

TABLE OF CONTENTS

(Note. not every section title is given in this Table of Contents.)

<u>Article</u>	<u>Title</u>	<u>Page</u>
ARTICLE I.	TITLE INTERPRETATION, ENACTMENT & OBJECTIVES	1
ARTICLE II.	DEFINITIONS	4
ARTICLE III.	ENFORCEMENT	15
Section 302	Zoning Permits Required	15
Section 303	Application For Zoning Permit	16
ARTICLE IV.	NONCONFORMING	19
Section 402	Single. Separate, Nonconforming Lots Of Record	19
Section 403	Multiple And Contiguous Noncon- forming Lots of Record	19
ARTICLE V.	ADMINISTRATION	22
Section 501	Duties Of The Zoning Officer	22
Section 506	Functions Of The Zoning Hearing Board	24
Section 507	Hearing Procedures Of The Zoning Hearing Board	26
ARTICLE VI.	CONDITIONAL USES AND AMENDMENTS	29
ARTICLE VII.	THE OFFICIAL ZONING MAP	34
ARTICLE VIII.	ESTABLISHMENT PURPOSE AND REGULATIONS OF ZONING DISTRICTS	35
Section 802	General Regulations	35
Section 803	Low Density Residential District, R-1	40
Section 804	Medium Density Residential District, R-2	42
Section 805	High Density Residential District, R-3	44
Section 806	General Commercial District, B-1	46
Section 807	Highway Commercial District, B-2	48
Section 808	General Industrial District, M-1	49
Section 809	Open Space And Conservation District, C-1	52
Section 810	Floodplain Overlay District, F-1	53

SECTION IX.	SUPPLEMENTARY DISTRICT REGULATIONS	68
Section 901	Conversion Of Dwelling To More Units	68
Section 902	Home Occupation	68
Section 904	Private Swimming Pools	70
Section 905	Storage Of Vehicles	70
Section 910	Erection Of More Than One Principal Structure On A Lot	71
ARTICLE X.	OFF-STREET PARKING AND LOADING REGULATIONS	72
ARTICLE XI.	SIGN REGULATIONS	76
ARTICLE XII.	PLANNED RESIDENTIAL DEVELOPMENT	81
ARTICLE XIII.	MANUFACTURED HOME PARKS	87
ENACTMENT		90
APPENDICES		
Zoning Map		

ARTICLE I

TITLE, INTERPRETATION, ENACTMENT AND OBJECTIVES

Section 100 Title

This ordinance shall be known and may be cited and referred to as the "Zoning Ordinance of Conneautville Borough".

Section 101 Interpretation, Purpose And Conflict

The interpretation and application of the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety and the general welfare. This ordinance is not intended to interfere with or abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued, and not in conflict with any provisions of this ordinance, or which shall be adopted or issued, pursuant to law relating to the use of buildings or premises and likewise not in conflict with this ordinance; nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other resolutions or agreements, the provisions of this ordinance shall prevail.

Section 102 Severability

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid, and the part of or sections remaining shall remain in effect as though the part or section declared unconstitutional had never been a part thereof.

Section 103 Repeal Of Conflicting Ordinances; Effective Date

All ordinances or parts of ordinances in conflict with this zoning ordinance or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall become effective on July 16, 1977, five days after its enactment by the Conneautville Borough Council. Building construction begun prior to the effective date of this ordinance may continue unaffected by the provisions of this ordinance as provided for in Section 401 of this ordinance.

Section 104 Relationship To Comprehensive Plan

This ordinance is intended to better enable Conneautville Borough to implement its Comprehensive Plan. All applications for a zoning permit shall be evaluated in relationship to the Borough Comprehensive Plan.

Section 105 Community Development Objectives

The following community development objectives developed through the comprehensive planning process and set forth in the Borough's Comprehensive Plan, as adopted by Borough Council, are the basis for the provisions of this ordinance.

- 105.1 to protect and promote the public health, safety, morals and the general welfare of the present and future residents of Conneautville Borough.
- 105.2 To respect, preserve and protect to the fullest extent possible the Borough's natural amenities such as streams, stream valleys, woodlands, and steep slope areas.
- 105.3 To promote a logical road pattern for safe, convenient and efficient vehicular transportation within and through the Borough and to insure that all future development provides adequate off-street parking and turnaround space.
- 105.4 To allow citizens maximum opportunities to develop their land in a consistent manner with the general objectives identified in this plan, including the ability of the public to provide the necessary facilities and services to all new development.
- 105.5 To promote additional housing units for all income levels including low and moderate income families and to encourage a variety of housing types in the Borough including single family detached and attached houses and walk up apartments.
- 105.6 To guide developers in achievement of the highest and best use of land and to insure that new development has aesthetic appeal.
- 105.7 To provide sufficient land for future residential, commercial, industrial and public development in order that the Borough can realize its share of the development potential of Crawford County.
- 105.8 To minimize future flood damage by regulating development in flood prone areas.
- 105.9 To promote housing improvement activities that focus on the elimination of dilapidated housing and upgrading and rehabilitation of deteriorating units.
- 105.10 To promote the regulation of new development and housing construction to prevent future housing problems.
- 105.11 To provide for the planning and regulation of future development, public and private, including residential, commercial, industrial and institutional, so that the uses of land including the location and bulk of the buildings.

are arranged orderly, conveniently for the residents, economically in harmony with each other and with their natural and man-made surroundings.

- 105.12 To guide development into patterns where all uses requiring sewage facilities can be conveniently accommodated.
- 105.13 To encourage and direct future commercial and public service uses to a centralized location within the Borough and to discourage the indiscriminate strip of commercial uses along Main and Water Streets (PA Route 18) and scattered public facilities and services and also to promote a "downtown" community focus area.
- 105.14 To encourage new industrial development and to accommodate the expansion of existing industry within the Borough and setting aside certain well suited parcels of land for these activities.
- 105.15 To encourage additional housing of all types and income ranges and to provide suitable alternative locations for all types of housing units.
- 105.16 To promote new housing construction and siting practices which enhance property values and to encourage landscaping practices which are aesthetically pleasing.
- 105.17 To protect the health, safety and welfare of residents of the Borough by controlling the disposal of abandoned vehicles, appliances, and other debris. To provide for the collection and proper disposal of discarded solid waste and to regulate the use of land in a manner that would restrict the storage of abandoned vehicles, appliances, and other debris.
- 105.18 To relate and coordinate the development of the Borough with surrounding municipalities.
- 105.19 To promote a community identity for Conneautville Borough as a good place to live, work, shop and recreate by shaping future growth in patterns that are in harmony with these objectives.

ARTICLE II

DEFINITIONS

Section 200 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.

Section 201 Meaning Of Words

It is not intended that this Article include only words used or referred to in this ordinance. The words are included in order to facilitate the interpretation of the ordinance for administrative purposes and to aid in the carrying out of duties by municipal officials. Unless specifically defined below, words and phrases used in this ordinance shall be interpreted so as to give them the same meaning as they have in common usage:

1. Accessory Use or Structure: A use or structure (such as an automobile garage on a residential lot) customarily incidental and subordinate to the principal use or structure and located on the same lot with such use or structure.
2. Alley: A public street which affords only a secondary means of access to abutting property and is not intended for general traffic conditions.
3. Alterations: As applied to a building or structure means a 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.
4. Amendment: A change in use in any district which includes revisions to the zoning text and/or the official zoning map. The authority for approving any amendment to this ordinance lies solely within the powers of Conneautville Borough Council.
5. 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.

6. Automotive Maintenance: A service use where gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed and minor parts may be replaced or installed, but not including major repair work, such as motor replacement, body and fender repair, spray painting or automotive wrecking.
7. Automotive Repair: The repair, rebuilding or reconditioning of motor vehicles or parts thereof, including major mechanical work, engine replacement, collision service, painting and steam cleaning of vehicles, but not including automotive wrecking or permanent storage of wrecked vehicles.
8. Automotive Sales: The display, sales or rental of new or used automobiles. The storage and sale of new parts and the performance of automotive maintenance and repair may be conducted on the same premises as accessory uses.
9. Basement: A story all or partly underground, having at least one-half of its height below the average level of the adjoining ground.
10. Board: As referred to in this ordinance, the Conneautville Borough Zoning Hearing Board.
11. 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 two or more unrelated persons where no cooking or dining facilities are provided in individual living quarters.
12. Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, goods or property.
13. Building, Accessory: A subordinate building detached from, but located on the same lot as a principal building, the use of which is incidental and accessory to that of the main building.
14. Building, Height: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between eaves and ridge for gable, hip and gambrel roofs.
15. Building Line: See Setback Line
16. Building, Principal: A building in which is conducted the main or principal use of the lot on which said building is situated.
17. Certificate of Occupancy: A statement based on an inspection signed by the Zoning Officer, setting forth either that a building or structure complies with the Zoning Ordinance, or that

a building, structure or parcel of land may lawfully be employed for specified uses or both.

18. Clinic: An establishment for the care, diagnosis and treatment of sick, ailing, infirm or injured persons and those in need of medical and surgical attention. Persons are not provided with room or board or kept overnight on the premises.
19. Club: A building or portion thereof or premises owned and/or operated for a social, literary, political, educational, or recreational purposes primarily for the exclusive use of members and their guests.
20. Convalescent Home (Nursing Home): Any building containing sleeping rooms where persons are housed and furnished with meals and nursing care for hire and which is licensed by the Commonwealth of Pennsylvania.
21. 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 facilities. The plan establishes the goals, objectives, and policies of a community. Specific reference in this ordinance is made to the Comprehensive Plan for Conneautville Borough.
22. Construction: The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of mobile homes.
23. Conversion Unit: The remodeling of a single family dwelling into one or more additional dwelling units.
24. Council, Borough Council: As referred to in this ordinance, the Conneautville Borough Council.
25. County Planning Commission: As referred to in this text, the Crawford County Planning Commission.
26. Density: A unit of measurement; the number of dwelling units per acre of land.
 - 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 when the acreage involved includes only the land devoted to residential uses and common or publicly available park and recreation area and does not include all area devoted to public or private streets.

27. 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.
28. Districts, Zoning Districts: Divisions or areas of Conneautville Borough within which certain uniform regulations and requirements apply under the provisions of this ordinance. The boundaries of zoning districts in Conneautville Borough are delineated on the Zoning District Map, a part of this ordinance.
29. Dwelling: A building, or portion thereof, used for residential occupancy, including single family and multi family dwellings, but not including hotels, apartment hotels, rooming and boarding houses, manufactured homes, modular homes, or travel trailers.
30. Dwelling Unit: 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.
31. Dwelling, Attached: A dwelling which is joined to another dwelling at one or more sides by a party wall or walls. This includes townhouses.
32. Dwelling, Detached: A dwelling which is surrounded on all sides by yards on the same lot.
33. Dwelling, Semi-Detached: A dwelling which is joined to another dwelling at only one side by a party wall and which is otherwise surrounded by yards on the same lot.
34. Dwelling, Single Family: A dwelling or building containing one dwelling unit.
35. Dwelling, Two Family: A dwelling or building containing two dwelling units which may be either attached side by side or located one above the other, and each unit having a separate or combined entrance or entrances.
36. Dwelling, Multi-Family: A dwelling or building containing two or more dwelling units, including condominiums, and cooperatives, with varying arrangements of entrances and party walls.
37. Essential Services: The erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collections, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by

such utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

38. Family: An individual; two or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit, manufactured 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, manufactured home or modular home; plus, in all cases, usual domestic servants.
39. Flood: A temporary rise in stream elevation that results in inundation of area not ordinarily covered by water.
40. Floodproofing: Means 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.
41. Floodplain Area: A relatively flat or low land area adjoining a river, stream or water course which is subject to partial or complete inundation; any area subject to unusual and rapid accumulation or run-off or surface waters from any source.
42. Floodway: The channel of a river or other watercourse and the adjacent land area that must be reserved to discharge the 100 year flood without increasing the water surface elevation of that flood more than one foot at any point.
43. 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.
44. Floor Area of a Non-Residential Building: The floor area, excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows and similar areas.
45. Garages, Private: A detached accessory building or portion of a principal building for the parking or storage of automobiles, travel trailers, boats, other vehicles and/or other miscellaneous material of the occupants of the premises and wherein: (1) not more than one space is rented for parking to persons not resident on the premises, and (2) no more than one commercial vehicle per dwelling unit is parked or stored.
46. Gas Station. Service Station: Any building, structure, or land used for the dispersing, sale or offering for sale of any automobile fuels, oils or accessories and automotive maintenance services.

47. Group Home: The combination 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 where management is under the direction of a public or semi-public institution operating in the pursuit of its objectives.
48. 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.
49. Junk: Any discarded material or article including but not limited to scrap metal, abandoned vehicles, 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.
50. Junk Buildings, Junk Yards, Junk Shops: Any land, property, structure, building, or combination of the same, on which junk is stored or processed and which is operated as a business for buying, selling or dealing in junk.
51. Kenel: Any premises on which 4 or more domesticated animals more than 6 months of age are housed, roomed, bred, boarded, trained or sold and which offers provisions for minor medical treatment.
52. Loading Space, Off-Street: Space logically and conveniently located for bulk pickups and deliveries, scaled in size to delivery vehicles expected to be used, and accessible to such vehicles when 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.
53. Lot: Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, 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 street or on such means of access as may be determined adequate in accordance with the provisions of this ordinance.
54. Lot, Corner: A lot located at the intersection of two or more streets.
55. Lot, Frontage: The front of a lot is the portion of the lot nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides adjacent to streets shall be considered frontage and yards shall be provided as indicated under Yards in this Article.
56. Lot, Interior: A lot other than a corner lot.

57. 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.
58. Lot of Record: Any lot which individually or as a part of a subdivision has been recorded in the Office of the Recorder of Deeds of Crawford County.
59. Lot, Reverse Frontage: A lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.
60. 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 includes park trailers, travel trailers, and other similar vehicles which are placed on a site for more than 180 consecutive days.
61. Manufacturing: The process of making products by hand, by machinery or by any other agency including assembly, compounding, packaging, processing or treatment of products or raw materials, such as metal, stone, wood, bone, cloth, cork, fiber, fur, leather, paper, plastics, tobacco, wax, yarns, rubber and ceramics.
62. Manufacturing, Limited: Any manufacturing or industrial processing which by nature of the materials, equipment and process utilized are to a considerable measure clean and quiet and free of any objectionable or hazardous element. Limited industrial uses shall comply with the performance requirements specified in this ordinance and the standards and requirements of the State and Federal Government.
63. 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 exitway 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.
64. Manufactured Home, Double or Triple Wide: A manufactured home consisting respectively of two or three sections combined horizontally at the site to form a single dwelling while retaining their individual chassis for possible future transport.

