

SHENANGO TOWNSHIP



ZONING ORDINANCE

Adopted June 1996; Revised May 2006

Prepared by the Shenango Township Planning Commission
with the Mercer County Regional Planning Commission

Table of Contents

Article I Short Title - Purpose - Scope - Application	2
SECTION 100 - Short Title.....	2
SECTION 101 - Purpose.....	2
SECTION 102 - Scope.....	2
SECTION 103 - Statement of Community Development Objectives.....	3
SECTION 104 - Application.....	4
Article II Zoning Districts	5
SECTION 200 - Zoning Districts.....	5
SECTION 201 - Boundaries of Zoning Districts.....	5
Article III Interpretation and Application	7
SECTION 300 - Interpretation.....	7
SECTION 301 - Application.....	7
Article IV "R-1" Residential-Agricultural Zoning District	8
SECTION 400 - Purpose of Zoning District.....	8
SECTION 401 - Use Regulations.....	8
SECTION 402 - Height Regulations.....	12
SECTION 403 - Area Regulations.....	13
SECTION 404 - General Regulations.....	13
SECTION 405 - Development Regulations.....	13
Article V "R-2" Residential Zoning District	14
SECTION 500 - Purpose of the Zoning District.....	14
SECTION 501 - Use Regulations.....	14
SECTION 502 - Height Regulations.....	16
SECTION 503 - Area Regulations.....	16
SECTION 504 - General Regulations.....	18
SECTION 505 - Planned Residential Development Regulations.....	18
Article VI Mobile Home Parks	35
SECTION 600 - Purpose.....	35
SECTION 601 - Certification of Registration.....	35
SECTION 602 - Plan Requirements.....	35
SECTION 603 - Preliminary Plan.....	36
SECTION 604 - Final Plan Approval.....	36
SECTION 605 - Design Requirements.....	37
SECTION 606 - Utility and Fire Requirements.....	39
SECTION 607 - Preliminary Plan Requirements.....	40
SECTION 608 - Final Plan Requirements.....	42

Article VII "B-1" Business Neighborhood Service Zoning District	45
SECTION 700 - Purpose of Zoning District	45
SECTION 701 - Use Regulations.....	45
SECTION 702 - Height Regulations	47
SECTION 703 - Area Regulations	47
SECTION 704 - General Regulations	48
SECTION 705 - Development Regulations	48
Article VIII "B-2" Business-Highway Service Zoning District	50
SECTION 800 - Purpose of Zoning District	50
SECTION 801 - Use Regulations.....	50
SECTION 802 - Height Regulations	52
SECTION 803 - Area Regulations	52
SECTION 804 - General Regulations	53
SECTION 805 - Development Regulations	53
Article IX Light Industrial Zoning District	55
SECTION 900 - Purpose	55
SECTION 901 - Use Regulations.....	55
SECTION 902 - Site Plan	58
SECTION 903 - Area Regulations	60
Article X Heavy Industrial Zoning District	61
SECTION 1000 - Purpose	61
SECTION 1001 - Use Regulations.....	61
SECTION 1002 - Development Regulations	63
SECTION 1003 - Lot, Yard and Height Requirements	64
Article X-A Special Industrial Zoning District	64a
SECTION 1050 - Purpose	64a
SECTION 1051 - Permitted Principal Uses	64a
SECTION 1052 - Height and Area Regulations	64b
Article XI Sign Regulations	65
SECTION 1100 - Purpose	65
SECTION 1101 - Applicability.....	65
SECTION 1102 - Definitions and Interpretation	65
SECTION 1103 - Computations	68
SECTION 1104 - Permitted Signs, Prohibited Signs, and Requirements for Sign Type, Numbers, Area, Dimensions, and Location	69
SECTION 1105 - Sign Design, Construction, and Maintenance Standards	69
SECTION 1106 - Permits and Permit Procedures for Signs	72
SECTION 1107 - Signs in the Public Right-of-Way	72
SECTION 1108 - Termination of Non Conforming Signs.....	73

Article XII Parking and Loading Regulations	74
SECTION 1200 - Off-Street Parking and/or Loading Facility Requirements.....	74
SECTION 1201 - General Provisions	78
Article XIII Supplementary Regulations	79
SECTION 1300 - Supplementary Use Regulations.....	79
SECTION 1301 - Supplementary Height Regulations.....	79
SECTION 1302 - Supplementary Area Regulations	79
SECTION 1303 - Illumination of Buildings	80
SECTION 1304 - Placement of a Temporary Mobile Home as a Second Principal Building on a Lot	80a
SECTION 1305 - Gas Well Provisions	80a
Article XIV Non-Conforming Uses, Structures and Lots	81
SECTION 1400 - Intent and Standards	81
SECTION 1401 - Non-Conforming Lots of Record	81
SECTION 1402 - Non-Conforming Uses of Land	81
SECTION 1403 - Non-Conforming Structures	82
SECTION 1404 - Non-Conforming Uses of Structures	82
SECTION 1405 - Repairs and Maintenance	83
SECTION 1406 - Uses Granted Under Special Exception Provisions	83
Article XV Administration and Enforcement	84
SECTION 1500 - Office of Zoning Officer	84
SECTION 1501 - Duties and Powers of the Zoning Officer.....	84
SECTION 1502 - Application for Permit and Certificate of Use and Occupancy.....	84
SECTION 1503 - Action on Permits and Certificates of Use and Occupancy.....	85
SECTION 1504 - Fee Schedule.....	86
SECTION 1505 - Violations	86
SECTION 1506 - Prosecution of Violation.....	87
Article XVI Zoning Hearing Board	88
SECTION 1600 - Creation, Membership and Organization	88
SECTION 1601 - Jurisdiction and Functions.....	88
SECTION 1602 - Hearings	88
SECTION 1603 - Termination and Modification of Permit	88
SECTION 1604 - Parties Appellant Before the Board.....	88
SECTION 1605 - Applications and Fees	88
SECTION 1606 - Special Exceptions	89
Article XVII Amendment, Supplement or Change	97
SECTION 1700 - Procedure for Amendments.....	97

Article XVIII Appeals	98
SECTION 1800 - Zoning Appeals	98
Article XIX Validity	98
SECTION 1900 - Severance.....	98
Article XX Repeal	98
SECTION 2000 - Ordinance Repealed	98
Article XXI Definitions	99
SECTION 2100 - General Interpretation.....	99
SECTION 2101 - Definition of Terms.....	99
Article XXII Effective Date	116
SECTION 2200 - Effective Date.....	116
Article XXIII Certification	117
SECTION 2300 - Certification.....	117
Zoning Map	118

Shenango Township Mercer County, Pennsylvania

Zoning Ordinance

An Ordinance Regulating and Restricting:

- The Height and Number of Stories and Size of Buildings and Other Structures;
- Their Construction, Alteration, Extension, Repair, Maintenance and All Facilities and Services in or about such Buildings and Structures;
- The Percentage of Lot that may be occupied;
- The Size of Yards, Courts and Other Open Spaces;
- Density of Population;
- The Location and Use of Buildings Structures and Land for Trade, Industry, Residence or Other Purposes;
- The Establishment and Maintenance of Building Lines and Set Back Building Lines upon Any or All Public Roads or Highways;
- Creating Districts for said Purposes and Establishing the Boundaries thereof;
- Defining Certain Terms used herein;
- Providing for the Method of Administration and Amendment for a Zoning Hearing Board and for the Imposition of Penalties.

BE IT ORDAINED by the Township of Shenango, Mercer County, Pennsylvania, that in the interest of promoting the health, safety, morals and the general welfare of the Township the following articles, sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases and words be, and at the same time are, hereby enacted into law to read as follows, viz:

Article I

Short Title - Purpose - Scope - Application

SECTION 100 - Short Title - This Ordinance Shall be known as the "Shenango Township Zoning Ordinance" hereinafter referred to as the "Zoning Ordinance".

The Accompanying map is a part of this Ordinance and shall be known as the "Shenango Township Zoning Map". The official map for administration purposes is on record at the municipal building or offices of the Zoning Officer.

SECTION 101 - Purpose - The regulations of the "Zoning Ordinance" are made in accordance with the Shenango Township Comprehensive Plan of July 23, 1968 and designed to:

- (1) to lessen congestion on the roads and highways.
- (2) to secure safety from fire, panic and other dangers.
- (3) to promote health and the general welfare.
- (4) to provide adequate light and air.
- (5) to prevent the overcrowding of land.
- (6) to avoid undue congestion of population.
- (7) to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

Such regulations are also made with reasonable consideration to the character of the districts set forth and their suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Township.

SECTION 102 - Scope - The "Zoning Ordinance" regulates and restricts within the boundaries of the Township of Shenango, Mercer County, Pennsylvania:

- (1) The height, number of stories and size of buildings and other structures.
- (2) Their construction, alteration, extension, repair and maintenance.
- (3) All facilities and services in or about such buildings and structures.
- (4) The percentage of lot that may be occupied.
- (5) The size of yards, courts and other open spaces.
- (6) The location and use of buildings, structures and land for trade, industry, residence or other purposes.
- (7) The establishment and maintenance of building lines and setback building lines upon any or all public roads or highways.

SECTION 103 - Statement of Community Development Objectives

103.1 - General Objectives

- (1) To develop a pleasant, attractive healthy, safe and convenient environment for living, working, shopping and relaxing in the Township of Shenango.
- (2) To promote cooperation with adjoining political subdivisions.
- (3) Provide adequate and accessible public facilities and services at a reasonable cost with consideration for their impact on continued developments in the Township.

103.2 - Land Use Objectives

- (1) Implement the Land Use Plan and encourage the concentration of commercial development within the areas denoted on the Land Use Plan.
- (2) Discourage "ribbon" highway commercial growth.
- (3) Maintain the residential character in the remaining sections of the Township rather than permitting the indiscriminate spread of commercial uses.
- (4) Prevent adverse scattering of high density residential areas.
- (5) Employ appropriate land use controls to guide the future use of certain land in accordance with the Land Use Plan.
- (6) Plan recreation areas and open space areas to add character to residential areas and to preserve the scenic values of the Township.
- (7) Encourage sound economic and industrial development oriented to the major interchange areas of the Township.

103.3 - Housing Objectives

- (1) Encourage property maintenance and repair or replacement of deteriorating structures and conservation of sound housing.
- (2) Protect the residential character of both high and low density areas by adopting regulations to determine permitted land use and residential densities with each type of residential area.

