet, and boundaries of surrounding properties.
- (c) Information concerning topography, adjacent land uses, intended use of proposed tower, type of security, and tower lighting.
- (d) Information concerning the ownership of the land and agreements, if any, pertaining to its use for communication tower purposes.
- (e) Information about adjacent roadways, proposed means of access and traffic.
- (f) Elevation drawings of the proposed tower and any other structures and information about impact on surrounding topography.

- (g) Plans for fencing and finished color, landscaping, and other means of camouflage.
- (h) Information about the setback distance between the proposed tower and the nearest residential dwellings, public roads and property lines,.
- (i) Information about the location of and the separation distance from other communications towers within a 3 mile radius with reference to a site map, together with information about the type of construction of the existing tower(s), as well as the owner/operator of the existing tower(s).
- (j) Information about whether construction of the tower will accommodate collocation of additional antennas for future users, and if not why it will not.
- (k) A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.
- (l) A description of the feasible locations of future towers or antennas within the Township based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.
- (m) Written proof that the proposed use/facility complies with the FCC regulations on radio frequency (RF) exposure guidelines.
- (n) Information about what environmental evaluations are required under the National Environmental Policy Act (NEPA) as referenced in applicable FCC rules and the results of any undertaken to date of application. If an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) is required under the FCC rules and NEPA, information about when those studies will be done.
- (o) Engineering information detailing the size and coverage required for the facility location.

Section 631.2 Collocation Requirement. No new tower shall be permitted unless the applicant provides substantial evidence to establish that no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's

proposed antenna and requirements, or that the proposed tower will accommodate the collocation of multiple antennas and users in sufficient numbers to substantially reduce the reasonably foreseeable commercial need for multiple towers, and that there is no commercially available technologically and financially feasible alternative technology that does not require the use of towers or similar structures. Evidence to demonstrate that no existing tower structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

- (a) No existing towers or structures are located within the geographic area which meet the applicant's engineering requirements.
- (b) Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
- (c) Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.
- (d) Existing structures do not have sufficient location, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
- (e) The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
- (f) Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such tower exceeding applicable standards established by the Federal Communications Commission.
- (g) The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.
- (h) The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

Section 631.3 Specific Conditions for Communications Towers in the Rural Residential District.

- (a) The lot shall be a minimum of five (5) acres.

- (b) The base of the tower shall be set back from every property line and residential structure at least the height of the tower.

Section 631.4 Specific Conditions for Communications Towers in the Light Industrial District.

- (a) The lot shall be a minimum of one (1) acre.
- (b) The base of the tower shall be set back from all residential structures at least the height of the tower.
- (c) The base of the tower shall be set back at least 60% of the tower height from the nearest property line.

Section 631.5 General Site Regulations.

- (a) A Communications Tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements.
- (b) All guy wires, and guy wire anchors shall be at least twenty-five (25) feet from the nearest property line.
- (c) The maximum height of any tower, including communications antennas located thereon, shall be 300 feet.

Section 631.6 Safety and Security Standards.

- (a) Tower owner and operator shall permit only communications antennas and related devices and equipment on the tower, and only persons with proper FCC licenses, as may be required, to utilize the Communications Tower. Communications devices/antennas to be located on Communications Towers shall comply with all applicable standards established by the FCC governing human exposure to electromagnetic radiation.
- (b) Communications Towers shall be designed and constructed in accordance with current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Associations/Telecommunications Industry Association, and all other applicable building codes. Certification of such compliance from a Pennsylvania registered engineer shall be required before building permits shall be issued.

- (c) Communications Towers shall be constructed and maintained in accordance with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation and applicable Airport and other Zoning Regulations.
- (d) 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 twenty (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. If access is from a public road, a gate may be required.
- (e) 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.
- (f) The Communications Tower and related buildings and equipment shall be secured by a fence with a latched gate. The minimum height of the fence and gate shall be eight (8) feet to limit accessibility by the general public.

Section 631.7 Visual Impact Reduction Standards.

- (a) Towers shall either maintain a galvanized steel finish, subject to any applicable governmental or engineering standards, or be painted a neutral color, so as to reduce visual obtrusiveness.
- (b) At a tower site, the design of the tower buildings and related structures shall, to the maximum extent possible, use materials, colors, textures, screening and landscaping that will blend the tower facilities with the natural setting and environment.
- (c) Towers shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent residential property. The standard buffer shall consist of a landscaped strip at least 10 feet wide outside the perimeter of the compound. Natural vegetation is preferred. In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived entirely. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large wooded lots, natural growth around the property may be deemed a sufficient buffer.