65. Manufactured Home, Expandable: A manufactured 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.
66. 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.
67. Modular 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 trees, and other prefabricated sub-elements to be incorporated into the structure at the site.
68. Nonconforming Use: A use, whether of land or of structure, which does not comply with the applicable use provisions in this zoning ordinance where such use was lawfully in existence prior to the enactment of this ordinance.
69. Nonconforming Lot of Record: A legally recorded lot which fails to meet the area or which requirements at the effective date of adoption of this ordinance.
70. Nonconforming Structure: A structure or part of a structure not designed to comply with the applicable provisions in this zoning ordinance, where such structure lawfully existed prior to the enactment of this ordinance. Such nonconforming structures include, but are not limited to, nonconforming signs.
71. One Hundred Year Flood: A flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has one (1) percent chance of occurring each year, although the flood may occur in any year).
72. Planned Residential Development: An area of land, controlled by one landowner or development group, to be developed as a single entity for a number of dwelling units, the development plan for which does not correspond in lot size, bulk, or type of dwelling, density, and required open space to the regulations established in any one residential district created, from time to time, under the provisions of a municipal zoning ordinance.
73. Planning Commission: The Conneautville Borough Planning Commission sometimes referred to as the Commission.
74. Professional Activity: The use of offices and related spaces for such professional services as are provided by doctors, dentists, lawyers, architects, engineers and clergymen.
75. 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.

76. Public Service Facility: The erection, construction, alteration, operation or maintenance of buildings, power plants or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a utility, whether publicly or privately owned, or by a municipal or other environmental agency, including the furnishing of electrical, gas, communication, water supply and sewage disposal services.
77. Public Uses: Public parks, schools, and administrative, cultural and services buildings.
78. Right-of-Way: A strip of land taken or dedicated for use as a public way.
79. Regulatory Flood Elevation: The one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.
80. Semipublic Uses: Churches, . private and public schools, colleges, hospitals, clubs, lodges and other institutions of an educational, religious, charitable or philanthropic nature.
81. Setback Line: A line established by this ordinance generally parallel with and measured from the lot line defining the limits of a yard in which no structure may be located above ground except as may be provided under the provisions of this ordinance. This line is also referred to as a building line.
82. Sign: Any device for visual communication that it used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, insignia of any government or government agency, or of any civic, charitable, religious, patriotic, fraternal or similar organization.
83. Special Exception: An approval granted by the Zoning Hearing Board in situations as are provided for in this ordinance.
84. Story: That part of a building between the surface of a floor and the ceiling immediately above.
85. Structure: Anything constructed or erected, the use of 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, billboards, signs, carports, porches, swimming pools, fences, walls and other building features but not including sidewalks, drives, and patios.
86. 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 the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or residential dwellings shall be exempted.

87. Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred.
88. Tourist Home: A building other than a hotel where lodging is provided and offered to the public for compensation for not more than 10 individuals and open to transient guests.
89. Thoroughfare, Street or Road: 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 Road: A general term denoting a highway primarily for through traffic. These roads are always continuous and are part of either the Federal Aid Primary or Secondary Systems.
- Collector Road: Roads that are continuous and that serve primarily as connections between the arterial roads and local streets.
- Cul-De-Sac: A local street usually of short length with one end open to traffic and the other end terminating in a vehicular turnaround.
- Dead-end Street: A street temporarily having only one outlet for traffic and intended to be extended or continued in the future.
- Local Street: A street primarily for providing access to abutting property.
- Marginal Access Street: A local or collector street parallel and adjacent to an arterial or collector road providing access to abutting properties and protection from through traffic on arterial and collector roads.
90. Travel Trailer: A vehicular portable structure, mounted on a chassis, and designed as a temporary dwelling for travel, recreational, and vacation uses and which is: (1) identified by the manufacturer as a travel trailer, (2) not more than 8 feet

in width, and (3) is of any weight provided the body length does not exceed 32 feet.

91. 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, and only to certain modifications of the regulations. It does not, in most circumstances, apply to the modification of the permitted uses within the zoning district.
92. 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.
93. 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 therefrom equal to the required front yard.
94. Yard, Interior Side: A side yard which adjoins another lot or an alley separating such side yard from another lot.
95. 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 therefrom equal to the required rear yard.
96. Yard, Side: A yard extending along the side lot line drawn parallel with such side lot line at a distance therefrom equal to the required side yard.
97. Yard, Street Corner Side: A side yard which adjoins a street.
98. Zoning Officer: The Borough Zoning Officer or his authorized representative appointed by Borough Council.

Article III

ENFORCEMENT

Section 300 Enforcement

The provisions of this ordinance shall be enforced by the Borough Zoning Officer. Appeal from the decision of the Zoning Officer may be made to the Zoning Hearing Board as provided for in Article V of this ordinance.

Section 301 Compliance With Regulations

- 301.1 No building or structure shall be constructed, located, converted or altered nor shall any building or land be used unless for the purposes permitted in the district in which the building or land is located, and except as hereinafter provided.
- 301.2 Except as specified elsewhere in this ordinance, no building or structure or group of related buildings or structures shall be erected, reconstructed, or enlarged and no use shall be established unless located on or comprising a lot or lots.
- 301.3 No part of a yard or other open space required in connection with any building or structure for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other open space similarly required for another building or structure.

Section 302 Zoning Permits Required

A Zoning Permit shall be required to erect, construct, reconstruct, alter, enlarge or use any building or structure or to use any land as herein specified provided, however, that:

- 302.1 Structures such as sidewalks, steps, driveways, terraces, patios, flagpoles, doghouses, and lawn furniture such as benches, birdbaths, sundials and ornamental lawn features shall not require a zoning permit; and
- 302.2 Alterations to building interiors not affecting the external form and size of a building and not changing the use of the building, and alterations involving shingling and siding where no substantial change is made to the building form or size shall not require a zoning permit although such alterations, where the value of the improvement exceeds \$1,000 or the area of improvement exceeds 100 square feet, shall require a building permit.
- 302.3 Limited agricultural activities involving the cultivation of

crops shall not be required to obtain a zoning permit, provided that such activities do not involve the erection of any permanent structure and do not include the raising or keeping of any livestock.

Section 303 Application For Zoning Permit

The application for a zoning permit shall be signed by the applicant, or his authorized agent attesting to the truth and accuracy of all information contained in the application. Each application shall clearly state that the permit shall expire, and may be revoked if the intended work indicated in the application has not begun within one year of issuance. The application shall contain at least the following information:

- 303.1 Name, address and phone number of the applicant
- 303.2 Legal description of property including deed book and page references
- 303.3 Existing use of property
- 303.4 Proposed use of property
- 303.5 Description of work contemplated
- 303.6 The zoning district in which the property is located
- 303.7 Plans in duplicate, drawn to scale showing the actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of existing buildings and structures, and the lines within which the proposed building or structure shall be erected or altered, the existing and intended use of each building or part of a building, the existing and intended use of the property, the location of drives and drive entrances and such other information with regard to the lot and neighboring lots and their use as may be necessary to determine and provide for the enforcement of this ordinance.
- 303.8 The intended method(s) of providing for water supply and sewage disposal (where applicable) including evidence of approval by the Borough Water Department, the Northwestern Crawford County Sewer Authority or the Borough Sewage Enforcement Officer, and the Pennsylvania Department of Environmental Resources.
- 303.9 Building heights.
- 303.10 Number and location of off-street parking spaces and loading spaces where applicable.
- 303.11 Estimated time of completion.
- 303.12 Estimated cost.

303.13 Such other information as may be necessary to determine conformance and provide for the enforcement of this ordinance.

Section 304 Approval Of Zoning Permit

Within 15 days after receipt of an application the Zoning Officer shall either approve the application and issue a zoning permit or disapprove the application and inform the applicant of the reasons for disapproval. Upon reaching a decision to approve or disapprove an application, the Zoning Officer shall indicate such decision by marking "approved" or "disapproved" on the plans submitted with the application and attest to this decision by his or her signature. The Zoning Officer shall return one copy of the marked and attested plans to the applicant. The other copy of the marked and attested plans shall be retained by the Zoning Officer for his or her official files. Where an application is approved, the Zoning Officer shall issue a building permit and a placard, to be posted in a conspicuous place on the property in question, attesting to the fact that the use or alteration is in conformance with the provisions of this ordinance.

Section 305 Expiration Of A Zoning Permit

If the work described in the zoning permit application has not begun within one year from date of issuance, the permit 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 permit has not been substantially completed within 2 1/2 years of the date of issuance said permit 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 permit shall not proceed unless and until a new zoning permit has been obtained or an extension granted.

Section 306 Certificate Of Occupancy

Completion of activity authorized by zoning permit under the provisions of this ordinance as set forth in the Sections immediately preceding shall not be considered to allow occupancy until a certificate of occupancy has been issued by the Zoning Officer. Written request to the Zoning Officer for a certificate of occupancy shall be processed within one week of receipt of the request. The certificate of occupancy indicates that the building and/or proposed use is in compliance with the zoning permit as issued and the provisions of this ordinance. Refusal by the Zoning Officer to issue a certificate of occupancy shall be accompanied by a written statement to the applicant containing the reasons for the denial. The Zoning Officer may authorize the temporary occupancy of a building under construction or alteration pending final completion of the construction and/or alteration work, subject to inspection and issuance of a certificate of occupancy prior to permanent occupancy.

Section 307 Construction And Use To Be Provided In Applications, Plans, Permits, And Certificates

Zoning permits 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. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this ordinance, and subject to the provisions of Section 309 of this Article.

Section 308 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 causes 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 309 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. In default of payment of the fine, such person, the members of such partnership, or the officers of such corporation shall be liable to imprisonment for not more than 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 Conneautville Borough Council. Nothing herein shall prevent the Borough from taking such other lawful action as is necessary to prevent, restrain, remedy, or abate any violations.

Section 310 Fees

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

Section 311 Municipal Liability

The granting of a Zoning Permit 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 Borough, 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.

ARTICLE IV

NONCONFORMITIES

Section 400 Intent

Within the districts established by this ordinance or amendments that may be later adopted there exist 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. 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 may be removed, and under certain conditions as set forth in this Article, to permit these structures and land uses to expand to a limited degree.

Section 401 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 or amendment of this ordinance and upon which actual building construction has been carried on diligently.

Section 402 Single, Separate, Nonconforming Lots Of Record

In any district any single lot or parcel of record at the effective date of this ordinance 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 area, and lot width requirements, or both, are less than the minimum requirements in this ordinance. Such lot or parcel must be in separate ownership at the effective date of this ordinance and may not be a part of contiguous frontage with other lots in the same ownership. Yard requirements other than those applying to area or width, or both, shall be applicable, and where necessary, a variance of other yard requirements shall be obtained only through action of the Zoning Hearing Board, as provided for in Section 506.3 of this ordinance.

Section 403 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 purpose 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 404 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 use may be continued and shall be subject to the following additional provisions:

- 404.1 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.
- 404.2 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 404.1 of this ordinance, and providing such enlargement or extension is permitted as a special exception by the Zoning Hearing Board.
- 404.3 In the event a nonconforming use of land ceases or is abandoned, for whatever reason, for a period of more than 1 year, any subsequent use of the land shall conform to the regulations specified by this ordinance for the district in which such land is located.

Section 405 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 structure 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:

- 405.1 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.
- 405.2 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.
- 405.3 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.

- 405.4 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.
- 405.5 A nonconforming use which has been damaged or destroyed by fire, windstorm, explosion or similar cause, which was no fault of 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.
- 405.6 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 1 year such nonconforming use, building or building and premises in combination, shall not be reconstituted and any future use shall be in conformity to the district regulations.

Section 406 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 part thereof declared to be unsafe by any public official charged with protecting the public health and safety.

ARTICLE V

ADMINISTRATION

Section 500 Zoning Officer

Borough Council shall appoint a Zoning Officer, who shall administer this ordinance. The Zoning Officer may not hold any elective office in the Borough.

Section 501 Duties Of The Zoning Officer

The Zoning Officer shall have the following duties:

- 501.1 Receive applications for zoning permits, review all applications for conformity with all appropriate provisions of this ordinance, issue permits for applications that comply with the regulations contained in this ordinance, deny permits where the application is not in compliance with the provisions of this ordinance, and inform the applicant of the reason(s) for denial of a permit;
- 501.2 Administer the Zoning Ordinance in accordance with its literal terms. The Zoning Officer shall not have the power to issue a permit for any construction or any use or change of use which does not conform to this ordinance;
- 501.3 Issue certificates of occupancy, where it has been determined that all appropriate provisions of this ordinance have been complied with;
- 501.4 Inspect premises as may be necessary for the issuance of permits or certificates of occupancy and in performing the duties of administering this ordinance;
- 501.5 Order the action necessary to correct any violation of this ordinance where violations are found to exist;
- 501.6 Order the discontinuance of illegal uses of land, buildings, or structures; removal of illegal structures; discontinuance of any illegal work;
- 501.7 Utilize proceedings before district magistrates to enforce the provisions of this ordinance; and
- 501.8 Advise applicants, where appropriate, of procedures for zoning amendments, variances, appeals, special exceptions and conditional uses, as provided for in this ordinance.

Section 502 Duties Of Borough Council

Conneautville Borough Council shall have the following duties in the administration of this zoning ordinance:

- 502.1 Review all proposed amendments to this ordinance, conduct public hearings pursuant to legal public notice on each proposed amendment; and taking action on proposed amendments to approve or deny approval of proposed amendments. In the event that a proposed amendment is revised during the course of the public hearing(s) to include land previously not affected by the proposed amendment, Borough Council shall hold another public hearing, pursuant to public notice, before proceeding to take action on the proposed amendment;
- 502.2 Refer all proposed amendments to the Conneautville Borough Planning Commission and the Crawford County Planning Commission for review and comments, allowing at least 45 days for such reviews by the Borough and County Planning Commissions before holding the public hearing or taking action on the proposed amendment;
- 502.3 From time to time, as needs arise, Borough Council may take action to initiate proposed amendments to this ordinance to alleviate problems, provide regulations not covered under existing provisions and/or to keep this ordinance current with state laws and/or local plans for the Borough;
- 502.4 Review and take action on all applications for conditional use permits, as provided for in Article VI of this Ordinance.