103.4 - Transportation and Street Objectives

- (1) Develop a circulation system that will provide for the safe, efficient and convenient movement of people and goods within and through the Township.
- (2) Provide for the separation of through and local traffic to facilitate movement within the Township and between neighboring communities.

103.5 - Community Facilities Objectives

- (1) Provide adequate police and fire protection throughout the Township and provide sites for fire stations in advance of needs.
- (2) Promote the full utilization of all school facilities by development of the building which can be used as both an educational facility and as a focus for a community

center or multi-purpose facility that would also serve neighborhood residents or groups during and after school hours.

- (3) Provide adequate municipal facilities in the form of a public works complex to provide efficient service to all the residents.

103.6 - Recreational Objectives

- (1) Provide adequate and diversified year-round recreation programs and facilities to serve Shenango residents.
- (2) Maintain a recreation board that will be responsible for furthering the provisions of adequate recreation facilities and the development of effective public recreation programs for the Township.

103.7 - Financial Objectives

- (1) Develop a systematic program for capital budgeting and capital improvements programming so that the various needs of the Township can be programmed efficiently and effectively and thus provided at the time when they are needed most.

SECTION 104 - Application - In applying the provisions of the Zoning Ordinance, they shall be held to be the minimum requirements as they shall apply to the use, and/or occupancy of all buildings, other structures and/or lots. Where the Zoning Ordinance imposes greater restrictions than those of any statute, other ordinance or regulations, the provisions of the Zoning Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than the Zoning Ordinance, those shall be controlling. The Zoning Ordinance is not intended to interfere with any covenant or other agreement between private parties. However, where the Zoning Ordinance imposes greater restrictions than those imposed by any such easement, covenant or agreement, the provisions of the Zoning Ordinance shall govern. Where any such easement, covenant or other agreement imposes greater restrictions than those imposed by the Zoning Ordinance, those shall govern.

Article II Zoning Districts

SECTION 200 – Zoning Districts – The Township of Shenango for the purposes of the Zoning Ordinance for the purposes of the Zoning Ordinance is hereby divided into the following Zoning Districts to be designated as follows:

<u>Full Name</u>	<u>Short Name</u>
Residential Agricultural Zoning District	“R-1”
Residential Medium Density Zoning District	“R-2”
Business Neighborhood Service Zoning District	“B-1”
Business Highway Service Zoning District	“B-2”
Light Industrial Zoning District	“LI”
Heavy Industrial Zoning District	“I”
Special Industrial Zoning District	“SD”

SECTION 201 - Boundaries of Zoning Districts - The boundaries of the Zoning Districts shall be as shown on the Zoning Map. Where uncertainty exists with respect to the boundaries of the various Zoning Districts, the following rules shall apply:

201.1 - Where a Zoning District Boundary Approximately Follows a Street or Alley - The center line of such street or alley shall be interpreted to be the Zoning District boundary.

201.2 - Where a Zoning District Boundary Approximately Parallels a Street Lot Line or Alley Lot Line - The Zoning District boundary shall be interpreted as being parallel thereto at such distance from it as indicated on the Zoning Map. If no distance is given, such dimension shall be determined by the use of the scale shown on the Zoning Map.

201.3 - Where a Zoning District Boundary Approximately Follows a Lot Line - The lot line shall be interpreted to be the Zoning District boundary.

201.4 - Where a Zoning District Boundary Follows a Railroad Line - The Zoning District boundary shall be interpreted to be located midway of the track or center of the tracks of the railroad line.

201.5 - Where a Zoning District Boundary Follows a Body of Water - The Zoning District boundary shall be interpreted to be at the centerline of the body of water.

201.6 - Submerged Areas - All areas within the Township which are under water and are bounded by two or more zoning districts the boundary lines of these districts shall be extended to the center of the body of water.

201.7 - Zoning District Regulations and Provisions Apply to Schools, Parks, etc. – Any areas shown on the Zoning Map as park, playground, school, cemetery, water, street or alley,

shall be subject to the regulations and provisions of the Zoning District in which they are located. In case of doubt, the regulations and provisions of the most restricted adjoining Zoning District shall govern.

201.8 - Vacation of Public Ways - Whenever any street or alley is vacated, the Zoning District or Districts adjoining the side of such street or alley shall be automatically extended to the center of the vacated area.

201.9 - Lots in Two Zoning Districts - Where a Zoning District boundary divides an existing lot of record it shall be the responsibility of the Zoning Hearing Board to determine the extent to which the boundary shall be extended to the rest of the lot or if it would be more appropriate to request an amendment to the Zoning Map.

Article III

Interpretation and Application

SECTION 300 - Interpretation - In interpreting and applying the provisions of the Zoning Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort, convenience, and the general welfare. Where the provisions of the Zoning Ordinance impose greater restriction than those of any statute, other ordinance or regulation, the provisions of the Zoning Ordinance shall be controlling. The Zoning Ordinance is not intended to interfere with, abrogate, or annul any easement, covenant or other agreement between private parties. However, where the Zoning Ordinance imposes greater restrictions than those imposed by any such easement, covenant or agreement, the provisions of the Zoning Ordinance shall govern. Where any easement, covenant or other agreement imposes greater restrictions than those imposed by the Zoning Ordinance, the restrictions of the easement, covenant or other agreement shall govern.

SECTION 301 - Application - The provisions of the Zoning Ordinance shall apply to the use and/or occupancy of all buildings, other structures and/or lots.

301.1 - Conformity of Buildings, Other Structures and/or Lots - Any building, other structure and/or lot shall be in conformity with the provisions prescribed in the Zoning Ordinance for the Zoning District in which such building, other structure and/or lot is located.

301.2 - Conformity of Uses - The use and/or occupancy of any building, other structure and/or lot shall be in conformity with the provisions prescribed in the Zoning Ordinance for the Zoning District in which such building, other structure and/or lot is located. Any use which is not listed shall automatically be interpreted as a prohibited use except as provided for in Section 1606.12.

Article IV

"R-1" Residential-Agricultural Zoning District

SECTION 400 - Purpose of Zoning District - To provide a Zoning District in which the predominant use will be agricultural and to permit an orderly conversion of land to residential use and conserve farm and agricultural areas to the maximum extent possible.

SECTION 401 - Use Regulations

401.1 - Principal Uses Permitted

- (1) Agricultural and Related Uses, including processing of agricultural products conducted primarily within a building, except that facilities for private processing of animals, slaughterhouses shall be limited to the "I" heavy industrial zoning district.
- (2) Farm Dwellings
- (3) Single-Family Residential Dwellings.
 - (a) Self-contained mobile home units having a floor area of 720 square feet or more, may locate on individual lots, provided they conform to all regulations applicable to single-family dwellings.
 - (b) Mobile home units having less than 720 square feet of floor area must locate in Mobile Home Parks.
 - (c) The mobile home stand shall provide adequate tie downs able to withstand a wind pressure of 15 lbs. per square foot on an exposed vertical surface.
 - (d) Mobile home shall be installed on a concrete pad, pier or block foundation and skirting shall be provided to completely enclose the underside of a mobile home down to ground level where foundation enclosure is not provided.
- (4) Church, Church School, Church Uses, Cemetery
- (5) College, Preparatory School, Boarding School, including therewith dormitories for faculty or students, fraternity or sorority houses.
- (6) Experimental Station for Agriculture or Related Uses
- (7) Fish or Game Club, Riding Stables or Academies
- (8) Forest Preserve
- (9) Golf Courses
- (10) Grange Hall, or building of Similar Agricultural organizations.
- (11) Nursery or Greenhouse

- (12) Hospital or similar institution, including nursing homes.
- (13) Animal Hospital, provided:
 - (a) It is a principal structure on a lot.
 - (b) Fencing or screening shall surround the hospital.
 - (c) It shall be located on a minimum lot size of 40,000 square feet in area.
- (14) Governmental or Governmental Authority Facility, Service Structure or Use, provided:
 - (a) It shall serve as a community facility or be reasonably necessary for the adequate distribution of services.
 - (b) It shall be authorized by a governmental agency.
- (15) Sawmill: Provided only timber cut on parcel, which the sawmill is located, be processed in sawmill.
- (16) Public Utility Facility, Service Structure and/or Use, provided:
 - (a) It shall not include any type of equipment which will in any way interfere with local radio or television communications or otherwise be detrimental to the surrounding area.
 - (b) It shall not include a business facility, repair facility, storage of materials, storage of any repair or trouble crew outside a structure.
 - (c) It shall be reasonably necessary to adequate distribution of service.
 - (d) That the structures be compatible with other permitted structures in this District in which it is located.
- (17) Travel Trailer, Recreation Vehicle Parks, provided:
 - (a) It shall meet all applicable requirements of the Mercer County Subdivision and Land Development Regulations, as amended and shall have been approved by the Mercer County Regional Planning Commission.
- (18) Accessory Apartments permitted as a special exception as required in Article XVI.
- (19) Personal Care Boarding Homes as a permitted special exception as required in Article XVI.
- (20) Mobile Home Parks as required in Article VI.
- (21) Public Parks and Non-Commercial Recreation Uses.
- (22) Essential Services

401.2: Accessory Uses Permitted

- (1) Private Garage
- (2) Farm Structure
- (3) Related Farm Uses
- (4) Stand for Sale of Agricultural or Nursery Products, provided:
 - (a) It shall be for the sale of agricultural products.
 - (b) It shall be set back a minimum of 50 feet from the road centerline.
 - (c) There shall be at least three (3) parking spaces not on the street right-of-way.
 - (d) Must be demolished if not in use for a period in excess of one calendar year.
- (5) Private Playhouse, Swimming Pool, Tennis Court, Tool or Storage Shed, and Private Greenhouse
- (6) Private Shelter for Domestic Pets including ponies or horses, provided it shall not be used on a commercial basis.
- (7) Wall, Fence, Lamp Post, Similar Accessory Structure, subject to height limitations outline in Section 402.22 and 402.23.
- (8) Boarding Unit, Lodging Unit, Rooming Unit, provided:
 - (a) It shall be limited to a maximum of three (3) such units.
 - (b) It shall be for non-transients only.
 - (c) It shall be located in the principal dwelling building.
- (9) Home Occupation as defined in this Zoning Ordinance, provided:
 - (a) No persons other than members of the immediate family occupying such dwelling shall be employed.
 - (b) The home occupation shall be incidental and subordinate to its use for residential purposes and that not more than 25% of the floor area of a dwelling unit as defined in Article XX, shall be for home occupations.
 - (c) The home occupation shall not involve the use of advertising signs on the premises or any local advertising media which call attention to the fact that the home is used for business purposes, except those permitted in a residential zone.
 - (d) In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, noises or vibrations.
 - (e) The parking need generated by the conduct of a home occupation shall be met off the street and other than in the required front yard.