- (d) No lights shall be mounted on the tower except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental authority with jurisdiction. If lighting is required, it shall be designed, installed and maintained to cause the least disturbance to surrounding viewpoints, consistent with applicable governmental regulations.
- (e) No signs of any kind shall be mounted on the tower except as may be required by applicable governmental regulations.

Section 631.8 Non Tower Communications Antenna Regulations.

- (a) Communications antenna shall be permitted in any zoning district if located on an existing structure subject to the following regulations.
- (b) Building mounted communications antennas shall not be located on any single family dwelling or two family dwelling.
- (c) Building mounted communications antennas shall not exceed the height of the existing structure by more than 25 feet or the height limitations of the zoning ordinance by more than 25 feet.
- (d) Any applicant proposing communications antennas to be mounted on a building or other structure shall submit evidence 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.
- (e) Any applicant proposing communications antennas to be mounted on a building or other structure shall submit evidence sufficient to show that the installation will meet applicable building code requirements.
- (f) Any applicant proposing communications antennas to be mounted on a building or other structure shall submit evidence of agreements and/or easements necessary to provide access to the building or structure on which the antennas are to be mounted so that installation and maintenance of the antennas and communications equipment building can be accomplished and maintained.
- (g) If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of neutral color that is identical to, or closely compatible with, the color

of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

- (h) Communications antennas shall comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.

Section 631.9 Administrative Requirements.

- (a) The Township shall be notified of any change in ownership of a communications tower.
- (b) The ownership of a communications tower shall maintain in effect for the life of the tower, a bond or other appropriate security in an amount that represents the estimated cost for removal and disposal of the tower if abandoned, for the use and benefit of the Township, meeting the requirements of the Township's Subdivision and Land Development Ordinance and otherwise satisfactory to the Township. This security shall be available for the Township's use in the event the tower is abandoned and the tower owner is incapable or unwilling to remove the tower.
- (c) The owner of a communications tower shall maintain in effect for the life of the tower general liability insurance in a minimum aggregate amount of \$500,000 for property damage and bodily injury per occurrence.
- (d) Annually, on or before June 30 of each year, the owner of a communications tower shall provide the Township with the following:
 - (1) A statement of the number and kinds of communications equipment located on the tower and reasonable proof or certification that such communications equipment is being operated and maintained in accordance with applicable FCC license and regulatory requirements.
 - (2) The name, address and telephone number for the operator of the communications tower.
 - (3) Proof that the bonding and insurance requirements of this Ordinance are in effect.

- (4) Reports of inspections of the communications tower and tower maintenance program.
- (5) A fee as established from time to time by Resolution of the Township Supervisors to cover the Township's cost of administering this regulation.

Section 631.10 Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 90 days of written notice from the Township to the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 90 days shall be grounds to remove the tower or antenna at the owner's expense. The bond or security may be used to cover the Township's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

Section 631.11 Existing Towers. Existing nonconforming towers or antennas that are damaged or destroyed may not be rebuilt without having to first obtain approval or a conditional use permit and without having to meet the requirements specified in this Ordinance. Building permits to rebuild the facility shall comply with the then-applicable codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the tower or antenna shall be deemed abandoned.

Section 5. Ratification of Zoning Ordinance. The remaining provisions of the West Mead Township Zoning Ordinance, Ordinance No. 1985 - 1, not amended by this Ordinance, are ratified and confirmed.

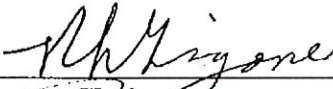
Section 6. Severability. Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions and parts hereof, and of any Code of which this Ordinance may be or may be considered to be part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of final enactment hereof.


Section 7. Repealer. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 8. Effective Date. The provisions of this ordinance shall become effective in five days.

Enacted as an Ordinance of West Mead Township this 4th day of December, 2001.