Section 503 Duties Of The Borough Planning Commission

The Conneautville Borough Planning Commission shall have the following duties in the administration of this zoning ordinance:

- 503.1 Review all proposed amendments to this ordinance and make recommendation to Borough Council on each proposed amendment;
- 503.2 From time to time, as needs arise, propose to Borough Council appropriate amendments to this ordinance;
- 503.3 Conduct other reviews and make recommendations as required by the provisions of this ordinance.

Section 504 Zoning Hearing Board

A Zoning Hearing Board shall be created by Borough Council. The Board shall consist of three members appointed by Borough Council. Each member of the Board shall be a resident of the Borough. The term of office of each member shall be three years and the terms of members shall be so fixed that the term of office of one member shall expire each year. The Board

shall promptly notify Borough Council of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other elected or appointed office in the Borough, except that no more than one member of the Board may also be a member of the Borough Planning Commission.

Section 505 Organization Of The 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 the laws of the Borough and the Commonwealth. The Board shall keep full public records of its business and shall submit a report of its activities to Borough Council once a year. For the conduct of any hearing and the taking of any action, a quorum shall not be 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 Borough Council, the Board may employ or contract for a secretary, a clerk and legal counsel.

Section 506 Functions Of The Zoning Hearing Board

The Conneautville Borough Zoning Hearing Board shall have the following functions in the administration of this zoning ordinance:

- 506.1 The Board shall hear and decide appeals where it is alleged that there is error in any order, requirement, decision and determination made by the Zoning Officer in the administration of this ordinance. The Board shall conduct a public hearing, pursuant to public notice and in accordance with Section 908 of the Pennsylvania Municipalities Planning Code, Act 247, prior to making decisions on any appeals.
- 506.2 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. The Board shall conduct a public hearing, pursuant to public notice and in accordance with Section 908 of the Pennsylvania Municipalities Planning Code Act 247, for all such challenges, and at the conclusion of such hearings, 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.
- 506.3 The Board shall hear requests for variances where it is alleged that the provisions of this zoning ordinance, strictly applied, inflict unnecessary hardship upon the applicant. The Board may vary the application of any requirements of this ordinance whereby strict enforcement would result in practical difficulty or unnecessary hardship which would deprive the applicant of the reasonable use of his land or buildings. The Board shall conduct a public hearing pursuant to legal public notice and in accordance

with Section 908 of the Pennsylvania Municipalities Planning Code Act 247, for each request for a variance. A variance may be granted provided that 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 this ordinance;
- (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; and
- (d) That the variance, if authorized, will not alter the essential character of the neighborhood in which the property is located, not substantially or permanently impair the appropriate use of adjacent property nor be detrimental to the public welfare;

Furthermore, in considering requests for variances, the Board shall also take into consideration the following general rules:

- (e) 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;
- (f) Variances shall not be approved which allow a use not permissible under the terms of this ordinance in the district involved; providing, however, that where it is shown conclusively that there is, in fact, an arbitrary taking of the applicant's property and that there is no reasonable and economic use permitted for the property a variance of use may be permitted; and
- (g) That each application for a variance shall be considered on its own merit and where a variance is granted, this action shall not be interpreted to apply to any land parcel or circumstance other than the specific situation reviewed and acted upon.

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 safeguards, when made a part of the terms under which the variance is granted, shall be considered a violation of this ordinance and subject to the penalties provided for under Section 309 of this ordinance.

506.4 The Board shall hear and decide requests for special exception permits for any of the uses requiring such permits under the terms, standards and criteria established in this ordinance. The Board shall conduct a public hearing, pursuant to legal public notice and in accordance with Section 908 of the Pennsylvania Municipalities Planning Code Act 247, for the purposes of hearing each request for a special exception permit.

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 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, and that the use will be in harmony with the general purpose of this ordinance.

Applications for special exceptions may be subject to additional more specific standards and criteria as established in other sections of this ordinance.

506.5 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 nonzoning 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 507 Hearing Procedures Of The Zoning Hearing Board

The Conneautville Borough Zoning Hearing Board shall conduct hearings and make decisions in accordance with Section 908 of Act 247 of the

Pennsylvania Municipalities Planning Code and such rules, not in consistent therewith, as the Board may adopt. The Board shall conduct hearings and make decisions in accordance with the following requirements

- 507.1 Any appeal from an order, decision or interpretation of the Zoning Officer or any request for a variance from the strict requirements of the zoning ordinance or any request for a special exception permit, or any challenge to the validity of this ordinance shall be submitted by filing a notice with the Zoning Officer, who shall transmit immediately said notice 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, request or challenge is taken.
- 507.2 The applicant shall, at the time of filing his appeal, pay a fee to the Borough as determined by Borough Council to defray or help defray the cost of processing the appeal request or challenge, including advertising costs.
- 507.3 Each appeal, request or challenge shall be considered on its merits at a public hearing pursuant to public notice and in accordance with Section 908 of Act 247 of 1968, the Pennsylvania Municipalities Planning Code. The Borough shall be responsible for composing and giving the public notice as required by Act 247. The Board shall also give personal notice to the applicant, the Zoning Officer, and such other persons as Borough Council 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.
- 507.4 The Borough Planning Commission shall provide the Board with all pertinent narrative material, maps, charts and other data relative to the problem or issue of the appeal, request or challenge. The Board may adjourn for the purpose of reviewing such information as supplied by the Planning Commission and may request interpretations of said information from the Planning Commission.
- 507.5 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.
- 507.6 The parties involved shall have the right to be represented by legal counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- 507.7 Formal rules of evidence shall not apply; however,

irrelevant, immaterial, or unduly repetitious evidence may be excluded.

- 507.8 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.
- 507.9 The Board shall render a written decision or, when no decision is called for, make written findings on the application within forty-five days after the last hearing before the Board. Each decision shall be accompanied by findings of fact and conclusion based thereon, together with the reasons therefor.
- 507.10 Where the Board fails to render a decision within the forty-five days after the last hearing before the Board, 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.
- 507.11 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 no later than one day following the date of 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 brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.
- 507.12 No person shall be allowed to file any proceeding with the Board later than thirty days after application for development has been approved by an appropriate municipal official, agency, or body if such procedure is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given.

Section 508 Relationships: Zoning Officer, Zoning Hearing Board, And Borough Council

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 of 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 Borough Council shall not include hearing and deciding questions of interpretation and enforcement that may arise.

ARTICLE VI

CONDITIONAL USES AND AMENDMENTS

Section 600 Conditional Uses

The conditional use is designed to allow for the establishment of certain uses after special municipal review. A simple listing of permitted or prohibited uses may not be a flexible enough control for certain uses, - uses that could, if properly handled and sited, blend in well with existing and permitted uses. Uses generally consistent with a particular zoning district should be permitted of right; uses generally inconsistent with a particular zoning district should be prohibited; uses identified in this ordinance as conditional uses are "in between" these two extremes and should be considered under the special process set forth in this Article. The conditional use is similar to the special exception use explained in Section 506.4 except that the conditional use is reviewed and acted upon by Borough Council after recommendations by the Planning Commission. Conditional use proposals may be permitted based upon a review of the particular characteristics they are represented to possess including their size, physical design, method or operation, vehicular circulation requirements and general impact on community facilities.

Section 601 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:

- 601.1 Name, address and phone number of applicant
- 601.2 Legal description of property
- 601.3 Description of existing use
- 601.4 Present zoning district
- 601.5 Description of proposed use
- 601..6 A plan of the proposed site for the conditional use showing the locations 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 Council may require to determine if the proposed use meets the requirements of this ordinance.
- 601.7 A narrative statement: (a) evaluating the effect of such elements as noise, glare, odor, fumes, and vibrations 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

Borough's Comprehensive Plan and demonstrating how the proposed use will achieve community development objectives of the Plan and district involved:

- 601.8 Any such other materials as may explain how the proposed use will comply with the requirements established in Section 602 of this ordinance.

Section 602 Standards Applicable To All Conditional Uses

In addition to specific requirements for conditional uses as specified in Article VIII of this ordinance, the Borough shall review the particular facts and circumstances of each proposed conditional use and shall permit said use after finding adequate evidence that such use complies with the following standards. All conditional uses shall:

- 602.1 Be in accordance with the Community Development Objectives set forth in Section 105 of this ordinance;
- 602.2 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:
- 602.3 Be in harmony with existing neighboring uses;
- 602.4 Be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage systems, refuse disposal, water and sewers, and schools; or 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;
- 602.5 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;
- 602.6 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;
- 602.7 Not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance and significance.

Section 603 Supplementary Requirements For Conditional Uses

Supplementary standards may be established for specific conditional uses as found in the appropriate sections of Article VIII of this ordinance. In granting a conditional use Borough Council may prescribe additional

requirements and safeguards providing they are in harmony with the Community Development Objectives set forth in Section 105 of this ordinance. 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 subject to the penalties established in Section 309 of this ordinance.

Section 604 Procedure For Approval Of Conditional Uses

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 Borough Council. The Zoning Officer shall refer immediately one copy of the application to the Planning Commission and one copy to the Borough Council. The Planning Commission shall review the proposal and forward its recommendations to Borough Council. 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, Borough Council shall consider the proposal at a hearing, after giving public notice. Within 30 days after the last hearing on the proposal, Borough Council shall render a decision; failure to act within this allotted time shall be considered an approval of the conditional use.

Each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore.

Upon approval of Borough Council, the application shall be signed by the President of Council 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 and shall be subject to the penalties established in Section 309 of this ordinance.

Section 605 Expiration Of Conditional Use Permit

A conditional use permit shall be considered to authorize only one particular use as approved by Borough Council and said permit shall automatically expire if, for any reason, the conditional use shall cease for 1 year or longer. To reinstate a conditional use a new application would have to be filed and approved under the terms of this ordinance.

Section 606 Zoning Ordinance Amendments

Borough Council may amend, supplement, change or repeal the regulations, restrictions, and boundaries or classifications of property established in this ordinance, whenever public necessity or convenience, or the general welfare, or good zoning practices require it. Only Borough Council has the authority to change this ordinance and such Council action shall be subject to the procedures and requirements established in this ordinance.

Section 607 Initiation Of Zoning Amendments

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

- 607.1 By resolution of Borough Council;
- 607.2 By resolution of the Borough Planning Commission; and
- 607.3 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 as provided for in this ordinance and in Section 1004 of the Pennsylvania Municipalities Code, Act 247 as amended.

Section 608 Contents Of Zoning Amendment Application

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

- 608.1 Name, address and phone number of applicant
- 608.2 Specific language of proposed amendment to the text and/or a legal description of any district or boundary change
- 608.3 The present use and zoning district
- 608.4 The proposed use and zoning district
- 608.5 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
- 608.6 A listing of all property owners within, contiguous to, and directly across the street from the parcel proposed to be rezoned. Also all other property owners that may have a substantial interest in the proposed amendment shall be listed.
- 608.7 A statement on how the proposed amendment relates to the Borough's Comprehensive Plan.
- 608.8 A fee as may be established by the Borough Council.

Section 609 Procedure For Zoning Amendments

- 609.1 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 Borough Council, opportunities shall be offered the Borough

Planning Commission and the Crawford County Planning Commission to review the amendment. Borough Council shall hold a public hearing on the proposed amendment pursuant to public notice before taking action.

- 609.2 The Borough Planning Commission and the Crawford County Planning Commission shall have a maximum of 45 days from their receipt of a proposed amendment during which time they shall review the amendment and transmit their comments and recommendations to Borough Council. Action on the amendment may be taken at the conclusion of the hearing or within 30 days thereafter.
- 609.3 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, substantial alterations are made in the text of the ordinance, Borough Council shall hold another public hearing, pursuant to public notice, before proceeding to a decision on the amendment.
- 609.4 Content 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 Borough where copies of the proposed amendment may be examined. The time and place of the hearing also shall be indicated.
- 609.5 Publication after Enactment - After enactment, if the advertisement of a zoning amendment is required by other laws respecting the advertisement of ordinances, the advertisement may consist solely of a reference to the place within the Borough 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 VII

THE OFFICIAL ZONING MAP

Section 700 The Official Zoning Map

The districts established in Article VIII 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 President of Borough Council, and attested by the Borough Secretary.

Section 701 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:

- 701.1 District boundaries indicated as approximately following the centerlines of streets, highways, alleys, or streams shall be construed to follow such centerlines.
- 701.2 District boundaries indicated as approximately following platted lot or property parcel lines shall be construed as following such lot and parcel lines.
- 701.3 District boundaries indicated as approximately following municipal limits shall be construed as following such municipal limits.
- 701.4 District boundaries indicated approximately parallel to the centerlines of the streets, highways, alleys or streams shall be construed as being parallel thereto and at such distance therefrom 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.
- 701.5 District boundaries indicated as approximately following the centerline of a railroad line shall be construed as following the centerline of the main tracks of the railroad line.
- 701.6 Where the Zoning Officer cannot definitely determine the location of a district boundary by the rules 1 to 5 listed immediately above, he shall refer the matter in the Zoning Hearing Board which shall be responsible for interpreting the district boundary.

ARTICLE VIII

ESTABLISHMENT, PURPOSE AND REGULATIONS OF ZONING DISTRICTS

Section 800 Establishment Of Zoning Districts

In order to carry out the purposes and provisions of this ordinance, Conneautville Borough is hereby divided into the following zoning districts

- R-1 Low Density Residential District
- R-2 Medium Density Residential District
- R-3 High Density Residential District
- B-1 General Commercial District
- B-2 Highway Commercial District
- M-1 General Industrial District
- C-1 Open Space and Conservation District
- F-1 Flood Plain Overlay District

Section 801 Compliance With District Regulations

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

- 801.1 No yard or lot existing at the time of the adoption of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the adoption of this ordinance shall meet at least the minimum requirements set forth herein.

Section 802 General Regulations

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

- 802.1 Essential Services. The following public utility and government services are permitted in any zoning district: overhead electric distribution and telephone lines and underground utility lines and distributing equipment, conduits, vaults, pipeline laterals, mains, traffic signals, and similar installation and equipment of this scale and nature, but not including structures.
- 802.2 Public Service Facilities. Public service facilities include, but are not limited to, structures, buildings, storage tanks, treatment plants; pumping, transformer, transmission, repeater, and regulatory stations, and substations, telephone booths, principal overhead

transmission lines (but not including distribution and collection systems as listed in Section 802.1 above) shall be permitted uses in the R-3 High Density Residential, B-1 General Commercial, B-2 Highway Commercial, and M-1 General Industrial Districts, and shall be considered as conditional uses in the R-1 Low Density Residential and R-2 Medium Density Residential Districts.