- (f) The use shall not generate traffic, parking, noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in this district. Likewise, it shall not involve the use of commercial vehicles for delivery of materials to or from the premises.
 - (g) Permitted Home Occupations include, but are not necessarily limited to the following:
 - (1) Dressmakers, seamstresses and tailors.
 - (2) Homecrafts, such as rug weaving, ceramics, lapidary work, specialty homebaking.
 - (3) Family day care home, limited to not more than three (3) children
 - (4) Photographers and photography studios.
 - (5) Artists, sculptors and authors.
 - (6) Office facilities of an accountant, architect, lawyer, author, insurance agent, real estate broker, land surveyor, engineer, and members of similar professions.
 - (7) Office facilities of dentists, physicians or other licensed medical practitioners.
 - (8) Radio or TV repair.
 - (9) Antique and/or Gift Shop.
 - (10) Beauty shop or barbershop.
 - (h) Permitted Home Occupations shall not include the following:
 - (1) Motor vehicle repair, minor or major, including painting of vehicles, trailers or boats.
 - (2) Carpentry work.
 - (3) Medical or dental clinic.
 - (4) Veterinary clinic or hospital including animal kennels or boarding of domestic animals.
 - (5) Private schools with organized classes.
 - (6) Mortuaries.
- (10) Satellite Signal Receiving Earth Station, otherwise known as "dish antenna", up to 12 feet in diameter, provided:
- (a) It shall not be located to the front or side of the house nor mounted on the roof of any structure unless the applicant can demonstrate that the requirements of this ordinance will result in obstruction of the antenna's reception window and such obstruction is beyond the control of the applicant.
 - (b) It shall be mounted at the minimum elevation necessary for unobstructed reception.
 - (c) It shall comply with all accessory use yard, height, and setback requirements.

- (11) Antennas for ham radio, citizens band radio, or other similar radio communications for personal, non-commercial use by only the property owner or occupant, provided:
- (a) It shall not be located to the front or side of the principal structure nor mounted on the roof of any structure.
 - (b) It shall be mounted at the minimum elevation and height necessary for proper functioning.
 - (c) It shall comply with all accessory use yard, height, and setback requirements including additional height provisions contained in Section 1301.2.
 - (d) It shall be set back from other on- and off-site antennas far enough so that one antenna will not strike another antenna if it falls.
- (12) Storage or Parking of a Non-agricultural Licensed Vehicle, provided:
- (a) A travel trailer shall be stored only and shall comply with height and area regulations for accessory structures.
 - (b) It shall be limited to two (2) such licensed vehicles, except school buses.
 - (c) Recreation vehicles shall not be used for habitation.
- (13) Any Other Accessory Use, provided:
- (a) It shall be customarily incident and subordinate to a permitted principal use.
 - (b) It shall be located on the same lot as the principal use.
 - (c) It shall be approved by the Zoning Hearing Board.

401.3 - Accessory Signs, subject to provisions of Article XI.

401.4 - Parking and Loading Facilities, subject to provisions of Article XII.

SECTION 402 - Height Regulations

402.1 - Principal Structures

- (1) Maximum Height - The maximum height for principal structures shall not exceed 40 feet.

402.2 - Accessory Structures

- (1) Maximum Height for Accessory Structures - The maximum height for accessory structures shall not exceed the height of principal structures.
- (2) Maximum Height for Solid Wall or Fence - 6 feet on side lot lines or 8 feet along rear lot line, and 3 feet along front lot line.
- (3) Maximum Height for Open Fence - 8 feet.
- (4) Signs, subject to Article XI.

SECTION 403 - Area Regulations

403.1 - Minimum Lot Area - The minimum lot area shall be 32,000 square feet. Street right-of-way may not be included in determining minimum lot area.

403.2 - Minimum Lot Width - Minimum lot width shall be 150 feet as determined at the setback building line.

403.3 - Maximum Percentage of Lot Coverage - 25% including accessory structures.

403.4 - Minimum Building Setback - Building setback line for principal and accessory structures shall be 75 feet from the centerline on all roads.

403.5 - Minimum Side Yard Width - The minimum side yard width shall be 20 feet on each side. For multi-story structures, the side yard requirements shall equal the height of the structure for each side yard.

403.6 - Corner Lots - Corner lots shall conform with the minimum setback requirements on each street frontage side.

403.7 - Minimum Rear Yard Depth - Minimum rear yard depth shall be 35 feet for principal structures and 10 feet for accessory structures.

403.8 - Minimum Floor Area - Minimum floor area for a dwelling unit shall be 720 square feet.

SECTION 404 - General Regulations - Nothing herein contained shall be construed to permit the use of land or buildings for the storage of junk or a junk yard. The storage of junk is prohibited except in an "I" Industrial Zoning District.

SECTION 405 – Development Regulations – Any permitted or accessory use shall be subject to the following provisions:

- (1) Adequate storm drainage facilities shall be installed to ensure that stormwater does not flow onto abutting property, sidewalks, or streets in such quantities as to cause detrimental effect or inconvenience. Maximum rates of stormwater runoff from the property after development shall not be greater than as existed prior to the development.

Article V

"R-2" Residential Zoning District

SECTION 500 - Purpose of the Zoning District - To provide a zoning district in which the predominant use will be residential with height and area regulations establishing a medium density land use.

SECTION 501 - Use Regulations

501.1 - Principal Uses Permitted:

- (1) Single-Family Dwellings
 - (a) Self-contained mobile home units having a floor area of 720 square feet or more, may locate on individual lots, provided they conform to all regulations applicable to single-family dwellings.
 - (b) Mobile home units having less than 720 square feet of floor area must locate in mobile home parks.
 - (c) The mobile home stand shall provide adequate tie downs able to withstand a wind pressure of 15 lbs. per square foot on an exposed vertical surface. Both over the top and frame tie downs shall be required.
 - (d) Mobile home shall be installed on a concrete pad, pier or block foundation.
- (2) Two-Family Dwelling - duplex.
- (3) Multiple Dwelling
- (4) Apartment House
- (5) Churches, Church School, Church Use, Cemetery
- (6) College, Preparatory School, Boarding School, Day Nursery School, including therewith dormitories for faculty and students, and fraternity or sorority houses.
- (7) Convalescent Homes
- (8) Governmental or Governmental Authority Facility, Service Structure or Use, provided:
 - (a) It shall serve as a community facility or be reasonably necessary to the adequate distribution of service.
 - (b) It shall be authorized by a governmental agency.
- (9) Hospital and Similar Institutions

- (10) Public Utility Facility, Service Structure and/or Use, provided:
- (a) It shall not include any type of equipment which will in any way interfere with local radio or television or otherwise be detrimental to the surrounding area.
 - (b) It shall not include a business facility, repair facility, storage of materials, storage of any repair or trouble crew outside a structure.
 - (c) It shall be reasonably necessary for adequate distribution of service.
 - (d) It shall be compatible to other permitted buildings in area.
 - (e) No structure may be located less than 200 feet from any principal or accessory structure on adjoining or abutting property.
- (11) Golf Courses.
- (12) Planned Residential Developments as a conditional use subject to regulations in Section 505.
- (13) Agriculture and Related Uses.
- (14) Accessory Apartments permitted as a special exception as required in Article XVI.
- (15) Personal Care Boarding Homes as a special exception as required in Article XVI.
- (16) Essential Services
- (17) Any R-1 Zoning District Permitted Principal Use

501.2: Accessory Uses Permitted

- (1) Private Garage
- (2) Private Playhouse, Private Swimming Pool, Private Tennis Court, Private Tool or Storage Shed, Private Greenhouse.
- (3) Private Shelter for Domestic Pets, including horses and ponies, provided it shall not be used on a commercial basis.
- (4) Private Incinerator, provided:
 - (a) It shall be located within the dwelling, or in the rear yard only.
 - (b) It shall be used only for burning of refuse produced on the premises.
- (5) Wall, Fence, Lamp Post, similar accessory structures subject to height limitations outlined in Section 502.22 and 502.23.
- (6) Home Occupation as defined in Section 401.2 (9).

- (7) Storage or Parking of a Recreational Vehicle, provided:
 - (a) A trailer shall be stored only and shall comply with height and area regulations for accessory structures.
 - (b) It shall be limited to two such licensed vehicles, except school buses.
 - (c) Recreation vehicles shall not be used for habitation.
- (8) Any R-1 Zoning District Permitted Accessory Use
- (9) Any Other Accessory Use, provided:
 - (a) It shall be customarily incident and subordinate to a permitted principal use.
 - (b) It shall be located on the same lot as the principal use.
 - (c) It shall be approved by the Zoning Hearing Board.

501.3 - Accessory Signs (Subject to provisions of Article XI).

501.4 - Required Parking and/or Loading Facilities (Subject to provisions of Article XII).

SECTION 502 - Height Regulations

502.1 - Principal Structures

- (1) Maximum Height Per Dwelling Building - not to exceed 40 feet.

502.2 - Accessory Structures

- (1) Maximum Height for Residential Accessory Structures - The maximum height for accessory structures shall not exceed the height of the principal structure.
- (2) Maximum Height Per Solid Wall or Fence - 6 feet along side lot lines or 8 feet along rear lot lines or 3 feet along front lot line. See also Supplementary Regulations, Article XIII.
- (3) Maximum Height for Open Fence - 8 feet.
- (4) Signs subject to Article XI.

SECTION 503 - Area Regulations

503.1 - Minimum Lot Areas - Street rights-of way shall not be used in computing minimum lot area.

- (1) Single-Family Dwelling and Non-Residential Permitted Uses - 20,000 square feet per unit (32,000 square feet where sanitary sewage is provided by on lot system).
- (2) Two-Family Dwelling - 40,000 square feet (64,000 square feet where sanitary sewage is provided by on-lot system).