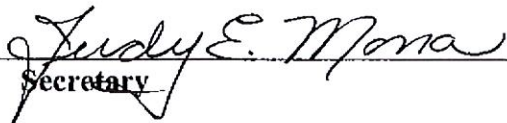
West Mead Township Board of Supervisors

By: 
Chairman

By: 
Supervisor

By: _____
Supervisor

Attest:

By: 
Secretary

[seal]

WEST MEAD TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA

ORDINANCE NO. 2005 - 1

AN ORDINANCE TO AMEND THE WEST MEAD TOWNSHIP ZONING ORDINANCE AND ZONING MAP TO EXTEND THE LIGHT INDUSTRIAL ZONING DISTRICT FROM ITS PRESENT LOCATION ALONG MORGAN VILLAGE ROAD TO ENCOMPASS UNDEVELOPED LANDS BORDERED GENERALLY BY MORGAN STREET ON THE WEST, RESIDENTIAL PROPERTIES ALONG ALDEN STREET EXTENSION ON THE NORTH, RESIDENTIAL PROPERTIES ALONG LIVERMORE ROAD ON THE EAST AND RESIDENTIAL PROPERTIES ALONG WHITTIER AVENUE ON THE SOUTH, TO REVISE THE DEFINITION OF CLUBS AND LODGES, TO ADD CLUBS AND LODGES AS CONDITIONAL USES IN THE LIGHT INDUSTRIAL ZONING DISTRICT, AND TO ADD SUPPLEMENTARY REGULATIONS FOR CLUBS AND LODGES WHEN PERMITTED AS CONDITIONAL USES.

Whereas, the VFW has an existing facility located in the Light Industrial Zoning District on Morgan Village Road in West Mead Township and plans to use undeveloped lands located north of its existing facility to construct a new facility to replace the old, but the land VFW plans to use is located in the Low Density Residential Zoning District where clubs are not permitted; and

Whereas, the VFW petitioned the Township to amend its Zoning Ordinance so that it could build a new club on its adjacent lands; and

Whereas, after receiving public comment on and giving consideration to various proposals, the West Mead Township Supervisors find that clubs and lodges are compatible with other uses permitted in the Light Industrial Zoning Districts by conditional use, that allowing clubs and lodges by conditional use in the Light Industrial Zoning Districts under certain conditions to protect neighboring residential uses would be consistent with the public interests of citizens of West Mead Township, and that extending the Light Industrial Zoning District to the undeveloped lands lying north and west of the existing Light Industrial Zone along Morgan Village Road to an area with direct access to Morgan Street would be consistent with the public interests of the citizens of West Mead Township,

Now Therefore, BE IT ORDAINED AND ENACTED by the Supervisors of West Mead Township and it is hereby Ordained and Enacted by and with the authority thereof as follows:

Section 1. Light Industrial Zoning District Expansion. The Zoning Ordinance of West Mead Township, Ordinance No. 1985-1, as adopted June 18, 1985 and as thereafter amended, referred to in this Ordinance as "West Mead Township Zoning Ordinance" is hereby amended to change the zoning district of certain lands in West Mead Township, Crawford County, which are described in Section 2 below, from Low Density Residential to Light Industrial for purposes of expanding the Light Industrial Zoning District to include additional lands for purposes of accommodating further development consistent with uses permitted in the Light Industrial Zone.

Section 2. Area of Land to be Rezoned Light Industrial. The area of land to be rezoned to Light Industrial is generally described as follows: An area bounded on the west by Morgan Street; on the south by property owned by the Housing Authority of the City of Meadville which lies along the north side of Whittier Avenue and the existing Light Industrial Zoning District; on the east by lands of Bazylak which lie on Livermore Road; and on the north by lands of various residences fronting on Alden Street Extension and lands of McAfoose, consisting of portions of lands owned by the VFW and identified by Crawford County "Tax Assessment Nos. 3224-001 & 002, all of which are specifically shown on the map, a copy of which is attached as Exhibit A, and is incorporated herein by reference.

Section 3. Zoning Map Amended. The official zoning map for West Mead Township is hereby amended to incorporate the zoning change shown on the map attached hereto as Exhibit A.

Section 4. Amend Definition of Club. The definition of "club" as set forth in Section 300 of the West Mead Township Zoning Ordinance is amended to read as follows:

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

Section 5. Add Clubs and Lodges as Conditional Use in Light Industrial Zoning District. Section 509.2 of the West Mead Township Zoning Ordinance, the Conditional Use Section for the Light Industrial Zoning District (**LI**), is hereby amended to add a new subsection p. to read as follows:

P. Clubs or Lodges:

Section 6. Add Supplementary Regulations for Clubs and Lodges. There is hereby added a new Section 631 to Article 6 of the West Mead Township Zoning Ordinance entitled Supplementary Regulations which shall read as follows:

Section 631. Clubs and Lodges Regulations. Where permitted as a conditional use, a club or lodge shall meet the following standards in addition to the standards for conditional uses as set forth in Article 9 of this Ordinance:

- a. Access to the club or lodge must be by way of a suitable and safe vehicular access from a public street.
- b. Buffers meeting the requirements of Section 620 of this Ordinance must be provided between lands on which a club or lodge, its parking areas, and its recreational areas are located, and lands located in a Residential Zoning District (LDR or MDR) or lands on which residences are located.