- 802.3 Lots of Record. Any lot or parcel of record existing at the effective date of this ordinance and then held in separate ownership different from the ownership of adjoining lots may be used for the erection and construction of a structure for the erection and construction of a structure conforming to the use regulations of the district in which it is located even though its area and width are less than the minimum requirements of this ordinance.
- 802.4 On-Lot Sewage Treatment Requirement. Where on-lot sewage treatment is approved and utilized the minimum lot size shall not be less than required by the regulations promulgated and enforced by the Pennsylvania Department of Environmental Resources. The use of on-lot sewage treatment facilities shall be limited to those areas of the Borough where it has been proven not feasible to connect to the Northwest Crawford County Sewer Authority System. If an on-lot system is to be installed, written authorization shall be obtained from the Northwest Crawford County Sewer Authority and the Borough Sewage Enforcement Officer and submitted with the zoning permit application.
- 802.5 Computation of Permitted Dwelling Units. Where applicable the maximum number of permitted dwelling units on a lot is determined by dividing the total lot area by the lot areas requirement in the applicable district.
- 802.6 Permitted Projections and Obstructions Into Required Yards. Except for the specified projections and obstructions listed below, every part of a required yard shall be open and unobstructed to the sky. In the following listing the yards into which projections are permitted are indicated by F for the yard adjacent to the main abutting street; S for the side yards including street corner side yard; R for the rear yard.
- (a) Arbors or trellises attached to the principal structure, - not more than 3 feet F,S,R
 - (b) Arbors or trellises, free standing R
 - (c) Air conditioning units, - not less than 3 feet from any lot line F,S,R
 - (d) Awnings or canopies for a window, porch, or door - not more than 4 feet F,S,R

- (e) Balconies, open - not more than 4 feet F,S,R
- (f) Chimneys - not more than 2 feet F,S,R
- (g) Cornices, eaves, belt courses, sills, one-story bay windows, and other similar architectural features - not more than 3 feet F,S,R
- (h) Fences and walls - not more than 3 1/2 feet in height F
- (i) Fences and walls - not more than 6 feet in height S,R
- (j) Fire escapes open or enclosed - not more than 6 feet R
- (k) Flag poles F,S,R
- (l) Garages, detached R
- (m) Lawn furniture such as benches, sundials, birdbaths F,S,R
- (n) Open off-street parking and loading spaces; providing, however, that off-street parking and loading may not be permitted in a front yard for industrial and institutional uses unless approved under the conditional use procedure, or, where conditional use procedures are not used for these uses, unless approved as a special exception F,S,R
- (o) Ornamental light standards 0 not over 6 feet in height F,S,R
- (p) Playground and laundry-drying equipment R
- (q) Playhouses and outdoor fireplaces R
- (r) Porches, open, with or without roof, and not more than one-story in height - not more than 8 feet F, R
- (s) Signs and nameplates as regulated in this ordinance F,S,R
- (t) Steps, open F,S,R

- (u) swimming pools and tennis courts R
- (v) Terraces and patios, open F,S,R
- (w) Toolhouses and other similar structures for the storage of accessory supplies R

802.7 Height Regulations. No structure shall exceed 3 stories in height providing however that this requirement shall be waived for the following: belfries, chimneys, cupolas, domes, flagpoles, flues, stacks, monuments, spires, steeples, water towers and tanks, cooling towers, elevator enclosures, skylights, stage towers, air conditioning units, 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 level is so constructed as to permit a direct entrance at, or nearly at, grade level either into the front or rear yard such building level shall be considered a story for the purpose of interpreting this ordinance.

802.8 Prohibited Uses. As provided by the requirements of this ordinance a building may be erected, altered, or used for any residence, trade, industry, or business, that is in compliance with applicable district regulations and not obnoxious or offensive by reason of odor, dust, smoke, gas, noise, vibrations, glare or illumination or otherwise creates a nuisance or hazard to public health, safety, and welfare. In addition to uses that may be prohibited by reason of the above the following uses are specifically prohibited in all districts:

- (a) The incineration, or open and continuous storage of offal, animal or fish remains, or similar objectionable refuse; open dumps, and sanitary landfills.
- (b) The tanning or storage of rawhides or skins and fat rendering; slaughterhouses and fertilizer plants.
- (c) The manufacture of gunpowder or other explosives, except as a by-product of other manufacturing operations.
- (d) Paper and pulp manufacture.
- (e) Open dumps, auto wrecking, junkyards, or other refuse or junk storage facilities.
- (f) Quarries and open surface mineral extraction.

(g) Swine farms, and dairy herds of a limited or extensive nature and large poultry and turkey farms.

(h) Soap, tallow, grease or lard manufacturing.

802.9 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 which shall be transmitted to the Zoning Officer, the Planning Commission, and Borough Council. Amendments to this ordinance may be initiated as set forth in Section 607 of this ordinance.

802.10 Minimum floor area per dwelling. No single family dwelling shall have a floor area of less than 720 square.

802.11 Manufactured Home Requirements. Manufactured Homes, including double and triple wide and expandable units, where they are permitted and except where they are located in manufactured home parks (See Article XIII for requirements in manufactured home parks) shall be:

(a) Located on a permanent, frost-free foundation.

(b) Be securely fastened or tied down to the foundation to secure against uplift, sliding or overturning. Tie downs where used may be strap, cable or chain type. There shall be a minimum of 4 such tie downs; they shall be anchored in concrete "dead men", eyelets imbedded in concrete foundations or screw augers, arrowhead anchors, or similar devices properly planted in the ground.

(c) Enclosed or skirted at the base of the unit with a material of compatible design which shall be installed on all sides in a manner so as to provide continuous facades from ground level upwards. Such enclosure shall provide sufficient ventilation to inhibit decay and deterioration.

(d) Sited parallel or generally parallel to the main road abutting the property in order that the dwelling shall be located on the property in a manner similar to conventional single family detached dwellings.

Section 803 Low Density Residential District, R-1

Purpose: The Low Density Residential District is intended to provide areas in which the predominant use will be residential including community facility uses supportive thereof with area, height, and use requirements that encourage single family residential units on individual lots. The R-1 district is designed as an area which can accommodate a considerable portion of the future housing needs in the Borough in areas that can be conveniently served with community utilities. The regulations applicable to this district are intended to promote stable and desirable neighborhoods and to maximize property values through maintaining substantially similar modes of housing construction.

803.1 Permitted Uses:

- (a) Single family detached dwellings
- (b) Planned Residential Developments subject to the requirements established in Article XII
- (c) Public Uses and Open Recreational Activities
- (d) Essential Services
- (e) Temporary real estate sales office space for purpose of conducting sales of lots, houses, etc. in the development in which said office is located
- (f) Accessory uses and structures customarily incidental to the above listed permitted uses
- (g) Limited Agricultural activities on tracts of land in single ownership containing 5 acres or more, subject to the requirements established in Section 803.2b.

803.2 Conditional Uses. The following uses may be permitted subject to review and approval by Borough Council as provided for in Article VI of this ordinance:

- (a) Public Service Facilities
- (b) Limited Agricultural activities on tracts of land in single ownership containing less than 5 acres, subject to the following regulations:
 - (1) Buildings, pens and fenced in areas for grazing livestock and poultry shall be a minimum of 150 feet from the nearest neighboring residence and 150 feet from the boundaries of a residential subdivision.

(2) No structures other than minor accessory structures such as stables, pens, coops, kennels and small one-story barns shall be permitted in association with the limited agricultural use.

(3) No obnoxious or offensive noise, odor or dust shall extend or affect properties beyond the boundaries of the lot or parcel on which the limited agricultural activity is being conducted.

(c) Rooming and Boarding Houses for up to 2 roomers; provided that

(1) No permanent sign is displayed on the premises indicating this use or activity. Temporary signs indicating that a room is available for rent may be permitted, such signs shall be limited to one square foot in area and one sign per premises, such signs shall be promptly removed when this situation no longer applies; and

(2) One off-street parking space shall be provided for each roomer lodged, in addition to other required off-street parking spaces for the principal residential use, as established in Article X.

803.3

Special Exception Uses. The following uses may be permitted, subject to review and approval by the Zoning Hearing Board as provided for in Section 506.4 of this ordinance.

(a) Home occupations. (See additional requirements in Section 902 of this ordinance.)

(b) Modular Homes. Providing that they:

(1) Look substantially similar to the dwellings existing in the district,

(2) Are constructed on a permanent frost free foundation, either on a slab, on foundation walls or on peers, and constructed so as to have continuous facades from the ground upwards, and

(3) Have a roof surface similar to a conventional type of roof, which provides sloping surface at 10% slope or

greater on at least 70% of the total roof area of the dwelling.

803.4 Bulk Regulations.

- (a) Minimum lot area ... 12,000 sq. ft. for each dwelling unit
- (b) Minimum lot width ... 100 feet at the setback line
- (c) Front yard ... Minimum 50 feet from centerline of the abutting street
- (d) Interior side yard ... Minimum of 10 feet
- (e) Street corner side yard ... Minimum of 40 feet from the centerline of the abutting street
- (f) Rear yard ... Minimum of 20 feet.

Section 804 Medium Density Residential District, R-2

Purpose: A medium density residential district is designed to provide areas in which the predominant use will be residential, accommodating considerable portion of the future housing needs of the Borough where community facilities can conveniently serve the residents. It is intended that the R-2 district will accommodate and promote a desirable combination of single family and multi-family units in detached, semi-detached and attached housing units. The R-2 district also provides opportunities for the placement of manufactured homes, both on individual lots and in manufactured home parks. The regulations applicable to this district are intended to promote a suitable mixture of housing types.

804.1 Permitted Use:

- (a) Single family attached, semi-detached and detached dwellings
- (b) Multi-family dwellings
- (c) Manufactured homes subject to the requirements established in Section 802.11 of this Article
- (d) Nursing and convalescent homes
- (e) Public uses and open recreational activities
- (f) Semi-public uses
- (g) Planned residential developments subject to the requirements establishing in Article XII
- (h) Essential services

- (i) Temporary real estate sales office for purposes of conducting rental or sales of lots, houses, apartments, etc. in the development in which said office is located. Maintenance facilities for leased apartments are also permitted.
- (j) Accessory uses and structures customarily incidental to the above listed permitted uses.
- (k) Limited Agricultural Activities on tracts of land in single ownership containing 5 acres or more, subject to the requirements established in Section 803.2b.

804.2 Conditional Uses. The following uses may be permitted subject to review and approval by Borough Council as provided for in Article VI:

- (a) Limited Agricultural Activities on tracts of land in single ownership containing less than 5 acres, sub subject to the requirements established in Section 803.2b
- (b) Public service facilities
- (c) Manufactured home parks; subject to the requirements established in Article XIII of this ordinance
- (d) Rooming and boarding houses for up to 2 roomers, subject to the requirements established in Section 803.2(c) of this ordinance.

804.3 Special Exception Uses. The following uses may be permitted subject to review and approval by the Zoning Hearing Board, as provided for in Section 506.4 of this ordinance:

- (a) Home occupations (see additional requirements in Section 902 of this ordinance)
- (b) Foster homes for children and group homes; subject to the off-street parking requirements established in Section 803.3(b)
- (c) Modular housing units subject to the requirements established in Section 803.3(b).

804.4 Bulk Regulations

- (a) Minimum lot area ... 9,200 feet for each single family detached dwelling unit and 4,500 square feet for each single family semi-detached unit, and 2,500 square feet for each attached unit. Multi-family units such as garden apartments shall

have a minimum of 10,000 square feet plus an additional 2,000 square feet per unit. Not more than 5 units shall be permitted in one group.

- (b) Minimum lot width ... At the setback line, a minimum of 80 feet for single family detached units, 50 feet for semi-detached units and 20 feet for attached units.
- (c) Front Yard ... Minimum of 40 feet from the centerline of a local street or 50 feet from the centerline of a State maintained highway or a local collector street.
- (d) Interior side yard ... Minimum of 8 feet, except for one side of a semi-detached unit or an attached unit where no side yard setback is required. The end units of an attached group shall have a minimum side yard of 20 feet.
- (e) Street corner side yard ... Minimum of 35 feet from the centerline of the abutting street.
- (f) Rear yard ... Minimum of 20 feet.

Section 805 High Density Residential District, R-3

Purpose: A High Density Residential District is designed to provide areas in which the predominant use will be residential. This District encompasses most of the older residential neighborhoods within the Borough. It is the intent of the regulations of this district to preserve the character of these older residential neighborhood areas and to stabilize property values through maintaining substantially similar modes of housing construction. It is intended that the R-3 district will accommodate and promote single family and multi-family dwellings in detached, semi-detached and attached housing, including housing units for the elderly. The regulations applicable to this district are intended to promote desirable residential areas in close proximity to the general commercial area of the Borough and the community facilities and services in the downtown area.

805.1 Permitted Uses:

- (a) Single family attached, detached and semi-detached dwellings
- (b) Multi-family dwellings
- (c) Public uses including open recreational activities
- (d) Semi-public uses
- (e) Clinics
- (f) Nursing and convalescent homes

- (g) Tourist homes
- (h) Public service facilities
- (i) Essential services
- (j) Accessory uses and structures customarily incidental to the above listed permitted uses.

805.2 Conditional Uses. The following uses may be permitted subject to the review and approval by Borough Council and the provisions of Article VI

- (a) Rooming and boarding homes for up to 4 roomers; subject to the requirements established in Section 803.2(c) of this ordinance.

805.3 Special Exception Uses. The following uses may be permitted subject to review and approval by the Zoning Hearing Board, as provided for in Section 506.4 of this ordinance:

- (a) Home occupation (see additional requirements in Section 902 of this ordinance).
- (b) Modular housing units subject to the requirements established in Section 803.3(b)
- (c) Foster homes for children and group homes, subject to the off-street parking requirements established in Article X.

805.4 Bulk Regulations.

- (a) Minimum lot area ... 7,200 square feet for each single family detached dwelling unit and 4,500 square feet for each single family semi-detached unit and 2,500 square feet for each attached unit. No more than 5 attached dwellings shall be permitted in one structure. Multi-family units such as garden apartments shall have a minimum lot area of 10,000 square feet plus an additional 2,000 square feet for each unit.
- (b) Minimum lot width ... At the setback line, minimum of 60 feet for single family detached units, 50 feet for semi-detached units and 20 feet for attached units.
- (c) Front yard ... Minimum of 35 feet from the centerline of a local street or 40 feet from the centerline of a State maintained highway or a local collector street.