- (3) All Multi-Family Dwellings - 40,000 square feet for the first two dwelling units plus 5,000 square feet for each additional dwelling unit thereafter whether or not served by central sewage.
- (4) Boarding House, Lodging House, Rooming House - 22,000 square feet (44,000 square feet where sanitary sewage is provided by on-lot system), plus 1,000 square feet per boarding, lodging or rooming unit.

503.2 - Minimum Lot Width - As measured at the minimum setback line:

- (1) Single-Family Dwelling - 100 feet
- (2) Two-Family Detached Duplex Dwelling - 150 feet
- (3) Multiple Dwelling, Apartment House - 150 feet
- (4) Boarding House, Lodging House, Rooming House - 150 feet
- (5) Convalescent Home - 150 feet
- (6) Other Non-Residential Permitted Uses - 100 feet

503.3 - Maximum Percentage of Lot Coverage - 20 percent, including necessary structures.

503.4 - Minimum Front Yard Depth - Minimum building setback line shall be 75 feet as measured from the centerline on all streets.

503.5 - Minimum Side Yard Width - The minimum side yard width shall be 12 feet on each side.

503.6 - Corner Lots - Corner lots shall conform with minimum setback requirements of 75 feet on each street frontage side.

503.7 - Minimum Rear Yard Depth - Minimum rear yard depth shall be twenty-five (25) feet for principal structures and ten (10) feet for accessory structures.

503.8 - Minimum Floor Area

- (1) Single-Family Dwelling - 720 square feet.
- (2) Two-Family Dwelling - 720 square feet per unit.
- (3) Multi-Family Dwelling - 400 square feet per unit.

SECTION 504 - General Regulations - No storm water from pavements, areaways, roofs, foundation drains, or other sources shall be admitted to the sanitary sewers.

Nothing herein contained shall be construed to permit the use of land or buildings for the storage of junk or a junk yard. The storage of junk is prohibited except in the "I" Industrial Zoning District.

Any landowner and any person engaged in the alteration or development of land which may affect stormwater runoff characteristics shall implement adequate storm drainage facilities to be installed to ensure that stormwater does not flow onto abutting property, sidewalks, or streets in such quantities as to cause detrimental effect or inconvenience. Maximum rates of stormwater runoff from the property after development shall not be greater than as existed prior to the development.

SECTION 505 - Planned Residential Development Regulations

505.1 - Purpose - The purpose of the planned residential development regulation is to encourage flexibility in the design and development of land in order to promote its most appropriate use; to encourage grouping of housing and mixture of housing types in alternative patterns and variety of ways; to facilitate the adequate and economical provision of streets and utilities and to preserve the natural and scenic qualities of open areas.

505.2 - General Objectives - To develop properties for multi-family housing which provide:

- (1) A suitable residential environment by utilizing the potential advantages of the site, including suitable placement of the buildings and facilities in relation to the site and surrounding influences;
- (2) Adequate open space related to buildings and other land improvements;
- (3) Areas for outdoor recreation of a size and location to properly serve the needs of occupants;
- (4) Adequate car storage space conveniently located;
- (5) Elevations and gradients appropriate for buildings, land improvements, drainage, and for safe, easy circulation for occupant use;
- (6) The preservation of desirable existing trees and other natural site features;
- (7) Plantings to enhance the appearance of buildings and grounds, to screen objectionable features and to control erosion;
- (8) Relation to major transportation facilities - PRD districts shall be so located with respect to major streets and highways or other transportation facilities as to provide direct access to such districts without creating traffic along minor streets in residential neighborhoods outside such districts; and

- (9) Relation to utilities - Public facilities in planned residential development districts shall be so located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations that neither extension nor enlargement of such systems will be required in manner, form, character, location, degree, scale, or timing resulting in higher net public cost or earlier incursion of public cost than would development in a form generally permitted in the area. Such districts shall be located with respect to schools, parks, playgrounds, and other public facilities required as to have access in the same degree as would development in a form generally permitted in the area.

505.3 - Definition - Planned Residential Development - A unique concept of residential development consisting of a large-scale project constructed by a single owner or group of owners acting jointly and involving a related group of uses. The development is planned as an entity and therefore susceptible to development and regulation as one unit, rather than as a mere aggregation of individual buildings located on separate unrelated lots. Such developments usually include a more compact arrangement of individual and/or multi-family dwelling units, grouped in or around common open spaces or green areas. Also, they may include neighborhood commercial and personal service uses, public and semi-public uses and recreational facilities provided they are functionally integrated into the development and that the character of the development conforms to the purpose and intent of this article. In general, such development projects shall include the necessary covenants or other legal provisions and financial programs as will assure conformity to and achievement of the proposed development plan.

505.4 - Applicable Districts and Uses Permitted - Planned developments may be approved in the R-2 Residential District and shall include the following:

- (1) A mix of dwelling units in detached, semi-detached, attached or multi-storied structures, or any combination thereof;
- (2) Those non-residential uses deemed to be appropriate by the Township for incorporation in the design of the planned residential development; and
- (3) Shall be served by a municipal sanitary sewer system or package sewage treatment system privately owned and operated.
- (4) A sign advertising the planned residential development, provided:
 - (a) One such sign shall be located on the land being developed for the planned residential development provided such PRD is fronting on the right-of-way of an Interstate highway.
 - (b) Maximum size shall be 400 square feet in area.
 - (c) Maximum height to bottom of sign to ground shall be 40 feet in area.
 - (d) Setback from any road shall be 100 feet from the centerline.

- (e) Setback from any property line shall be 45 feet.
- (f) The sign shall not be so placed so that it will cause danger to traffic on a street by obscuring the view or otherwise interfere with traffic.
- (g) The sign shall not be so placed as to cast direct or reflected light up on a window of any existing dwelling.

505.5 - Calculation of Project Densities

- (1) The Planned Residential Development density shall not exceed eight (8) units per gross acre as calculated for the total land owned.
- (2) The developer may propose a preliminary development plan for less than the total ownership, providing the preliminary development plan shall not exceed eight (8) units per acre.
- (3) Any phased final plan within said approved preliminary plan shall not cause the density over the entire preliminary plan to exceed the eight (8) units per acre.

The developer may propose a preliminary development plan for his entire land ownership and likewise proceed with phased final plans.

505.6 - Lot Size and Spacing of Buildings

- (1) The Planned Residential Development shall contain a minimum of seventy-five (75) contiguous acres.
- (2) The location of all structures shall be as shown on the final plans.
- (3) The proposed location and arrangement shall not be detrimental to existing or prospective adjacent dwellings or to the existing or prospective development of the neighborhood. There shall be no minimum or maximum percentage of lot coverage and no minimum lot width in the planned development. However, every single-family dwelling shall have access to a public street, court, walkway, or other area dedicated to public use. No dwellings and no addition to any dwellings shall be erected within a distance of less than the height of the highest adjacent building, or height of proposed structure, or a minimum of 15 feet.
- (4) Front yard setback for all structures shall be a minimum of seventy-five (75) feet as measured from the street centerline.
- (5) Vehicular access to dwellings by means of adequate service drives and/or emergency entrances shall be provided in all cases where dwellings do not front on a public street, or where the Township deems necessary for public safety. Furthermore, all plans must be reviewed by the Township Fire Chief to insure that Township fire vehicles have adequate access to all structures.

- (6) Parking and Loading Requirements shall be in accord with Article XII of this Ordinance.

505.7 - Perimeter Requirements

- (1) The requirements of this section apply only to structures located within two hundred (200) feet of the perimeter of a planned development.
- (2) If topographical or other barriers do not provide adequate privacy for existing uses adjacent to the planned development, the Township may require either or both of the following:
 - (a) Structures located on the perimeter of the planned development must be set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses but in no case, less than the height of the aforementioned buildings.
 - (b) Structures located on the perimeter of the planned development must be screened in such a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.

505.8 - Common Open Space and Recreational Land Requirements

- (1) Required Recreational/Open Space Land: Land equal to ten percent of the total land area must be reserved for open space and active recreation use such as swimming pools, tennis courts, tot lots, ball fields and similar recreational facilities. Improvement of recreational facilities shall be the responsibilities of the developer.
- (2) No open area may be accepted as common open space under the provisions of this Ordinance unless it meets the following standards:
 - (a) The location, shape, size, and character of the common open space must be suitable for the planned development.
 - (b) Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The building structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space. Lakes, swamps, and other water bodies may not be used in computing common open space.
 - (c) The development schedule which is part of the development plan must coordinate the improvement of the common open space, the construction of buildings, structures, and improvements in the common open space and the construction of residential dwellings in the planned development.
 - (d) If the final development plan provides for buildings, structures, and improvements in the common open space which exceed \$5000, the developer must provide a bond in the estimated amount of the improvements assuring that the buildings, structures,

and improvements will be completed. The Township Supervisors shall release the bond or other assurance when the buildings, structures, or improvements have been completed according to the development plan.

505.9 - Conveyance and Maintenance of Common Open Space

- (1) All land shown on the final development plan as common open space shall be conveyed to the trustees provided for in an indenture establishing an association or similar organization for the maintenance of the planned development. The common open space must be conveyed to the trustees subject to covenants which:
 - (a) are approved by the planning commission,
 - (b) restrict the common space to the uses specified on the final development plan, and
 - (c) provide for the maintenance of the common open space in a manner which assures its continued use for its intended purpose.
- (2) No common space may be put to any use not specified in the final development plan unless the final development plan has been amended by the Township Supervisors to permit that use.
- (3) If the common open space is not maintained in reasonable order and condition, and in accordance with the development plan, the Zoning Officer may serve written notice to the organization responsible for maintenance, or to the residents of the planned residential development setting forth:
 - (a) The manner in which the organization has failed to maintain the common open space in reasonable condition.
 - (b) A demand that such deficiencies of maintenance be corrected within thirty (90) days thereof.
 - (c) The date and place of a hearing thereon which shall be held within fourteen (14) days from the date of the notice.
 - (d) If the deficiencies set forth in the original notice or in the modifications thereof shall not be corrected within said thirty (30) days or any extension thereof, the Township may enter upon said common space, and maintain the same for a period of one (1) year in order to preserve the taxable values of the properties within the planned residential development and to prevent the common open space from becoming a public nuisance. Maintenance by the Township shall not constitute a taking of said common space, nor vest in the public any rights to use the same. Before the expiration of said year, the Township shall, upon its own initiative or upon the request of the organization theretofore responsible for the maintenance for the common space, call a public hearing after giving notice to said organization, and/or to the residents of the planned residential development. The hearing will be

held by the Township or its designated agency, and shall provide said organization or the residents of the planned residential development opportunity to show cause why the Township shall not, at its option, continue said maintenance for a succeeding year. If the Township, or its designated agency determines that said organization is ready and able to maintain said common open space in a reasonable condition, the Township shall cease to maintain said common open space in a reasonable condition, the Township may, at its discretion, continue to maintain said common open space during the next succeeding year, and subject to similar hearing and determination, in each year thereafter. The decision of the township shall be subject to appeal to court in the same manner, and within the same time limitation, as is provided for zoning appeals by this zoning ordinance.