- c. The location and design of the club or lodge should be compatible with and preserve the character of adjacent residences.
- d. Any outdoor lighting shall be designed to prevent glare and interference with adjoining residences.

Section 7. Remainder of Zoning Ordinance Unchanged.

All other provisions of Ordinance No. 1985-1 known as the Zoning Ordinance of West Mead Township, as amended, shall remain in full force and effect except as modified by these amendments.

Section 8. Repealer. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 9. Severability. Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions and parts hereof, and of any Code of which this Ordinance may be or may be considered to be part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of final enactment hereof.

Section 10. Effective Date. This Ordinance shall become effective five (5) days after enactment.

Ordained and Enacted into law by the Board of Supervisors of West Mead Township this 9th day of August, 2005.

West Mead Township Board of Supervisors

By: Walter R. Young
Chairman
By: Jim D. Bartle
Supervisor
By: _____
Supervisor

Attest:
By: Lee M. Dunlop
Secretary
[Seal]

City of
Meadville

City of
Meadville

T. 902
STAR ST.

T. 900
TREMONT ST.

T. 981
RENDER AVE.

FIRST ST.

T. 985

SECOND ST.

BEAUNE ST.

T. 505

MORGAN ST.

T. 350

WILLIAMSON ROAD

BARTON ROAD

T. 513

ALDEN STREET EXTENSION

MORGAN STREET

WHITTIER AVE

West Mead
Township
Building



Area to be rezoned from Low Density Residential to
Light Industrial



Low Density Residential



Light Industrial



WEST MEAD TOWNSHIP
CRAWFORD COUNTY, PENNSYLVANIA

ORDINANCE NO. 2007 -1

**AN ORDINANCE TO AMEND THE WEST MEAD TOWNSHIP ZONING
ORDINANCE TO ADD MULTI-FAMILY DWELLING USES AS
CONDITIONAL USES IN THE LIGHT INDUSTRIAL (LI) DISTRICT.**

Whereas, Mr. and Mrs. Richard E. Schnarrs filed a petition to amend the West Mead Township Zoning Ordinance to allow multi-family dwellings as conditional uses in the Light Industrial Zoning District for the reason that such change would enable a planned multi-family development in an undeveloped area of West Mead Township located off Route 77 in a Light Industrial Zoning District; and

Whereas, after receiving public comment on and giving consideration to various proposals, the West Mead Township Supervisors find that multi-family housing in the Light Industrial Zoning Districts by conditional use, under certain conditions to protect the compatibility of the mixed uses, would be consistent with the public interests of citizens of West Mead Township,

Now Therefore, **BE IT ORDAINED AND ENACTED** by the Supervisors of West Mead Township and it is hereby Ordained and Enacted by and with the authority thereof as follows:

Section 1. Amendment to Add Multi-Family Dwellings as Conditional Use in Light Industrial Zoning District. Section 509.2 of the West Mead Township Zoning Ordinance, the Conditional Use Section for the Light Industrial Zoning District (LI), is hereby amended to add a new subsection q. to read as follows:

q. Multi-Family Dwellings

Section 2. Remainder of Zoning Ordinance Unchanged.

All other provisions of Ordinance No. 1985-1 known as the Zoning Ordinance of West Mead Township, as amended, shall remain in full force and effect except as modified by these amendments.

Section 3. Repealer. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 4. Severability. Should any section, part or provision of this Ordinance be declared by appropriate authority to be unlawful or unconstitutional, all other terms, conditions, provisions and parts hereof, and of any Code of which this Ordinance may be or may be considered to be part, shall continue in full force and effect as if the provision declared to be unlawful or unconstitutional had been omitted as of the date of final enactment hereof.

Section 5. Effective Date. This Ordinance shall become effective five (5) days after enactment.

Ordained and Enacted into law by the Board of Supervisors of West Mead Township
nor
this 2nd day of January, 2007.

West Mead Township Board of Supervisors

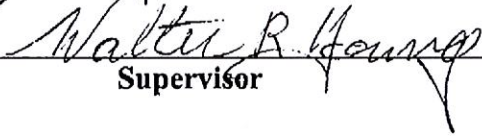
By: _____


Chairman

By: _____


Supervisor

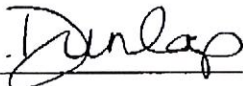
By: _____


Supervisor

Attest:

By: _____


Secretary



(Seal)