- (d) Interior side yard ... Minimum of 6 feet except for one side of a semi-detached unit or an attached unit where no side yard setback is required. The end units of an attached group shall have a minimum side yard of 20 feet.
- (e) Street Corner side yard ... Minimum of 35 feet from the centerline of the abutting street.
- (f) Rear yard ... Minimum of 20 feet.

Section 806 General Commercial District, B-1

Purpose: A General Commercial District is designed to provide a compact, pedestrian oriented centralized shopping area for the convenience of the residents of the Borough and surrounding areas of the Conneaut Valley. It is the intent of the regulations of this district to encourage the location of uses therein which will tend to attract people from the Conneaut Valley area for community activities and general services as well as shopping. Development in this District should work to establish the Borough's image as the central place in the Conneaut Valley. Existing residential uses are currently mixed in with other uses in this District. The intent of this ordinance is to permit residential uses that will not interfere with the objectives stated above. Residential uses in this District particularly on the second and third floors are convenient for certain age groups and tend to foster pedestrian activity in the District. However, it is not the intent of this District to permit commercial uses to be replaced by residential uses.

806.1 Permitted Uses: The following uses are permitted uses in the B-1 District. Any new construction within this District shall comply with the provisions of Ordinance #59, the Fire Zone Ordinance of Conneautville Borough:

- (a) Retail stores and shops
- (b) Restaurants and taverns
- (c) Theaters, bowling alleys and similar commercial recreation facilities
- (d) Offices, Banks and Drive-In Banks
- (e) Laundromats
- (f) Printing establishments and office supply sales
- (g) Beverage distributor
- (h) Funeral homes
- (i) Tourist homes
- (j) Public uses

- (k) Semi-public uses
- (l) Auto and parts sales and accessory service activities
- (m) Bicycle and motor bike sales and service
- (n) Essential services
- (o) Public service facilities
- (p) Accessory uses or structures customarily incidental to the above listed permitted uses.

806.2 Conditional Uses. The following uses may be permitted subject to review and approval by Borough Council, as provided for in Article VI of this ordinance:

- (a) Multi-family dwellings, provided, however, that no residential use shall replace a commercial use and that residential uses shall not interfere with the promotion of a community focus for shopping, services and community activities in this district. In proposing a residential use, the applicant shall show how the development of the residential use will not compromise the limited amount of land available for commercial use and how the siting of the residential use will be compatible with commercial uses in the downtown setting.
- (b) Wholesale business.

806.3 Bulk Regulations.

- (a) Minimum lot areas:

For commercial uses ... There shall be no minimum lot area for commercial uses; however, all requirements with respect to off-street parking and loading and yards shall be met. See Article X.

For residential uses ... The minimum lot areas shall be as established in Section 805.4(a) the R-3 District for single family attached and semi-detached units, two family detached units and multi-family units.

- (b) Front yard ... Minimum of 35 feet from the centerline of the abutting street
- (c) Interior side yard ... Minimum of 8 feet, except for buildings with common walls and semi-detached

and attached dwellings in which cases, none is required.

(d) Street corner side yard ... Minimum of 35 feet from the centerline of the abutting street.

(e) Rear yard ... Minimum of 20 feet.

Section 807 Highway Commercial District, B-2

Purpose: A Highway Commercial District is designed to provide a shopping area, where automobile oriented commercial activities can be conducted for the convenience of the residents of the Borough as well as the Conneaut Valley area. It is the intent of the provisions of this District to promote the location of commercial activities with drive-in access along PA 18.

807.1 Permitted Uses:

- (a) Auto sales, repair and maintenance
- (b) Fast food services
- (c) Drive-In Banks
- (d) Car wash
- (e) Motels and tourist homes
- (f) Beverage distributor
- (g) Passenger terminal
- (h) Welding shops
- (i) Farm supply and machinery sales and service
- (j) Essential services
- (k) Public service facilities
- (l) Gasoline stations
- (m) Retail convenience stores
- (n) Limited Agricultural activities on tracts of land in single ownership containing 5 acres or more, subject to the requirements established in Section 803.2(b)
- (o) Accessory uses and structures customarily incidental to the above listed permitted uses.

807.2 Conditional Uses. The following uses may be permitted

subject to review and approval by Borough Council, as provided for in Article VI of this ordinance.

- (a) Limited Agricultural activities on tracts of land in single ownership containing less than 5 acres, subject to the requirements established in Section 8033.2(b)

807.3 Bulk Regulations.

- (a) Minimum lot area ... There shall be no minimum lot area required in the B-2 District; provided, however, that each lot shall provide controlled access points for ingress and egress and each lot shall meet the off-street parking and loading requirements established in Article X, and the minimum yard setback established in this section.
- (b) Front yard ... 35 feet from the centerline of abutting street
- (c) Interior side yard ... A minimum of 10 feet
- (d) Street corner side yard ... A minimum of 35 feet from the centerline of the abutting street
- (e) Rear yard ... A minimum of 20 feet.

Section 808 General Industrial District, M-1

Purpose: The General Industrial District is designed to provide land for existing industry to expand and for the development of new industry. The regulations of this district are intended to insure that industrial operations are compatible with adjacent uses and do not create nuisance situations.

808.1 Permitted Uses:

- (a) Research, engineering and testing laboratories
- (b) Beverage manufacturing and bottling works
- (c) Printing, publishing, bookbinding
- (d) Hardware and tools manufacturing
- (e) Tool, die and pattern making shops
- (f) Artisans' and craft work
- (g) Fabrication of models or test equipment used in research
- (h) pharmaceutical research and production

- (i) Warehousing and wholesale establishments
- (j) Oil and gas wells
- (k) Welding shops
- (l) Farm supply and machinery sales and service
- (m) Feed mills
- (n) Public service facilities
- (o) Essential services
- (p) Accessory uses and structures customarily incidental to the above listed permitted uses
- (q) Limited Agricultural activities on tracts of land in single ownership, containing 5 acres or more, subject to the requirements established in Section 803.2(b).

808.2

Conditional Uses. The following uses may be permitted subject to review and approval by Borough Council as provided for in Article VI and also subject to the performance standards contained in Section 808.3 of this Article:

- (a) Processing, packing and canning of food products
- (b) The manufacture, compounding, assembling or treatment of articles, products or merchandise from previously prepared materials such as metal, stone, wood, bone, cloth, cork, fiber, fur, leather, paper, plastics, tobacco, wax, yarns, rubber and ceramics.
- (c) Metal and metal products treatment and processing such as enameling, lacquering, galvanizing, electroplating, finishing, grinding, sharpening, polishing, cleaving, rust proofing, painting and heat treatment.
- (d) Limited Agricultural activities on tracts of land in single ownership containing less than 5 acres, subject to the requirements established in Section 803.2(b)
- (e) Contractor and Construction shops, including the sale and storage of building materials and supplies

- (f) Heavy equipment sales, service and temporary (1 month) outdoor storage of up to 4 pieces of equipment or parts thereof
- (g) Lumbermill
- (h) Auto repair and maintenance, including the temporary 1 month outdoor storage of up to 4 automobiles or parts thereof
- (i) Parks and open recreation activities including accessory structures.

808.3

In addition to the requirements set forth in Article VI, the approval of conditional uses in the M-1 District shall be subject to the following performance standards:

- (a) There shall be no improper or undue pollution of the air by dust, dirt, fly ash, fumes, vapors, gases, odor, or smoke which will cause damage to human health or to animals, vegetation or other property or which will soil property beyond the lot line of the use in question.
- (b) There shall be no direct or reflected glare or heat perceptible beyond the boundaries of the lot.
- (c) There shall be no discernable vibration perceptible without instruments beyond the boundaries of the lot.
- (d) There shall be no activity uniting dangerous radioactivity at any point, or electrical disturbances adversely affecting the operation of any equipment (radio or television, etc.) at any point other than that of the creator of the disturbance.
- (e) There shall be no objectionable noise, because of its volume, frequency or heat. Such noise generated shall be muffled or controlled.
- (f) There shall be no water pollution based on criteria established by the State or Federal government.
- (g) Manufacturing, general servicing of plant and operations, processing and storage uses located within 200 feet of, and visible from, ground level of a residential district, except for off-street parking and loading, shall be located within enclosed structures or shall be effectively screened by a wall, fence, or other substantially equivalent structure, not less than 6 feet in

height, or by a terrain of landscape feature functioning as an effective screen.

The Borough may seek the opinion of specialists to advise them regarding the above listed performance requirements. Any expense associated with obtaining expert advice from knowledgeable and qualified experts may be charged to the applicant. No use shall be approved and no building permit shall be issued, until the applicant demonstrates that he has complied with all regulations promulgated by the Pennsylvania Department of Environmental Resources regarding the full range of environmental control administered by the Department including but not limited to emissions into the air, discharges to streams, disposal of solid wastes, and noise pollutions.

808.4 Bulk Regulations.

- (a) Minimum lot area ... There shall be no minimum lot area; however, all requirements with respect to off-street parking and loading and yards shall be met
- (b) Front yard ... Minimum of 50 feet from the centerline of abutting street
- (c) Interior side yard ... Minimum of 20 feet
- (d) Street corner side yard ... Minimum of 40 feet from the centerline of the street
- (e) Rear yard ... Minimum of 20 feet
- (f) Where industrial uses have common property lines with residential districts in no case shall a building used for non-residential purposes be closer than 50 feet from the common property line and in all such cases, the non-residential building shall be effectively screened by a wall, fence or other substantially equivalent structure, not less than 6 feet in height, or by a terrain or landscape feature functioning as an effective screen. There shall be a minimum of 20 feet between the edge of any off-street parking, loading or vehicular access drive and the common property line.

Section 809 Open Space And Conservation District, C-1

Purpose: The Open Space and Conservation District is designed to preserve and protect the Borough's natural resources and amenities, such as its streams, stream valleys, woodlands and steep slope areas. It is also the intent of this district to protect the undeveloped flood prone areas of the Borough.

809.1 Permitted Uses:

- (a) Forestry
- (b) Cemeteries, provided that they are located out of flood prone areas
- (c) Parks and open recreation uses, and accessory structures provided that they are located out of flood prone areas and/or elevated above flood elevations
- (d) Essential Services
- (e) Limited Agricultural activities on tracts of land in single ownership containing 5 acres or more, subject to the requirements established in Section 803.2(b).

809.2 Conditional Uses. The following uses may be permitted subject to review and approval by Borough Council as provided for in Article VI.

- (a) Limited Agricultural activities on tracts of land in single ownership containing less than 5 acres, subject to the requirements established in Section 803.2(b)
- (b) Public service facilities
- (c) Oil and gas wells.

809.3 Bulk Regulations. There shall be no minimum bulk regulations for the C-1 District. However, accessory structures to park and recreation use shall be sited so as to promote the objectives of this district and to minimize flood damage where such structures are located in a flood prone area.

Section 810 Floodplain Overlay District, F-1

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 projection and relief, and the impairment of the tax base by:

- a. regulating uses, activities and development which, acting alone or in other 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 developments that do occur in flood-prone areas to be protected and/or floodproofed against flooding and damage;
- d. protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

810.1 Warning And Disclaimer Of Liability. The degree 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 man-made 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 Borough or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

810.2 Identification Of Floodplain Area. The identified floodplain area shall be those areas of Conneautville, which are subject to the one hundred (100) year flood, as shown on the Flood Insurance Rate Map (FIRM) which accompanies the Flood Insurance Study (FIS) prepared for the Borough by the Federal Emergency Management Agency (FEMA), dated 9-18-87, or the most recent revision thereof.

810.3 Description Of Floodplain Areas Districts. The identified floodplain area shall consist of the following specific areas/districts:

- (a) The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA and for which one hundred (100) year flood elevations have been provided in the FIS.

- (b) The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one hundred (100) year flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, and other acceptable source shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.

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 or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computation, etc., shall be submitted to sufficient detail to allow a thorough technical review by the municipality.

- 810.4 Changes In Identification Of Area. The delineation of the identified floodplain area may be revised by the Borough Council where natural or man-made 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.
- 810.5 Boundary Disputes. Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Zoning Officer in accordance with Section 506.
- 810.6 Overlay Concept. The identified floodplain areas in the Borough are shown by the extent of the Floodplain Overlay District, F-2. This District is overlaid on the other zoning districts of the Borough and serves as a supplement to the provisions of the underlying districts. In the identified floodplain area as delineated by the Floodplain Overlay District 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 Borough codes and ordinances. Where there is a conflict between the requirements of the Floodplain Overlay District and those of an underlying district the more restrictive provisions and/or those pertaining to the Floodplain shall apply. In the event any provisions 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.
- 810.7 Issuance Of Building Permit And Zoning Permit.
- (a) A building permit and a zoning 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 and ordinances. A building or zoning permit shall be required for all proposed development within the floodplain.

- (b) Prior to the issuance of any building and zoning permit the application shall be reviewed to determine if all other necessary government permits required by State and Federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537), as amended); the Pennsylvania Dam 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 determination has been made.

- (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 in writing by the Borough Council, 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 Planning, shall be notified by the Borough Council prior to any alteration or relocation of any watercourse.

810.8 Application Procedures And Requirements. Applicants shall file the following minimum information in addition to any other pertinent information that may be required by the Zoning Officer in performing his normal administrative duties.

- (a) A plan of the entire site drawn at a scale of 1 inch equal to 100 feet or less showing:
 - (1) North arrow, scale and date
 - (2) A location map showing the vicinity in which the proposed development is to be located
 - (3) Topography based on the National Geodetic Vertical Datum of 1929 showing existing and proposed contours at intervals of 2 feet
 - (4) A property dimensions and the size of the site expressed in acres or square feet
 - (5) The location of existing streets and other accessways affecting the proposed development with information concerning

widths, pavement types and elevations
feet

- (6) 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
 - (7) The location of the identified floodplain areas boundary line, information and spot elevations concerning the 100 year flood elevations, and information concerning the flow of water including direction and velocities
 - (8) The general plan of the entire site accurately showing the location of all proposed buildings, structures, and any other improvements including the location of any existing or proposed subdivision and land development in order to assure that:
 - (a) all proposals are consistent with the need to minimize flood damage:
 - (b) all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 - (c) adequate drainage is provided so as to reduce exposure to flood hazards.
- (b) Plans of all proposed buildings, structures and other improvements drawn at a suitable scale showing the following:
- (1) Detailed architectural or engineering drawings including building size, floor plans, sections and exterior building elevations as appropriate
 - (2) Proposed lowest floor elevations of any proposed building based upon National Geodetic Vertical Datum of 1929

- (3) Complete information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a 100 year flood
- (4) Detailed information concerning any proposed floodproofing measures
- (5) Cross-section drawings for all proposed streets and other accessways and parking areas showing all rights-of-way and pavement widths
- (6) Profile drawings for all proposed streets and vehicular accessories including existing and proposed grades
- (7) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and any other utilities and facilities
- (8) Soil Types

(c) The following data and documentation:

- (1) For proposed development within the AE Area/District documentation, certified by a registered professional engineer or architect, to show that the cumulative affect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one foot at any point.
- (2) 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 floodproofing measures which have been incorporated into the design of the structure and/or the development.
- (3) Detailed information needed to determine compliance with Section 810.14(h), Storage, and Section 810.16, Development Which May Endanger Human Life, including:

(a) the amount, location and purpose of any materials or substances referred to in Sections 810.14(h) and 810.16 which are intended to be used, produced, stored or otherwise maintained on site:

(b) for any proposed structure regulated under Section 810.16 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.