- (e) The cost of such maintenance by the Township shall be assessed rateably against the properties within the planned residential development that have the right of enjoyment of the common open space, and shall become a lien on said properties. The Township, at the time of entering upon said common space for the purpose of maintenance, shall file a notice of lien in the Office of Prothonotary of Mercer County, Pennsylvania, upon the properties affected by the lien within the planned residential development.

505.10 - Application Procedures

- (1) Ownership - An application for approval of a planned residential development may be filed by a person having an interest in the property to be included in the planned development. The planned residential development applications shall be filed in the name or names of the recorded owner or owners or property included in the development. However, the application may be filed by holder (s) of an equitable interest in such property.
- (2) Preapplication Conference - To obtain information, each applicant shall confer with the Township Planning Commission and the Mercer County Regional Planning Commission regarding the preparation of the planned residential development application. The general outlines of the proposal, evidenced schematically by sketch plans, are to be considered prior to submission of the planned residential development application. Thereafter the planning commission shall furnish the applicant with written comments regarding such conference, including appropriate recommendations to inform and assist the applicant prior to his preparing the components of the planned residential development application.
- (3) Preliminary Development Plan Application - Upon completion of the preapplication conference and guidance of the Township and Regional Planning Commissions, the developer shall submit a development application along with a fee as established by the Board of Supervisors on forms prescribed or as provided by the Township to the Shenango Township Board of Supervisors at a regularly scheduled meeting.

The preliminary plan development application shall include as a minimum the following items:

(a) Written Documents

- (1) A legal description of the total site proposed for development, including a statement of present and proposed zoning.
- (2) A statement of planning objectives to be achieved by the planned residential development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant
- (3) A development schedule indicating the approximate date when construction of the planned residential development or stages of the planned residential development can be expected to begin and be completed.
- (4) A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the planned residential development, such as land areas, dwelling units, etc.
- (5) Quantitative data for the following: total number and type of dwelling units; parcel size; gross residential densities; total amount of open space (including a separate figure for usable open space); total amount of non-residential construction (including a separate figure for commercial or institutional facilities); economic feasibility studies or market analysis where necessary; and other studies as may be required by the review authority.

(b) Site Plan and Supporting Maps - Three (3) copies of a site plan and any maps necessary to show the major details of the proposed planned residential development must contain the following minimum information:

- (1) The existing site conditions including contours a 2 foot intervals (depending on local topographic conditions), water course, flood plains, unique natural features, and forest cover.
- (2) Proposed lot lines and plot designs.
- (3) Typical building elevations and floor plans.
- (4) The location and size in acres or square feet of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semi-public uses as applicable.
- (5) The existing and proposed circulation system of arterial, collector, and local streets including off-street parking areas, service areas, loading areas, and major points of access to public rights-of-way (including major points of ingress and egress to the development). Notations of proposed ownership, public or private, should be included where appropriate.

- (6) The existing and proposed pedestrian circulation system including its interrelationships with the vehicular circulation system, indicating proposed treatments of points of conflict.
 - (7) The existing and proposed utility systems including sanitary sewers, storm sewers, and water, electric, gas, and telephone lines.
 - (8) A general landscape plan indicating the treatment of materials used for private and common open spaces.
 - (9) Enough information on land areas adjacent to the proposed planned residential development to indicate the relationships between the proposed development and existing and proposed adjacent areas, including land uses, zoning classifications, densities, circulation systems, public facilities, and unique natural features of the landscape.
 - (10) The proposed treatment of the perimeter of the planned residential development, including materials and techniques used such as screens, fences, and walls.
 - (11) Any additional information as required by the Supervisors or Planning Commission necessary to evaluate the character and impact of the proposed planned residential development.
- (c) Application Review - Upon receipt of a complete development application, the Supervisors shall forward one copy to the Township Planning Commission, one copy to the Zoning Officer, one copy to the Mercer County Regional Planning Commission and one copy to the Shenango Township Fire Department for review and report.
- (d) Review - The Zoning Officer and Planning Commission shall review the proposed development to determine that it is in compliance with all applicable provisions of the Zoning Ordinance, Subdivision and Land Development Regulations, and all other applicable regulations of the Township. In the review and in addition to all other requirements of this Ordinance, the Zoning Officer and Planning Commission shall assure that in addition to the foregoing requirements, the development application has provided for the following:
- (1) Interior drives and an automobile parking arrangement that prevents blockage of vehicles entering or leaving the site and minimal conflicts between pedestrians and vehicles.
 - (2) Areas for loading and unloading delivery trucks and other vehicles and for the servicing of the premises by refuse collection, fuel and other service vehicles & shall be so arranged that they may be used without blockage or interference with the use of access ways or automobile parking facilities.

- (3) Screened storage of any proposed outside materials that abut any public right-of-way and residential uses.
- (4) Any proposed display of signs which does not constitute a hazard to public safety by reason of location, coloring, or manner of illuminations.
- (5) Adequate easements or rights-of-way for drainage and utilities.
- (6) Positive drainage away from buildings and proper surface water drainage so as to prevent ponding or the erosion and flooding of abutting properties and streets.
- (7) Proposed exterior lighting of the premises that does not create a traffic hazard or interfere with the quiet enjoyment of the surrounding uses.
- (8) Proposed screening or landscaping that by reason of location or height does not constitute a traffic hazard.

Within thirty (30) days of receipt of the application, the Zoning Officer and Planning Commission shall file a written report of their findings with the Township Supervisors.

- (e) Preliminary Plan Approval - Public Hearing - Within sixty (60) days after the filing of an application for preliminary plan approval of a planned residential development pursuant to this Article, a public hearing pursuant to public notice on said application shall be held by the governing body. The chairman or, in his absence, the acting chairman of the governing body may administer oath and compel the attendance of witnesses. All testimony by witnesses at any hearing shall be given under oath and every party of record at a hearing shall have the right to cross-examine adverse witnesses.

A verbatim record of the hearing shall be caused to be made by the governing body whenever such records are requested by any party of the proceedings; but the cost of making and transcribing such a record shall be paid by the party requesting it and the expense of copies of such record shall be borne by those who wish to obtain such copies. All exhibits accepted in evidence shall be identified and duly preserved or, if not accepted in evidence, shall be properly identified and the reason for the exclusion clearly noted in the record.

The Township Supervisors may continue the hearing from time to time and may refer the matter back to the planning agency (local or regional) for a report, provided, however, that in any event the public hearing or hearings shall be concluded within sixty (60) days after the date of the first hearing. The Township Supervisors shall within sixty (60) days following the conclusion of the hearing render to the applicant a decision in writing.

- (f) Application Amendments - The application may be amended or otherwise changed within the review period without affecting the review time period provided such changes are submitted not less than thirty (30) days prior to the public hearing.
 - (g) Condominiums - Where the condominium for of ownership is proposed the development shall conform to all applicable sections of Act 82 of 1980 of the Pennsylvania Legislature entitled the "Uniform Condominium Act", in addition to the requirements of this ordinance.
- (4) Final Plan Approval
- (a) Within a maximum of six(6) months following the approval of the preliminary development plan, the applicant shall file with the Supervisors a final development plan containing in a final engineered detailed form the information required. The Supervisors may extend for six (6) months the period for filing of the final development plan upon written request by the applicant.
 - (b) If the applicant fails to apply for final approval for any reason, within the established time period, the preliminary plan approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been granted shall be subject to the zoning and subdivision ordinances otherwise applicable thereto.
 - (c) The final development plan shall be deemed in substantial compliance with the preliminary development plan, provided modification by the applicant does not involve a change of one or more of the following:
 - (1) Violate any provision of this Chapter of the Ordinance;
 - (2) Vary the lot area requirement by more than ten (10) percent;
 - (3) Involve a reduction of more than ten (10) percent of the area reserved for the common open space and/or usable open space;
 - (4) Increase the floor area proposed for non-residential use by more than ten (10) percent; and
 - (5) Increase the total ground area covered by building by more than five (5) percent.
 - (d) Minor changes in the location, siting, and height of buildings and structures may be authorized by the Zoning Officer without additional public hearings if required by engineering or other circumstances not foreseen at the time the final plan was approved. No change authorized by this subsection may cause any of the following:
 - (1) A change in the use or character of the development;

- (2) An increase in overall coverage of structures;
 - (3) An increase in the intensity of use;
 - (4) An increase in the problems of traffic circulation and public utilities;
 - (5) A reduction in approved open space;
 - (6) A reduction of off-street parking and loading space; and
 - (7) A reduction in required pavement widths.
- (e) Recording - Within ninety (90) days after the final plan approval, the plan shall be filed for recording with the Recorder of Deeds of Mercer County. Should the plan not be recorded within such period, the action of the Supervisors shall become null and void, unless an extension of time is granted upon written request.

505.11 - Application of Development Standards

- (1) The following land subdivision principals, standards, and requirements will be applied by the Planning Commission in evaluating plans for proposed Planned Residential Developments.
- (2) The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals, and general welfare.
- (3) Where literal compliance with the standards herein specified is clearly impractical, the Planning Commission may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these Regulations.

505.12 - Street System - General

- (1) The development plan shall conform to the Official Map and should also relate to such plan or plans for the Region and for the Township as shall have been adopted by the Planning Commission, as applicable.
- (2) The street layout shall be logically related to the topography of the land, especially with relation to grades and storm runoff. Streets should generally be located away from watercourses unless storm sewers are to be provided.
- (3) Local residential streets should be so planned as to discourage use by non-local traffic.
- (4) Center lines of streets opening into opposite sides of another street should either intersect or be separated from each other by more than 200 feet.
- (5) Streets ordinarily shall intersect as nearly as right angles as is practicable.

- (6) For permanent cul-de-sac streets, the maximum length shall be 1,000 feet and the maximum average daily traffic volume shall be 250 vehicle-trips based on the following trip generation rates:

- (a) Single-Family Dwelling - 10 vehicle trips per day
- (b) Multi-Family Dwelling - 6 vehicle trips per day

Such streets shall be provided with a turnaround having a minimum radius to the outer cartway edge or curb line of forty (40) feet.

- (7) Multiple intersections involving the junction of more than four streets shall not be approved.
- (8) Street curb intersections shall be rounded by a tangential arc with a minimum radius of 20 feet for intersections of local residential streets; and 30 feet for intersections including major or secondary thoroughfares, except that the Planning Commission may require a 50 foot radius for such intersections of secondary or major thorough-fares carrying a large volume of truck or bus traffic. Curb radii at intersections involving State Highways shall be approved by the State Highway Department and shall be as close to these standards as State regulations and local conditions permit. Radius corners or diagonal cutoffs shall be provided on the property lines substantially concentric with or parallel to the chord of the curb radius corners.
- (9) Where any street intersection will involve topographic features or existing vegetation inside any lot corner that might create a traffic hazard through limiting visibility, such ground and/or vegetation shall be cut in conjunction with the grading of the public right-of-way to the extent deemed necessary to provide adequate sight distance, and a vision clearance area created at the corner for a distance 20 feet back from the corner which shall be kept clear of all structures and vegetation exceeding a height of 30".
- (10) Any roads temporarily dead ended because of authorized state development shall be provided with a suitable, all-weather turnaround on the property of the owner, the use of such turnaround to be guaranteed to be public until such time as the road is extended. Dead end streets are prohibited.

505.13 - Street Alignment, Horizontal and Vertical

- (1) The minimum radius at the center line for horizontal curves shall be: for arterial streets, five hundred (500) feet; for collector streets, three hundred (300) feet; and for local residential streets, one hundred and fifty (150) feet. Proper superelevation shall be provided for curves less than six hundred (600) feet radius on major and secondary thoroughfares.
- (2) Except for local streets there shall be a tangent of at least one hundred (100) feet measured at the center line between reverse curves.

- (3) Adequate sight distance should be provided with respect to both horizontal and vertical alignment. Measured along the center line, this should be four hundred (400) feet for primary roads, two hundred (200) feet for secondary roads and one hundred (100) feet for local roads.
- (4) There shall be a minimum grade of at least three-quarters of one percent (0.75%) on all streets; and a maximum grade of seven and one-half percent (7 ½) on all streets.
- (5) Vertical curves shall be used in changes of grade exceeding an algebraic difference of two (2) percent, and should be designed for maximum visibility. Intersections shall be approached on all sides by leveling areas and no street within fifty (50) feet of an intersection shall have a grade exceeding four percent (4%). The grade of actual intersections shall not exceed two percent (2%) in any direction.

505.14 - Construction Specifications - Streets shall be constructed in accord with the standards specified in the Mercer County Subdivision and Land Development Regulations.

505.15 - Use and Type of Curb (Optional)

- (1) Where the cartway is less than 24 feet straight curb shall not be used except where authorized by the Township Supervisors. The Planning Commission may require installation of rolled curb where deemed necessary to adequately handle storm water on grades of over four (4) percent.
- (2) Curbing is desirable in small lot areas to protect the edge of the pavement, keep cars in the street and take care of storm water. The Planning Commission shall require installation of curb where deemed necessary by the Township to adequately handle storm water on grades of over four (4) percent and at intersections where lots are less than one hundred (100) feet in width. Curbing at intersections shall include the arc and a minimum of 10 feet tangent at either end.

505.16 - Procedure when Street or Road is to Remain Private

- (1) Responsibility for inspection and supervision of said improvements shall be the same as outlined in Section 505.21.
- (2) The road shall be constructed to the same design standards as a public road.
- (3) A maintenance agreement shall accompany the plan to be recorded.

505.17 - Driveways

- (1) Private driveways shall be located not less than forty (40) feet from the intersection corner of corner lots and shall have such grades as to furnish a safe and convenient parking space.

Driveways shall be provided on the site where necessary for convenient access to multi-family living units, garage compounds, parking areas, service entrances of buildings,

collection of refuse and all other necessary services. Driveways shall enter public streets at safe locations.

(2) Interior Lots

Where a driveway is proposed to service an interior lot (one lot) the subdivider shall provide a minimum thirty (30) foot right-of-way or a thirty (30) foot perpetual easement. Such width is designed to accommodate an average width drive (10') plus sufficient width for grading and drainage improvements as may be needed.

(3) Driveway Circulation

Driveways shall be planned for convenient circulation suitable for traffic needs and safety. Cul-de-sacs, parking courts and dead end driveways shall be provided with turning space of adequate size and design for intended use.

(4) Buildings, walls, fences, planting and other potential sight obstructions shall be so located and designed that a driver backing out of any garage, carport or parking space can see approaching traffic sufficiently for safe entry considering the anticipated traffic speed and volume.

(5) Driveway Standards:

(a) Driveway Widths - Driveways serving multi-family use areas shall have two traffic lanes for their entire length, usually 18 feet in width in addition to any parking space, except that a single lane (10') may be used for short straight service driveways where two-way traffic is not anticipated. Other residential driveways and non-residential uses as follows:

(b) Permit Fees - According to fees adopted by PennDOT and/or the Township Supervisors, as applicable.

505.18 - Parking Areas and Courts - Planned Residential Developments

(1) General

Paved parking areas and courts shall be provided to meet the needs of residents and their guests without interference with normal traffic.

Parking garages shall be located for convenient access by both vehicles and pedestrians. Tenants shall have easy access from living units to garages.

(2) Location and Space Requirements

Parking areas and courts shall be located for convenient access to the living units without impairing the views from living rooms, entrances or front yards.

Dimensions of parking areas and courts shall be adequate for convenient use for occupant parking. the number of required spaces shall be as required in the Shenango Township Zoning Ordinance, Article XII.

Where necessary to provide for bumper clearance and suitable screen planting, parking facilities shall not be nearer than 5 feet to a street line, property line or project facility. The relative grade differential between the parking court or garage and the entrance to the dwelling units shall provide easy convenient access without an excessive number of steps.

505.19 - Utility and Drainage Easements

- (1) Easements with a minimum width of twenty (20) feet shall be provided as necessary for utilities. To the fullest extent possible, easements shall be centered on or adjacent to rear or side lot lines.
- (2) Where a subdivision is traversed by a watercourse, there shall be provided a drainage easement or right-of-way conforming with the line of such watercourse and of such width as will be adequate to preserve natural drainage. Such easements shall not be less than 20 feet in width.

505.20 - Sidewalks

- (1) Sidewalks shall be provided for convenient and safe access from parking areas in multi-family and non-residential use areas. Sidewalks are optional in single-family residential development areas.
- (2) Alignment and Gradient

The alignment and gradient of walks shall be coordinated with the grading plan to prevent the passage of concentrated surface water on or across the walk and to prevent the pocketing of surface water. Drainage swales shall not cross walks, nor shall walks be used as drainage-ways. Where conditions are such that the pocketing of water by the intersection of drainage swale and walk cannot be prevented, appropriate drainage structures shall be installed.

- (3) Construction and Design

Walks shall be a minimum of 4'0" width and constructed of bituminous or concrete materials in accord with acceptable engineering practice. Walks edging a parking court, where there may be vehicular overhang, shall be a minimum of six (6) feet wide.

505.21 - Inspection - Responsibility for inspection and supervision of improvements shall rest with the developer and a registered professional engineer retained by the developer. A certified report prepared by a registered engineer retained by the developer shall be submitted with the final plan to the Township. The report shall certify that the installation of new streets and other improvements required by this ordinance meets the minimum requirements of Shenango Township and this ordinance.

This does not preclude the Township from retaining the right to inspect and supervise the installation of new streets and other improvements required by this ordinance during and after construction if so desired. Notification of the intent to install the improvements shall be given to the Township by the developer prior to starting work.

505.22 - Acceptance of Land Dedicated by Deed for Public Purposes

Offer of Dedication - The Developer shall tender an offer dedicating a street or roadway in writing to the Supervisors of Shenango Township along with a survey plan clearly indicating the improvements within the area proposed for dedication along with a written property description of the proposed dedication.

The Supervisors of the Township may accept by resolution in the name of the Township, any land dedicated by deed to the Township to be used as a road, street or alley. A copy of such resolution, together with a survey of the road, street or alley, showing location and width thereof, shall be filed in the office of the clerk of quarter sessions court.

505.23 - Utilities

Sewage Facilities

- (1) Sanitary sewers shall be designed providing a connection to each lot. Sewers connecting to public systems shall be designed according to the standards of the authority or municipal department operating such system. No storm water shall be allowed to enter sanitary sewers. Proof shall be submitted showing that all plans of sewer extensions have been approved by the Department of Environmental Resources, and approved by the Municipal authority.

In lieu of completion of improvements prior to final approval acceptable surety may be placed with the municipal sewer authority as applicable.

- (2) Design Standards

Design standards including, but not limited to layout, location, alignment, gradient, materials specification, treatment design, etc., shall be in accord with standards of the Municipal Authority and/or as approved by the Department of Environmental Resources, as applicable.

Water

- (1) Public or Central Water Supply Available

Where public or approved central water supply is available, a system shall be designed to furnish an adequate supply of water to each lot, with adequate main sizes and fire hydrant locations to meet the Association of Fire Underwriters specifications for a protected area.

Such system shall be approved by the Township, or the utility company operating the central water system.

(2) Proposed System

If a project system is planned, it shall be approved by the Department of Environmental Resources and the central well drilled, tested and approved prior to plan approval. All land within 100 feet of a project well shall be suitably protected and restricted from development. All lines shall be 6" minimum in size unless smaller sizes are permitted by the Planning Commission and shall be according to the standards of the nearest central or public water supply system if one exists within two miles of the development.

(3) Individual Wells

If the water supply is to be from individual wells, in an area where the adequacy of the ground water supply is questionable in the opinion of the Planning Commission, the developer shall provide at least one test well for each unit of ten or less lots in the subdivision, location of such well to be approved by the Planning Commission.

Test wells shall be drilled, cased, and grout sealed into bed rock, shall not be less than 25 feet deep and shall have a production capacity of not less than five gallons per minute, of safe, potable drinking water as certified by a State or local Health Officer on the basis of bailer test.

Other Utilities

- (1) All other utilities shall be installed according to current utility company policy. Other utilities may include electric, natural gas, phone or other as may apply to a particular project.