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

(5) 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.

810.9 Review By The Crawford Conservation District. A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by the Zoning Officer to the Crawford Conservation District for review and comment prior to the issuance of a permit. The recommendations of the Conservation District shall be considered by the Zoning Officer for possible incorporation into the proposed plan.

810.10 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.

810.11 Permit Required From PennDER. Within this District, which delineates the extent of the identified floodplain area in the Borough, no new construction or development shall be located within the area measured 50 feet landward 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.

810.12 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 1/2 feet or more above the 100 year flood elevation.

810.13 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.

810.14 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) Within any floodway area, no new construction or development shall be permitted that would cause any increase in the one hundred (100) year flood elevation.
- (b) Within any AE Area District, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one (1) foot at any point.
- (c) 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 or small 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, and approved by the Zoning Officer; and

- (5) be used to the extent to which it does not adversely affect adjacent properties.
- (d) Drainage. Storm drainage facilities shall be designed to convey the flow of stormwater 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.
- (e) Water And Sanitary Sewer Facilities And Systems.
- (1) All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
- (2) Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
- (3) No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
- (f) Streets. The finished elevation of all new streets shall be no more than one foot below the Regulatory Flood Elevation.
- (g) Other Utilities. All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the changes of impairment during a flood.
- (h) 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 to Section 810.16, Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or floodproofed to the maximum extent possible.

(i) 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.

(j) 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.

(k) 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.

(l) Paints And Adhesives.

(1) Paints or other finishes used at or below the Regulatory Flood Elevation shall be of a "marine" or water-resistant quality.

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

(m) Electrical Components.

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

(n) Equipment. Water heaters, furnaces, air conditioning and ventilating units, and other mechanical or utility equipment or apparatus shall not be located below the Regulatory Flood Elevation.

(o) 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 designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters.
- (4) All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

810.15 Special Requirement For The AE Area/District. Within any AE Area/District, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect

of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one (100) year flood more than one (1) foot at any point.

810.16 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 the production, storage or use of any amount of radioactive substances) of any of the following dangerous 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 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.

- (c) Where permitted within any identified floodplain area, any new or substantially improved structure of the kind described in item a., above, shall be:

- (1) elevated or designed and constructed to remain completely dry up to at least one and one-half (1 1/2) feet above the one-hundred (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. Army Corps of Engineers, June 1972), or with some other equivalent watertight standard.

810.17. Special Requirements For Manufactured Homes.

- (a) Within any identified floodplain area, all manufactured homes and any additions thereto shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
- (b) Where permitted within any identified floodplain area, all manufactured homes and 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 year flood.
 - (3) anchored to resist flotation, collapse, or lateral movement.

810.18 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 manufactured home parks and manufactured home subdivisions, and substantial improvements to such existing parks and development.

810.19 Nonconforming Structures In The Floodplain Overlay District. Structures 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, to an extent or amount of 50 percent or more of its market value shall be undertaken only in full compliance with the

provisions of this ordinance. Also see the provisions in Article IV, of this ordinance.

- (a) Any modification, alteration, reconstruction or improvement to any use or structure within the AE Area/District, regardless of the amount shall comply with the requirements of Sections 810.14(b) and 810.15.

810.20 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 Borough may, upon request, grant relief from the strict application of the requirements. Requests for variances shall be considered by the Borough in accordance with the provisions of Article V. of this ordinance and in accordance with the following

- (a) No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the one hundred (100) year flood .
- (b) No variance shall be granted for any construction, development, use, or activity within any AE area that would, together with all other existing and anticipated development, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
- (c) 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 810.16 and 810.18.
- (d) Whenever a variance is granted the Borough 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 Borough 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 Borough. In addition, a report of all variances granted during the year shall be included in the annual or biennial report to the Federal Insurance Administration.
- (g) The variance shall be the minimum necessary, considering the flood hazard, to afford relief.

ARTICLE IX

SUPPLEMENTARY DISTRICT REGULATIONS

Section 900 Intent

The purpose of supplementary district regulations is to set specific conditions for various uses, classifications of uses, or areas where problems are frequently encountered. These regulations qualify and supplement the district regulations established in this ordinance.

Section 901 Conversion Of Dwelling To More Units

An existing residential structure may be expanded and/or converted to accommodate an increased number of dwelling units, subject to the review and approval as a special exception by the Zoning Hearing Board. The following regulations shall apply in all such reviews by the Zoning Hearing Board:

- 901.1 The proposed conversion shall be located within a zoning district that permits multi-family residential uses.
- 901.2 The proposed conversion shall meet the yard dimensions required by the zoning regulations for new structures in that district.
- 901.3 The lot area per dwelling unit shall meet the minimum lot area requirements in that district.
- 901.4 The floor area per dwelling unit shall meet the minimum requirements established in Section 801.10 of this ordinance.
- 901.5 The proposed conversion is in compliance with all other relevant provisions of this ordinance and other Borough codes and ordinances.

Section 902 Home Occupation

Home occupations may be permitted as special exceptions provided that they comply with the provisions of Section 506.4 of this ordinance and the following requirements:

- 902.1 Signs advertising the home occupation activity shall be limited to 2 square feet in area and shall either be attached to the structures, or located in close proximity to the structure in which the activity is being conducted. No other display shall be permitted which will indicate from the exterior that the building and/or accessory buildings are being utilized, in part, for any purpose other than that of a dwelling (see Article XI);

- 902.2 The sale of any commodities not produced or fabricated on the premises shall not constitute, either by volume or by amount of dollars, more than 1/3 of total sales;
- 902.3 There are not more than a total of 4 persons engaged in such use, occupation , or profession;
- 902.4 There is no type of mechanical or electrical equipment used except as might normally be used for domestic and avocational purposes;
- 902.5 There is no electrical disturbance that would affect radio, television or other equipment normal to residential uses;
- 902.6 There are no more than 6 vehicular trips generated by the use to and from the premises at the busiest hour of the normal operating day;
- 902.7 There are sufficient off-street parking spaces to accommodate one space for each person engaged in such use, occupation, or profession plus two additional spaces;
- 902.8 Outdoor work, service, and storage areas, if any, shall be screened with fence and/or landscape plantings from the view of public roads and from adjacent residences;
- 902.9 There shall be no noise, odor, dust, fumes, glare or flashing light, which normally is considered objectionable, perceptible without instruments beyond the boundaries of the lot;
- 902.10 Where a new building or structure is proposed for construction on a premises for use in home occupation activity the new building or structure, (a) shall comply with the requirements listed above, (b) shall be subordinate to the dwelling on the premises, (c) shall be compatible with the residential character of the premises, (d) shall be utilized for a home occupational activity in no more than 75% of its total floor areas, providing however, the Board may waive the 75% area requirement if the proposed use, in its opinion, will not change the residential character of the premises and of the neighborhood, and (e) shall meet the minimum yard setback regulations of the district in which it is located.

Section 903 Visibility At Intersections

On a corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede vision between a height of 3 feet above the centerline grade of the intersecting streets in the area bounded by the near edges of the street pavements bounding the corner lot and a line joining points along the near edges of the streets 50 feet from the point of intersect of the two street pavement edges.

Section 904 Private Swimming Pools

A private swimming pool shall be permitted as an accessory use in all Residential Districts (R-1, R-2 and R-3), providing the swimming pool is:

- 904.1 Intended to be used primarily for the enjoyment of the occupants of the principal use of the property on which it is located;
- 904.2 Located a minimum of 10 feet from any property line, this minimum setback requirement shall apply to any paved areas or accessory structures which are part of the swimming pool development; and
- 904.3 Walled or fences 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.

Section 905 Temporary Structures

Temporary structures including manufactured homes and construction trailers may be permitted in any district during the period construction work is in progress providing the construction work is covered under a valid zoning permit issued by the Zoning Officer as established in Article III of this ordinance. Such temporary structures may be used as offices and construction headquarters but may not be used for living quarters. Temporary structures shall be removed upon completion of the construction work.

Section 906 Storage Of Vehicles

Automotive vehicles including trailers and travel trailers of any kind or type without current license plates and inspection stickers and other items of machinery which are clearly abandoned, deteriorated and which are established as constituting a threat to public health and safety shall not be parked or stored in the open air on a property such that they are visible and/or accessible by the public. Outdoor storage of such abandoned vehicles and machinery where it is established that such storage is a threat to the public health and safety shall be considered a public nuisance; the Borough, under State laws and the provisions of this ordinance and other applicable Borough ordinances, may abate such nuisances.

- 906.1 In all residential districts no more than one currently licensed travel trailer and one currently licensed boat and/or trailer may be stored on the property without being completely enclosed by a building; providing however, that more may be permitted if approved by the Zoning Hearing Board as a special exception. The outdoor storage of travel

trailers and boats and/or trailers in residential districts shall occur in the side or rear yard areas.

Section 907 General Storage

No lot, parcel or premises including open porches shall be used as an open exposed storage area for garbage, old appliances, rubbish or miscellaneous refuse where such storage is open to public view and access, and where it is established that said uses constitute a threat to public health and safety.

Section 908 Building Setback Modification

Where one or more existing structures are located on adjacent lots and on the same side of the road within 150 feet in either direction of a proposed structure, the setback of the proposed structure may conform with the average of the setbacks of these applicable existing structures.

Section 909 Access To Lots

Every building hereafter erected or moved shall be on a lot adjacent to a public street and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.

Section 910 Erection Of More Than One Principal Structure On A Lot

In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, subject to approval as a special exception by the Zoning Hearing Board and provided that yard and other requirements of this ordinance shall be met for each structure as though it were on an individual lot.

ARTICLE X

Off-STREET PARKING AND LOADING REGULATIONS

Section 1000 Intent

It is the intent of this Article to require appropriate off-street parking for the uses permitted in the zoning districts established in this ordinance. These requirements are provided to promote the free flow of traffic and to reduce vehicular congestion in the streets of the Borough.

Section 1001 General Requirements

- 1001.1 No 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.
- 1001.2 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 shall be provided based upon the requirements of this ordinance.
- 1001.3 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 existing parking and loading spaces, additional parking and loading spaces shall be provided on the basis of the area of the enlargement or change. Whenever a structure existing prior to the effective date of this ordinance is enlarged or changed, new or additional off-street parking and loading spaces shall be provided based only on the additional building area added or the change.

Section 1002 Parking And Loading Space Dimensions

An off-street parking space shall be a minimum of 9 feet in width and 20 feet in length. A loading space shall be a minimum of 12 feet in width and be an adequate length to accommodate the largest vehicle expected to service the establishment, which may be a length up to 50 feet. These dimensions are exclusive of required driveway and aisle space. The number of required off-street parking and loading spaces is established in Section 1008 and 1009 of this ordinance.

Section 1003 Paving, Drainage And Maintenance

Off-street parking and loading areas shall be graded, paved and drained according to the following standards:

- 1003.1 Stormwater drainage shall be handled so that water

previously not concentrated in defined channels is not collected and directed in new channels to adjacent property ownerships. Stormwater drainage shall be coordinated with existing storm drainage provisions to the extent possible and shall prevent erosion and excessive water flow across streets and adjoining properties.

1003.2 Pavement surfaces shall be durable, dust-free surfaces such as gravel, concrete or bituminous material.

1003.3 All off-street parking and loading areas shall be maintained in good condition without hazardous holes and free of dust, trash, and other debris. Off-street parking areas shall not be used for sales, repair work, servicing of any kind, or the storage of materials, machinery or similar objects.

Section 1004 Location Of Parking Spaces

Parking spaces for all detached and semi-detached residences shall be located on the same lot as the uses they are intended to serve. Parking spaces for apartments, single family attached residences and similar residential uses shall be located not more than 300 feet from the principal use. Parking spaces for commercial, industrial or institutional uses preferably shall be located on the same lot as the uses they are intended to serve; however they may be located a maximum of 500 feet from the principal use they serve. Parking spaces for commercial uses may be jointly provided by two or more such uses provided that all cooperating uses are within 600 feet of the common parking spaces and that all of the parking requirements contained in this Article are satisfied for each use participating in the common parking. Parties involved in the joint provisions of parking spaces shall be required to submit a written agreement, approved by Council with the application for a zoning permit.

Section 1005 Access

Access for off-street parking spaces shall comply with the following standards:

1005.1 Parking areas shall be designed to discourage cars from backing up into public or private streets in order to leave the parking areas; no parking or maneuvering incidental to parking shall be permitted on any sidewalk, street or alley.

1005.2 All dead-end parking areas shall provide sufficient back-up area for the end parking spaces of the parking area and where appropriate shall also provide turnaround spaces.

1005.3 Parking areas shall be designed so that each vehicle may proceed to and from the parking space provided for it without requiring the moving of any other vehicle.

Section 1006 Required Trash Areas

All commercial, industrial, and multi-family residential uses that provide trash and/or garbage collection areas shall require such areas to be enclosed on at least 3 sides by a solid wall or fence of at least 4 feet in height if such area is not within an enclosed structure. Provisions shall be made for adequate vehicular access to and from such areas for collection of trash and/or garbage.

Section 1007 Disabled Vehicles And Discarded Appliances

The parking or storage of a disabled vehicle and/or a discarded appliance for a period of more than two weeks shall be prohibited unless such vehicle or appliance is stored in an enclosed garage or other accessory structure.

Section 1008 Loading Space Requirements

The number of off-street loading spaces shall be related to the size of the establishment and the number of loading or service portals in the structure; normally one loading space should be provided for each 10,000 square feet of floor area.

Section 1009 Parking Space Requirements

For purposes of this ordinance the following parking requirements shall apply. Parking space requirements for other permitted or conditional uses not listed herein shall be determined by the Zoning Hearing Board based on a comparative evaluation of the requirements listed below. Where fractional numbers result from off-street parking requirement calculations the number shall be increased to the next whole number.