505.24 - Utility Approval - Prior to the approval of the final plan where water and/or sewer facilities are intended or required, the facilities shall have been installed and given final approval by the Pennsylvania Department of Environmental Resources, or acceptable surety placed with the responsible agency.

Certification of the installation shall be made by a Professional Engineer and submitted with the final plan. The Township and/or Municipal Authority, as applicable, reserve the right to inspect all improvements during and upon completion of work.

Article VI

Mobile Home Parks

SECTION 600 - Purpose - To provide for specific regulations controlling the development of Mobile Home Parks.

Mobile Home Parks are permitted in the "R-1" Residential - Agricultural Zoning District only and are hereby deemed to be a conditional use wherein the park is subject to the approval of the Shenango Township Board of Supervisors, under standards set forth herein.

- (1) The standards set forth under this section are intended for those Mobile Home Parks where lots within the park are for rental or lease only.
- (2) Where it is intended by the owner or developer to offer Mobile Home lots for sale, standards set forth under Article IV Design Standards of the Mercer County Subdivision and Land Development Regulations shall be applicable.

SECTION 601 - Certification of Registration - All applications for the Certificate of Registration shall be made by the owner of the Mobile Home Park or his authorized representative, in accordance with the Rules and Regulations of the Department of Environmental Resources or its successor.

SECTION 602 - Plan Requirements

- (1) No person, firm, or corporation proposing to open a Mobile Home Park in the R-1 District shall proceed with any construction work on the proposed park until they have obtained from the Supervisors written approval of the preliminary plan of the proposed park, according to procedures herein outlined, and has received the necessary approval of the plans from the Pennsylvania Department of Environmental Resources.
- (2) Preliminary and final plans as required, shall comply in form and content to Sections 607 and 608 of these regulations in-so-far as applicable and the standards set forth herein.
- (3) Storm Water Management Plan - The owner shall prepare and submit for review and approval to the Township a storm water management plan. Such plan shall indicate the proposed storm water handling system, proposed water retention and release schedule to eliminate the effects of uncontrolled water runoff on adjacent properties. Such plan shall conform with any locally adopted storm water management plan and any other applicable regulations. The plan shall be referred to the Mercer County Conservation District for review and comment prior to Plan Approval.

SECTION 603 - Preliminary Plan

- (1) Pre-Application Procedure - The Mobile Home Park developer shall meet with the Supervisors, prior to formal application, to discuss his plans and shall prepare a suitable sketch and plans sufficient to give a general understanding of his purposes. The Supervisors shall inform the developer as to the general suitability of the plans and of any modifications required by these regulations, if deemed advisable.
- (2) Application - The developer shall then prepare and submit a preliminary plan, together with improvement plans and other supplementary material, as required.
- (3) Supervisors Action - The Supervisors shall review the park plan as submitted and within 90 days of submission shall stake formal action on the plan and in writing give approval, conditional approval (giving conditions), or disapproval (giving reasons). The Supervisors shall also ascertain from an Engineer the cost of installing the required improvements and notify the developer of the amount of any improvement bond required.
- (4) Referral to Planning Commission and Zoning Officer - The plans shall immediately be submitted to the Planning Commission and Zoning Officer for review and comment prior to final action by the Supervisors.

SECTION 604 - Final Plan Approval

- (1) Upon completion of any modifications required by the Supervisors and/or upon completion of required improvements as certified by the Zoning Officer or the alternate posting of acceptable surety, the developer may apply for approval of final plans.
- (2) Review - The Supervisors shall review the final plan for conformance with the approved preliminary plans and all requirements of these rules and regulations. They shall require a written statement from the Township Secretary that appropriate bond has been posted or that required improvements have been installed, according to specifications. Within 60 days of receipt of complete information, the Supervisors shall approve or disapprove such plan, stating in writing its reasons for disapproval.

The final plans shall be submitted to the Planning Commission and Zoning Officer for review and comment prior to final action by the Supervisors.

- (3) Filing - Following approval, the developer shall file one copy of the approved plan with the Mercer County Recorder's Office within 90 days. Should the developer fail to file such plan within said period, the approval shall be null and void.

SECTION 605 - Design Requirements

- (1) Minimum Area of Tract or Park - The minimum area of the Tract or Park shall be 5 acres. The site shall be so located that soil conditions, groundwater level, drainage, and topography shall not create hazards to the property, health or safety of the occupants or adjacent property owners.
- (2) Length of Residential Occupancy - Parks shall be designed to serve the long-term placement of Mobile Homes.
- (3) Individual Lots - The planning and location of individual lots shall be guided by the following requirements:
 - (a) Access - Each lot shall be directly accessible from an approved internal street without the necessity of crossing any other space.
 - (b) Size - Each Mobile Home lot shall have a minimum lot width of 50 feet and a minimum of 5000 square feet in area.
 - (c) Yard Requirements -
 - (1) Mobile Homes shall be parked on each lot so that there will be a minimum of ten (10) feet between the Mobile Home, appurtenant structures, and any adjacent side or rear lot line.
 - (2) There shall be a minimum of twenty (20) feet between an individual Mobile Home, attached structure, and accessory structure, and the pavement of a park street or common parking area.
 - (3) The setback from the right-of-way of any public street or highway shall conform to R-1 District minimum setback requirements specified in Section 403.4.
 - (4) Mobile Homes shall be located a minimum of twenty (20) feet from any common building or structure.
 - (5) Secondary entrance ways may utilize stoops, landings, patios, or awnings, which may extend a width of five (5) feet within the ten (10) foot yard requirements.
 - (d) Identification - Each lot shall have a number placed on the lot in the form of a sign or directly on the Mobile Home. It shall be arranged in such a way so that it is visible from the road on which the Mobile Home or lot is fronting.
 - (e) Skirting - The plans shall specify that skirting shall be provided on all Mobile Homes.
 - (f) Drainage - Storm drainage plans shall be submitted with the preliminary plan.

(4) Mobile Home Stands

- (a) The location of each Mobile Home Stand shall be at such elevation, distance and angle in relation to the access street so that the removal of the Mobile Home is practical.
- (b) The size of each Mobile Home Stand shall be suitable for the general market to be served by the individual park, be sufficient to fit the dimensions of Mobile Homes anticipated, and sufficient to handle any appurtenant structures and appendages, including prefabricated "Florida rooms", car ports, and storage structures.
- (c) A 1% - 5% gradient longitudinal crown or cross gradient for surface drainage shall be provided.
- (d) Mobile Home Stands shall be either concrete pads or piers. The piers shall be set at least 36 inches deep.
- (e) Each Mobile Home Stand shall provide adequate tie downs, able to withstand a wind pressure of 15 lbs. per square foot on an exposed vertical surface.

(5) Internal Street System - The internal street system in privately owned Mobile Home Parks shall be privately owned, constructed, and maintained in accordance with the applicable sections set forth in Article IV, Design Standards of the Mercer County Subdivision and Land Development Regulations, excepting street widths, which shall be governed by the following minimum requirement:

Street widths for surfaced roadways shall be adequate to accommodate anticipated traffic, and in any case, shall meet the following minimum requirements:

	Surfaced Width
One or two-way, with no parking	22 feet
One or two-way, with parking on one side only	28 feet
One or two-way, with parking on both sides	34 feet

- (6) Street Widths at Access Points - At points where general traffic enters or leaves the park, streets shall be 35 feet in width within 20 feet of the existing public street to permit free movement from or to the stream of traffic on the public street, and no parking shall be permitted which in any way interferes with such free movement.
- (7) Cul-de-sac Streets - Shall be provided with a turnaround having an outside roadway diameter of at least 80 feet.
- (8) Parking Spaces - Car parking spaces, at a minimum size of 9x20 feet, shall be provided in sufficient number to meet the needs of the occupants of the property and their guests, without interference with normal movement of traffic. Such facilities shall be provided at the rate of at least two (2) parking spaces for each Mobile Home lot, located in adjacent parking bays. If no on-street parking is permitted, then an additional parking

space for each four (4) lots shall be provided for guest parking and for delivery and service vehicles. Required car parking spaces shall be located for convenient access to the Mobile Home Stands.

- (9) Recreation - For a proposed park of fifteen (15) acres or more, at least 5% shall be reserved or dedicated for recreation purposes with appropriate location, dimensions and topographic characteristics which lend themselves to recreational use.

SECTION 606 - Utility and Fire Requirements

- (1) General - In accordance with the Rules and Regulations, Commonwealth of Pennsylvania, Department of Environmental Resources, provisions for all sewerage disposal and treatment of water supply, including plumbing, refuse disposal and such other information required by the Department of Environmental Resources shall be shown on plans and submitted to and approved by the Department of Environmental Resources.
- (2) Electric - All electrical facilities shall be installed and inspected according to the standards set forth in the latest edition of the National Electrical Code and the local Power Company regulations. All Electrical Facilities shall be inspected as required by the Commonwealth Electric Inspection, Middle Department Inspection Agency, Atlantic-Inland Inc., or other inspection companies acceptable and approved by the Commonwealth of Pennsylvania.
- (3) Fire -
 - (a) General - For the safety and welfare of the residents and future residents of the Mobile Home Park, the following fire regulations shall be incorporated into the Park. All fire safety plans shall be approved by the local designated Fire Chief.
 - (b) Fire hydrants shall hereafter be required on any new Mobile Home Park of ten (10) lots or more, where the extension of central water lines, whether public or private, are proposed for the Mobile Home Park development.
 - (1) Hydrant size and type of all hydrants installed shall be of a standard size and type as specified by the municipality and the designated Fire Chief.
 - (2) Spacing - Hydrant spacing shall be adequate to serve all lots within the Mobile Home Park. Hydrants shall be arranged not more than 1000 feet apart from one another. Where an existing hydrant is less than 1000 feet from the park, the existing hydrant shall be deemed satisfactory and spacing can be determined and shown, taking the existing hydrant into consideration.
 - (3) Location - Hydrants shall be located within dedicated easements.
 - (4) Design - The proposed locations of fire hydrants shall be shown on the submitted plans. Any existing fire hydrants less than 1000 feet from the

proposed park, shall be shown in the vicinity sketch with an exact distance in feet from the hydrant to the nearest lot line of the Mobile Home Park.

(c) In areas where there are no central water line extensions proposed, the following standards for fire safety shall be incorporated into the park. The developer retains the option of installing either the tank or pond system.