<u>Type Of Use</u>	<u>Minimum Parking Spaces Required</u>
Residential	
Single family dwelling	One per unit
Two family detached dwellings (2 units)	One and one-half per unit
Manufactured and modular home . .	One per unit
Single family semi detached dwelling	One and one-half per unit
Single family attached dwelling .	One per unit
Multi-family detached dwelling (apartments)	One and one-half per unit
Boarding and rooming houses . . .	One per sleeping room
Commercial & Institutional	
Automobile service station . . .	One for each gasoline pump and two for each service bay

Motels One for each sleeping room and one for each two employees

Retail stores, business service establishments, shops, restaurants, taverns, night clubs, clubs, lodges, funeral homes, banks, philanthropic and charitable institutions One for each 200 square feet of floor area

Bowling alleys One for each alley plus one for each 100 square feet of area used for restaurant or lounge

Dance floor and skating rinks One for each 100 square feet of floor area used for activity

All other commercial uses permitted One for each 300 square feet of floor area

Churches, theaters, place of assembly One for each 5 seats in largest room

Homes for the aged, nursing homes and similar uses One for every five beds plus one for every 6 employees including doctors

Medical, dental and veterinary clinic One for each 200 square feet of floor area of examination room, treating room, and waiting room

Elementary and high schools Two for each classroom and one for every eight seats in the auditorium

Industrial

Manufacturing, storage and wholesale uses, printing establishments, bakeries, upholstering shops, artisans' shops One for every two employees plus one for each motor vehicle used in the business.

maintained in good condition, and not allowed to become dilapidated.

- 1101.7 All signs erected and maintained pursuant to and in discharge of any governmental functions are permitted.
- 1101.8 Temporary signs, not exceeding 20 square feet in area, announcing special public or institutional events, or the erection of a building (including the name of the architect and/or contractors) may be erected for a period of 60 days plus the construction period. Permits are not required for these signs.
- 1101.9 Painted signs on building surfaces shall be permitted in accordance with the other applicable regulations herein.
- 1101.10 The surface area of a sign shall be computed as the entire area comprising the display area; framing members not part of the display area shall not be included in the computation.
- 1101.11 Signs of schools, churches, nursing homes and philanthropic, charitable and similar institutions are permitted in districts which accommodate these uses; provided that:
- (a) such signs shall not exceed 40 square feet in area;
 - (b) not more than 2 such signs are erected on the property; and
 - (c) a zoning permit is obtained for each such sign.
- 1101.12 Signs advertising professional offices (such as those of a physician, engineer, etc.) and home occupations, where permitted by the Zoning Hearing Board as established in Section 902 of this ordinance are permitted in districts accommodating such uses; providing that:
- (a) Such signs shall not exceed 2 square feet in area;
 - (b) Such signs shall be non-illuminated signs; and
 - (c) A zoning permit is obtained for each such sign.
- 1101.13 All signs shall be removed when the circumstances leading to their erection no longer apply.

Section 1102 Signs Permitted In All Districts Without Zoning Permits

The following types of signs shall be permitted in all zoning districts and shall not require a zoning permit:

- 1102.1 Signs advertising the sale or rental (or indicating "sold"

or "rented") of the premises upon which they are erected; providing that:

- (a) the size of any such sign shall not exceed 6 square feet in area; and
- (b) there are not more than 2 such signs placed upon the property.

1102.2 Signs of mechanics, painters, and other such artisans during the period such persons are performing work on the premises; providing that:

- (a) the size of any such sign shall not exceed 6 square feet in area; and
- (b) each sign is removed promptly upon completion of the work.

1102.3 Political campaign signs during election campaign periods; providing that:

- (a) the size of any sign shall not exceed 8 square feet in area;
- (b) the approval of the property owner has been obtained by the candidate prior to the erection of the sign;
- (c) the provisions of Section 1101 (especially 1101.4 and 1101.5) are complied with;
- (d) not more than two such signs shall be permitted on each property having a combined area of not more than 8 square feet; and
- (e) all such signs shall be removed within 30 days following the election.

1102.4 Trespassing signs or signs indicating the private nature of a driveway or property; providing that the size of such signs shall not exceed 3 square feet in area.

1102.5 Signs denoting the name and address of the occupants of a premises; providing that such signs do not exceed 2 square feet in area.

1102.6 Signs directing and guiding traffic and parking on private property and bearing no advertising matter; provided that such signs shall not exceed 2 square feet in area.

1102.7 Signs installed on a temporary basis to sell an occasional item from the premises, such as a used lawn mower or garden tools and including garage sale signs; provided that:

- (a) such signs shall not exceed 3 square feet in area;
- (b) not more than 2 such signs shall be erected on the property;
- (c) all such signs shall be removed when the sale activity is concluded; and
- (d) the provisions of Section 1101 (specifically 1101.4 and 1101.5) are complied with.

Section 1103 Signs Permitted In The M-1 General Industrial District, Requiring A Permit

Business identification, advertising and name plate signs bearing the name of the occupant, business or manufacturer and/or the products manufactured, processed, sold or displayed on the premises shall be permitted in the M-1 General Industrial District; provided that:

- 1103.1 The total area of such signs shall not exceed:
 - (a) the length in feet of the front wall of the building, multiplied by the factor 2; or
 - (b) a total of 100 square feet; whichever is less.
- 1103.2 Signs attached to building walls shall not project from the wall by more than approximately 1 feet.
- 1103.3 There shall be no more than one sign of this size for each industrial use, not including name plates attached to the structure, and
- 1103.4 Freestanding signs shall not exceed a height of 30 feet nor an area of 100 square feet.

Section 1104 Signs Permitted In B-1 General Business And B-2 Highway Business Districts, Requiring A Permit

The following regulations shall be applicable in the B-1 and B-2 Districts of this ordinance.

Business identification, name plate and advertising signs bearing the name of the business or occupant, and/or the products manufactured, processed, sold or displayed, and/or the services provided on the premises shall be permitted; provided that:

- 1104.1 The total area of such signs shall not exceed an area calculated by multiplying the length in feet of the building wall facing the main street by the factor of 2.
- 1104.2 Only one sign of this size shall be permitted for each principal use and such sign shall be installed upon the building and shall not project more than one foot from the

building wall to which it is attached. Business identification signs painted on windows of the structure shall not be included in this requirement, nor shall these signs be included in the area requirements.

1104.3 General advertising signs referring or relating to products or materials not made, sold or displayed on the premises shall not be permitted.

1104.4 Automobile service stations shall be permitted to install one freestanding oil company sign not exceeding 36 feet in height and not exceeding 80 square feet in area. Other signs customarily incidental to service station use are permitted. The total area of all signs permitted on a premises shall not exceed 80 square feet.

ARTICLE XII

PLANNED RESIDENTIAL DEVELOPMENTS

Section 1200 Purposes

This ordinance provides for planned residential developments for the purposes of:

- 1200.1 Encouraging innovations in residential development and promoting greater variety in type, design and layout of dwellings;
- 1200.2 Providing an alternative to the typical subdivision process with rigid regulations, allowing greater flexibility, and more creative and imaginative design for residential areas than is normally possible under conventional zoning regulations where development must occur lot by lot;
- 1200.3 Providing more recreation facilities than would otherwise be provided under conventional land development procedures; and
- 1200.4 Promoting a more economical and efficient layout of utilities and improvements to serve a neighborhood setting and encouraging the provisions of amenities such as open space and design features.

The planned residential development provides a process which accommodates building construction where sound development proposals are not readily adaptable to zoning district regulations because of conflicts arising from lot size and yard requirements, lotting requirements, and alternative methods for provision of services and utilities. The provisions of this Article are based upon The Pennsylvania Municipalities Planning Code Act 247 as amended, specifically Article VII, Planned Residential Development.

Section 1201 Relationship To Other Articles Of This Ordinance And To The Crawford County Subdivision And Land Development Regulations

Because of the special characteristics of planned residential developments, different provisions governing the development of land are required. Whenever there is a conflict or difference between the provisions of this article and those of the other articles of this ordinance, or between the provisions of this article and the provisions of the Crawford County Subdivision and Land Development Regulations, the provisions of this article shall prevail for the development of land for planned residential developments.

Section 1202 General Requirements

The following general requirements shall be met in order to qualify a development under the provisions of this article:

- 1202.1 The tract of land shall be in single ownership, or, in the case of multiple ownership, satisfactory evidence shall be presented indicating that the development will have a single, responsible administrative organization; and
- 1202.2 The tract of land shall be located in the R-1 or R-2 Zoning Districts of the Borough.

Section 1203 Permitted Uses

A planned residential development may include all housing types and uses normally ancillary thereto, and recreation uses serving the development. More specifically, the following uses are permitted:

- 1203.1 In the R-1 District, single family detached and semi-detached or two family detached dwellings and churches, schools, and non-profit or philanthropic institutions, if such uses are ancillary and supportive to the residential uses in the planned residential development.
- 1203.2 In the R-2 District, all of the uses listed in Section 1203.1 plus single family attached dwellings, multi-family dwellings including multi-story apartments and townhouse apartments; prefabricated homes including manufactured homes in the double wide, stacked and expandable forms, if installed as required in Section 802.11.

Section 1204 Minimum Size And Density Of Development

Planned Residential Developments shall have a minimum area of 3 acres in both the R-1 and R-2 Districts. Residential density in the R-1 District shall not exceed 4 dwelling units per acre for the first 2 gross acres; thereafter residential density shall not exceed 5 dwellings per acre. Residential density in the R-2 District shall not exceed 6 dwelling units per acre for single family detached and semi-detached units and 8 dwelling units per acre for attached units in combination with detached or semi-detached units in the same development. In computing allowable dwelling units where fractional numbers result from the multiplication of the permitted density and the acreage, any number five tenths or greater shall be rounded to the next higher whole number; for example 19.5 dwelling units becomes 20.0 and 19.3 becomes 19.0.

Section 1205 Processing Procedures

Applications shall be processed in 2 steps: (1) a preliminary plan review, and (2) final plan review. Prior to submission of the preliminary plan, an optional step, the pre-application conference, is encouraged.

- 1205.1 Pre-application Conference. At the pre-application conference, the applicant should present and explain all aspects of the proposed development, including rough sketches of site and building plans, with members of the Planning Commission and Borough Council. This conference enables the developer to obtain the views of the Borough

Officials before more expensive engineering and architectural work is begun. Scheduling a pre-application conference is handled through the Zoning Officer.

- 1205.2 Preliminary Plan Review. The preliminary plan shall be filed with the Zoning Officer. Within 60 days of the acceptance of the plans as complete by the Zoning Officer:
- (a) The Borough Planning Commission shall have 45 days to review the application and provide comments and a recommendation on the application to Borough Council;
 - (b) The County Planning Commission shall have 45 days to review and comment upon the application, and make recommendations on the proposal as required by the Pennsylvania Municipalities Planning Code; and
 - (c) Borough Council shall hold a public hearing, after public notice is given, on the application. Within 30 days following the public hearing, and after receipt of the comments and recommendations of the Borough and County Planning Commission, Borough Council shall approve, subject to specified conditions, or deny approval to the application. Council shall notify the applicant by certified letter of its action within this 30 day period. All pertinent review comments shall be included in this notification to the applicant.
- 1205.3 The Final Plan Review. Within 6 months of the date of preliminary plan approval, unless the applicant requests and is granted a time extension, the applicant shall submit the final plan application to the Zoning Officer. After the acceptance of the final plan application as complete by the Zoning Officer the application shall be provided to the Borough Planning Commission, which shall have 30 days in which to review it. Within 45 days of the receipt of the final plan application, Borough Council shall take action on the application and shall notify the applicant by registered letter of its action on the proposal.
- 1205.4 Recording of Final Plat. The original plan drawing(s), or reproducible and equally excellent copies thereof, shall be in the hands of Borough Council before its final action on the plans. Upon approval of these plans, they shall be recorded by Borough Council in the office of County Recorder at the applicant's expense.
- 1205.5 Planned Residential Development Involving Subdivision Plat. Where a subdivision plat is involved in the development, it shall be processed as required in the Crawford County Subdivision and Land Development Regulations and shall be

given final approval by the Crawford County Planning Commission prior to the submission of a final plan application to the Zoning Officer:

1205.6 Amendments. Major revisions to an approved final plan, such as changes in land use, streets, common open space provisions, building locations, shall be considered as amendments to the final plan and shall be processed as set forth in Section 1205.3 and 1205.4 of this Article. All other changes to the approved plan shall be submitted to Borough Council and, with Council's concurrence that such changes are minor in nature, shall be filed in the Borough records as normal changes occurring through the "dynamics of living". All changes submitted to Council should be delineated graphically on plans with accompanying text as needed.

Section 1206 Plan Requirements

1206.1 Preliminary Plan Review. The following items of information shall be submitted to the Zoning Officer for preliminary plan review. Additional information may be submitted where appropriate. Plans shall be submitted by an engineer, landscape architect, and/or architect under appropriate seal.

- (a) Information on all pertinent existing conditions.
- (b) General site plan and various detailed plans as appropriate showing all proposed structures, uses, circulation systems, utility systems, and common open space.
- (c) Architectural plans showing the intent of the development for typical buildings.
- (d) Statement of intent regarding ownership and maintenance of required common open space.
- (e) Schedule of stages of development where applicable.

1206.2 Final Plan Review. The following items of information shall be submitted to the Zoning Officer for final plan review. Additional information may be required where it is deemed essential to the public review. Plans shall be submitted by an engineer, landscape architect, and/or architect under appropriate seal.

- (a) A general site plan legibly prepared on tracing film or equal material at a scale not smaller than one hundred feet to one inch showing boundaries (distances, bearings and monumentation), streets,

walks, parking areas, all buildings and uses of lands, and common open space.

- (b) All supporting material including information submitted at preliminary review including but not limited to plans, maps, sketches, elevations, cross sections, reports and narrative.
- (c) Evidence of approvals by appropriate public authorities, or agencies where applicable, including Crawford County Planning Commission approval of a subdivision or land development plat.
- (d) Evidence of the organizational structure of a resident's association where this form of management will be used to maintain common open space; and other such private systems.

Section 1207 Design Standards

The developer should be free to create a more physically integrated, aesthetic and functional living environment using design skills and current achievements in building technology. The following design standards shall be applicable to all planned residential developments:

- 1207.1 Performance Requirements. The development plan shall indicate how adequate privacy, light, air and protection from noise shall be achieved through building design, street layout, screening, planting and the special siting of buildings.
- 1207.2 Public and Private Streets. Streets may be planned for dedication to the public or may be planned as private streets to be maintained by the developer or a residents' association. Private streets shall meet Borough standards regarding subgrade preparation, base and surfacing construction. Off-street parking areas may be integrated with public street design and construction providing maintenance responsibilities are mutually agreed upon.
- 1207.3 Common Open Space. A minimum of 10% of the net acreage shall be reserved for common open space. However, this requirement may be waived by Borough Council for developments less than 5 acres in area, provided that it can be reasonably demonstrated that existing recreational facilities in the immediate neighborhood area are sufficient to accommodate the increased use caused by the proposed development, and/or the developer is amenable to providing improvements to or expanding of the development in lieu of providing the 10% common open space. Where staged construction is utilized, at no time shall the total area of dedicated open space be less than 10 of the area of the project approved for development.

Section 1208 Required Improvements

The developer shall make satisfactory provision for the community improvements necessary to the proper functioning of the development. These include, but are not limited to, survey and boundary monuments, streets, street signs, water supply, sewage disposal, stormwater run-off structures, and open space improvements. All water supply and sewage disposal facilities shall be planned, designed, and approved in accordance with the requirements of the Pennsylvania Department of Environmental Resources.

- 1208.1 Common Open Space. Where areas of common open space are proposed for improvements they shall be improved by the developer. Unless the Borough agrees to a public dedication of the open space and to its maintenance, the developer shall formulate an acceptable method for maintaining this land.
- 1208.2 Assurance. Before the final plan is approved by Borough Council, required public improvements (distinguished from private improvements to be maintained by the developer or a residents' association) shall be:
- (a) Licensed under Public Utility Commission regulations and procedures, where applicable,
 - (b) Constructed and approved by Council as built, or
 - (c) Insured under a performance bond approved by Council, or
 - (d) Covered under some agreement mutually satisfactory to both the developer and Council, or
 - (e) Covered under any combination of the above methods.

ARTICLE XIII

MANUFACTURED HOME PARKS

Section 1300 Conditional Use Permit Required

It shall be unlawful for an applicant to establish, construct or extend a manufactured home park unless such applicant obtains a valid permit issued by the Pennsylvania Department of Environmental Resources and in addition has had the proposed development approved by Borough Council as a conditional use in the R-2 Medium Density Residential District as provided for in this ordinance.

Section 1301 Minimum Area Requirement

The minimum gross area of the site shall be 3 contiguous acres of land which is not subject to hazards of insect or rodent infestation, or flooding.

Section 1302 Required Facilities

Each manufactured home pad (that part of the lot which is reserved for the placement of the manufactured home) shall contain only a one family unit and shall be supplied with connections to sanitary sewer, water and electrical systems. Each manufactured home shall have a toilet, bathtub or shower, heating system, and kitchen in good working order. Manufactured home parks shall make adequate provisions for refuse handling, storage and removal and for the storage and supply of fuel where applicable. The park owner shall be responsible for maintaining the park in a clean and sanitary condition.

Section 1303 Site Requirements

Manufactured home parks shall comply with the following site requirements:

- 1303.1 The locations of manufactured home pads shall be carefully related to the topography and to each other, preserving as much as possible the natural amenities of the site;
- 1303.2 Manufactured home lots within the park shall have a minimum area of 5,000 square feet. Lots shall be directly accessible to the internal street system. There shall be provided on each manufactured home lot a patio area of at least 100 square feet and at least 2 off-street parking spaces. Driveways, parking spaces and patios shall be constructed with a permanent, paved, stable, dust free surface adequate for use during all seasons.
- 1303.3 Manufactured home pads shall be constructed of an appropriate material, properly graded, placed, compacted and drained so as to be durable and provide an adequate foundation for the support of the anticipated loads.

Manufactured homes shall be either permanently fastened to a foundation slab or footings or tied down to secure against uplift, sliding or overturning. Tie downs may be either strap, cable or chain types; there shall be a minimum of 14 such tie downs of sufficient strength to anchor the unit, and they shall be anchored in concrete "dead men" or eyelets imbedded in concrete foundations, or screw augers, arrowhead anchors or other similar devices. A gradient on the manufactured home pads shall occur in only one direction perpendicular to an edge, and shall not exceed a 4% gradient.

1303.4 There shall be a minimum distance of 25 feet between each manufactured home, including accessory structures attached thereto, and any portion of any other structure in the park. There shall be a minimum distance of 20 feet between each individual manufactured home and the edge of the nearest abutting internal street or recreation area. There shall be a minimum distance of 15 feet between each manufactured home and a pedestrian walkway. There shall be a minimum distance of 50 feet between each manufactured home and any manufactured home park boundary lines.

1303.5 Pedestrian walkways shall be planned and constructed so as to provide safe and convenient access throughout the park, connecting individual manufactured home pads to common recreation areas, to all facilities, and to each other. Common walks shall be at least 3 feet wide and walks on individual lots shall be a minimum of 1 1/2 feet wide. Walks shall be constructed with an all-weather surface, and be reasonably free from mud, dust, and standing water.

1303.6 A recreation area shall be provided to serve the residents of the manufactured home park. A minimum of 10% of the gross acreage shall be established and developed as a common recreation facility for the residents of the manufactured home park.

1303.7 Adequate storage facilities conveniently located to lots in the manufactured home park shall be provided for storage of often used outdoor equipment, furniture and tools and such other material that is used only infrequently and which cannot be conveniently stored in the typical manufactured home.

Section 1304 Access And Internal Road System

1304.1 The minimum width of the portion of the site used for vehicular access shall be 60 feet.

1304.2 The internal street system shall be privately owned and maintained and shall be designed and constructed for safe and convenient access to all lots and common facilities. Streets shall be constructed with a sound, all-weather,

driving surface, reasonably smooth and free from mud, dust and standing water. Paved street surfaces shall be a minimum width of 14 feet for one way streets and 18 feet for two way streets; where on-street parking is permitted 8 feet of road surface shall be added to each side of the street on which on-street parking is permitted.

Section 1305 Skirting On Manufactured Homes

All manufactured homes shall either be placed on a concrete or cinder block and masonry foundation or covered or skirted around the entire base of the unit in such a manner that continuous facades exist from the ground upwards. The material forming this enclosure shall be compatible with the remainder of the unit and provide sufficient ventilation to inhibit decay and deterioration of the structure.

Section 1306 Visual Relation To Surrounding Area

Either partial or full screening may be required at the boundaries of the manufactured home park depending upon the nature of the proposed development and the uses in the surrounding area. Such screening may consist of walls, fences, landscape plantings or terrain features, or any combination of these devices. Where open fencing, such as chain link fence, is used, it should be installed in combination with landscape plantings so as not to be easily visible from inside or outside the park.

Section 1307 Signs

In addition to the provisions of Article XI of this ordinance, manufactured home parks are permitted to display one identification sign, not more than 20 square feet in area, which shall not be located closer than 5 feet from the exterior property line of the manufactured home park.

Section 1308 Uses Other Than Residential

No commercial uses considered as ancillary to the manufactured home park shall be permitted. Service uses such as laundry and dry cleaning rooms and vending machines handling commonly needed supplies, however, shall be permitted, as well as management offices and recreation facilities.

ORDAINED AND ENACTED THIS 16th
DAY OF July, 1977.

President, Borough Council

Attest:

Borough Secretary

Amendments incorporated into the text of this ordinance at this printing in May 1993 include the following:

Ordinance No. 3	enacted November 13, 1978
Ordinance No.	enacted October 13, 1986
Ordinance No. 87-4	enacted May 11, 1987
Ordinance No. 87-3	enacted December 4, 1987

BOROUGH OF CONNEAUTVILLE
CRAWFORD COUNTY, PENNSYLVANIA

ORDINANCE NO. 4-1987

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF CONNEAUTVILLE BOROUGH BY RE-CLASSIFYING THE ZONING DISTRICT DESIGNATIONS AT THE NORTHEAST CORNER OF THE INTERSECTION OF STATE ROUTES 18 & 198 FROM HIGH DENSITY AND MEDIUM DENSITY RESIDENTIAL TO HIGHWAY COMMERCIAL AND BY INCLUDING CONVENIENCE STORES AND GAS STATIONS AS PERMITTED USES IN THE HIGHWAY COMMERCIAL DISTRICT.

BE IT ORDAINED AND ENACTED by the Borough Council of Conneautville Borough as follows:

1. The Zoning Ordinance of Conneautville Borough is hereby amended by re-classifying approximately ~~4.25~~ acres adjacent to the northeast quadrant of the intersection of State Routes 18 and 198 from High Density Residential, R-3 and Medium Density Residential, R-2 to Highway Commercial, B-2. The specific delineation of this zoning district reclassification is shown on the map attached hereto as Exhibit A. The Zoning Districts Map shall be amended as shown on Exhibit A.
2. Section 807.1 Permitted Uses of the Highway Commercial District (Section 807) of the Zoning Ordinance of Conneautville Borough shall be amended in the following ways:
 - A. Insert immediately following "(k) Public service facilities" the following two items:
 - "(l) gasoline stations
 - "(m) retail convenience stores"
 - B. Delete "(l)" which precedes "Accessory uses and structures customarily incidental to the above listed permitted uses." and insert in lieu thereof "(n)".

Ordained and Enacted by the Borough Council of Conneautville Borough this _____ day of May 11, 1987.

Conneautville Borough Council



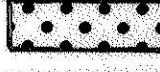
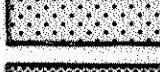



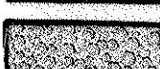


President

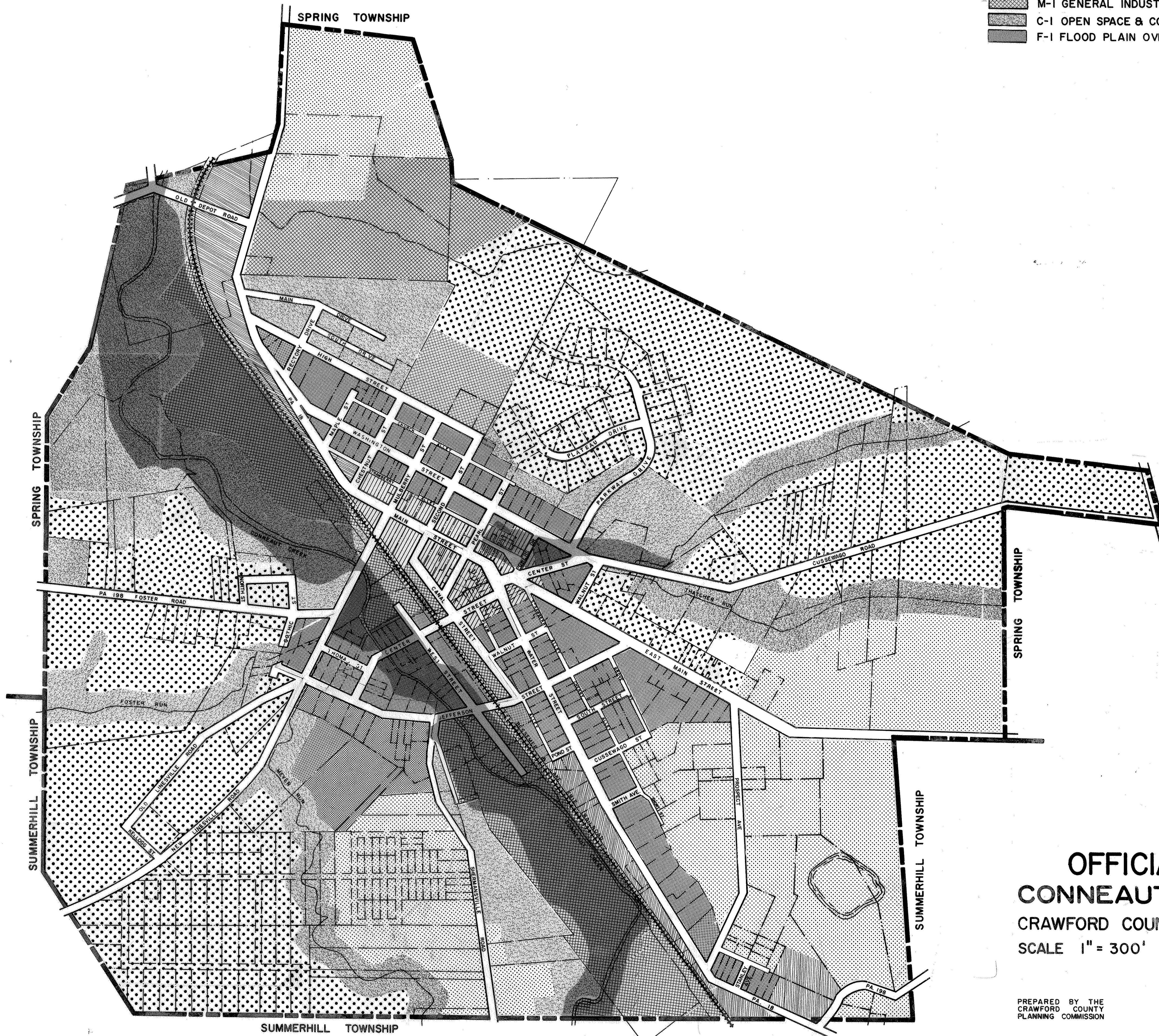
Attest:

By: 

Secretary

L E G E N D

-  R-1 LOW DENSITY RESIDENTIAL DISTRICT
-  R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
-  R-3 HIGH DENSITY RESIDENTIAL DISTRICT
-  B-1 GENERAL COMMERCIAL DISTRICT
-  B-2 HIGHWAY COMMERCIAL DISTRICT
-  M-1 GENERAL INDUSTRIAL DISTRICT
-  C-1 OPEN SPACE & CONSERVATION DISTRICT
-  F-1 FLOOD PLAIN OVERLAY DISTRICT



BEING A PART OF CONNEAUTVILLE
BOROUGH ZONING ORDINANCE
AS ENACTED JULY 11, 1977

Robert T. Graham
ROBERT T. GRAHAM PRES.
BOROUGH COUNCIL

ATTEST: *Patricia Unger*
PATRICIA UNGER, SECRETARY

AMENDMENTS:
ORDINANCE NO. 5-11, 1987
ORDINANCE NO. 12-14, 1987

OFFICIAL ZONING MAP
CONNEAUTVILLE BOROUGH
CRAWFORD COUNTY, PENNSYLVANIA
SCALE 1" = 300'



PREPARED BY THE
CRAWFORD COUNTY
PLANNING COMMISSION