(1) The Tank System - An approved underground, static water tank of not less than 300 gallons suitably arranged for fire department drafting at a spacing of 500 feet. In addition:

- The Tank shall be designed to permit a discharge of no less than 500 gallons per minute.
- Each tank shall have two combination vent pipe and dump valve openings above ground. The openings shall be 24" square covered by either a removable type lid or a hinged type lid.
- Each tank shall have an approved outlet above ground, no less than four and one-half inches (4 ½) in diameter. This outlet shall be encased in a hydrant for drafting, with at least two - two and one-half inch (2 1/1) outlets.

(2) The Pond System - A water pond shall be located in such a way as to service all park lots. The pond shall be utilized by a "Dry Hydrant" type of outlet. The volume of water within the pond shall be sufficient, as determined by the Fire Chief to adequately serve all park lots.

In addition, a cyclone fence at a minimum height of six (6) feet with single strand barbed wire shall enclose the pond. The fence shall have a gate of sufficient size to allow unobstructed passage of fire equipment.

(4) Exterior Lighting - Adequate lights shall be provided to illuminate streets, driveways, and walkways for the safe movement of vehicles and pedestrians at night. Lighting fixtures shall be no less than 0.5 foot candle power per pole.

SECTION 607 - Preliminary Plan Requirements

(1) The preliminary plan shall be at a minimum scale of fifty (50) feet to the inch and may be done in pencil on tracing paper or its equivalent.

(2) The preliminary plan shall show or be accompanied by the following information:

(a) Vicinity sketch at a scale of not less than 1" = 1,000' showing the relationship of the plat to its general surroundings and showing the following details:

- (1) Existing or mapped streets within 1,000' of the mobile home park.
- (2) Proposed streets with connections to existing or mapped streets.

- (3) Municipal boundaries within 1,000' of the tract.
 - (4) Public sewer and water lines within 1,000' of the tract plus any other power, gas, or other public utility easements which may go through or over the property. If connection to the site is proposed, only those proposed for access need be shown.
 - (5) Any previous lots sold from the tract with the dates of transfer from the original tract and the names of the present owners.
- (b) Proposed mobile home park name or identifying title.
 - (c) Municipality in which the park is located.
 - (d) North point, scale and date. Graphic scale shall be required.
 - (e) Name of the owner of the property or his authorized agent.
 - (f) Name of the registered engineer, surveyor or architect responsible for the plan.
 - (g) Tract boundaries with bearings and distances at an appropriate scale. The traverse of the exterior boundaries of the tract and of each block when computed from the field measurements of the ground shall close within a limit of error of one (1) foot to 10,000 feet of the perimeter before balancing the survey.
 - (h) Contours at vertical interval of two (2) feet are necessary when new streets are proposed and must be drawn to the same scale as the plan. In cases of no new streets, contours may be waived.
 - (i) Datum to which contour elevations refer. Where reasonably practicable, data shall refer to known, established elevations.
 - (j) All existing water courses and other significant natural features.
 - (k) All existing buildings, sewers, water mains, culverts, petroleum or petroleum products lines, fire hydrants, and other significant man-made features.
 - (l) All existing streets on and abutting the tract, including name, right-of-way width and cartway width.
 - (m) Location and width of all existing private lanes.
 - (n) All existing property lines, easements and rights-of-way, and the purpose for which the easements or rights-of-way have been established.
 - (o) Location and width of all proposed streets, alleys, rights-of-way, and easements; proposed lot lines with approximate dimensions and bearings; proposed minimum building line for each street; playgrounds, public buildings; public areas and parcels of land proposed to be dedicated or reserved for public use, if any.

- (p) Wherever practicable, the preliminary plan shall show the names of owners of all abutting unplotted land and the names of all abutting subdivisions and their lot numbers.
- (q) Where the preliminary plan covers only a part of the developer's entire holding, a sketch shall be submitted of the prospective street layout for the remainder, at a scale of one hundred (100) feet to the inch.
- (r) Where sewage disposal is to be provided by on-the-lot facilities, the developer, through his engineer, shall furnish a report of sub-surface conditions on the tract, revealing the results of soil absorption tests conducted in accord with the recommended practices of the Pennsylvania Department of Environmental Resources. Such report shall indicate the approval of the Pennsylvania Department of Environmental Resources in all cases.
- (s) All necessary street data required in the Mercer County Subdivision and Land Development Regulations, as amended.
- (t) All proposed sanitary sewer facilities and water facilities including approval of such plans by the Pennsylvania Department of Environmental Resources.
- (u) A drainage plan shall be shown for the entire parcel and submitted for preliminary approval. A fee of \$30.00 must be submitted with the plan.
- (v) Signature block for preliminary approval of the Mercer County Regional Planning Commission and Shenango Township Board of Supervisors.

SECTION 608 - Final Plan Requirements - If the plan is submitted for preliminary and final approval at the same time, all requirements of the preliminary plan shall be met.

- (1) The final plan submitted for final approval shall be drawn on mylar or its equivalent with black India Ink.
- (2) Final Plans shall be on sheets no smaller than 18" x 24" nor larger than 24" x 36" overall. The plan shall be at a scale and include a minimum lettering size which permits a legible drawing.
- (3) The final plan shall be at a minimum scale of fifty (50) feet to the inch and shall include the following information:
 - (a) Vicinity sketch, at a scale of not less than 1" = 1000', showing the relationship of the plat to its general surroundings and showing the following details.
 - (1) Existing or mapped streets within 1000' of the mobile home park.
 - (2) Proposed streets with connections to existing or mapped streets.

- (3) Municipal boundaries within 1000' of the tract.
 - (4) Public sewer and water lines within 1000' of tract plus any power, gas or other public utility easements which may go through or over the property. If connection to site is proposed, only those proposed for access need to be shown.
 - (5) Any previous lots sold from the tract with dates of transfer from the original tract and the names of the present owners.
- (b) Mobile home park name or identifying title. (A Replat shall carry the name of the original mobile home park of record.)
 - (c) North point, graphic scale and date.
 - (d) Name and address of the owner and developer.
 - (e) Name and seal of the registered professional engineer or surveyor responsible for the plan plus accuracy statement.
 - (f) Tract boundaries with bearings and distances at an appropriate scale.
 - (g) Street lines, lot lines, rights-of-way, easements and areas dedicated or proposed to be dedicated to public use.
 - (h) Sufficient data to determine readily the location, bearing and length of every street, lot and boundary line and to reproduce such lines upon the ground.
 - (i) The length of all straight lines, radii, curves and tangent bearings for each street.
 - (j) Each area proposed to be dedicated to public use shall be designated.
 - (k) The proposed front yard setback line for each street with dimensions plus all existing buildings shall be shown.
 - (l) Location, size and invert elevation of all sanitary and storm sewers and location of all manholes, inlets and culverts existing and proposed. Water facilities shall be shown in all cases as well.
 - (m) All dimensions shall be shown in feet and hundredths of a foot.
 - (n) Lots within a mobile home park shall be numbered.
 - (o) Names of existing and proposed streets within and abutting the mobile home park shall be shown including right-of-way and cartway widths.
 - (p) Permanent reference monuments shall be shown in the plan thus "Δ", and all corner markers shall be shown thus "I.P.". All monuments shown on the Final Plan shall be located and installed under the direction of a registered surveyor or engineer.

All corner markers shall be firmly located and shall be at least a 3/4" metal pin with a minimum length of 36" located in the ground to finished grade.

- (q) Wherever practicable, names of the owners or name of plan of any adjoining subdivision shall be shown.

Article VII

"B-1" Business Neighborhood Service Zoning District

SECTION 700 - Purpose of Zoning District - To provide a Zoning District which will encourage the establishment and maintenance of those office, retail, and service business establishments essential to the efficient functioning of a residential neighborhood in such manner that it will preserve the essential character of the adjoining Residential Zoning District.

SECTION 701 - Use Regulations - Provided:

- (1) Any business, servicing, storage, or processing shall be conducted within a completely enclosed building, except for parking and loading facilities and for "drive-in" type establishments offering goods or services to customers waiting in parked motor vehicles.
- (2) Any business establishment shall deal directly with the consumer only.
- (3) All work done shall be for sale on the premises.
- (4) Any display of goods shall be in back of the building setback line.

701.1 - Permitted Principal Uses:

- (1) Automotive Service Establishment - Such as automotive gasoline service station, automotive garage, provided:
 - (a) It shall not be located within 100 feet of any lot line of any Residential Zoning District.
 - (b) Car washes are permitted by special exception subject to provisions in Section 1601.4.
 - (c) Any equipment for the service of gas, oil, air, water, or repair work shall not be less than:
 - (1) 15 feet from any street or alley.
 - (2) less than 50 feet from any lot line of any residential zoning district.
 - (3) less than 100 feet from any lot line of a hospital, church or school.
- (2) Club, such as: membership club, lodge, fraternal organization building.
- (3) Eating Establishment.
- (4) Governmental or Governmental Authority Facility, Service Structure and/or Use, provided:
 - (a) It shall serve as a community facility or be reasonably necessary for the adequate distribution of services.

- (b) It shall be authorized by a governmental agency.
- (5) Health Service Establishment: physician's office, medical clinic, dental clinic.
- (6) Office Establishment: office, office building, studio, medical clinic, dental clinic.
- (7) Personal Service Establishment, such as: barber shop, beauty parlor, dry cleaning or clothes pressing pick-up station, automatic self-service laundry, lending library, bank, mortuary, shoe repair shop; excluding, however, adult entertainment establishments as same is defined by this Ordinance.
- (8) Public Utility Facility, Service Structure and/or Use, such as a telephone exchange building, gas or water regulator station, electric power or light sub-station, business facility, provided:
 - (a) It shall not include any type of equipment which will in any way interfere with local radio or television or otherwise be detrimental to the surrounding area.
 - (b) It shall not include a repair facility, storage of materials, storage of any repair or trouble crew outside a structure.
 - (c) It shall be reasonably necessary to the adequate distribution of service.
- (9) Retail Establishment, such as: book and stationary store, drug store, dry goods store, hardware store, variety store.
- (10) Funeral Homes
- (11) Essential Services
- (12) Any R-2 Zoning District Permitted Principal Use

701.2 - Permitted Accessory Uses:

- (1) Processing, Cleaning, Servicing, Testing or Repair
 - (a) Except in an automotive service establishment, it shall be entirely within the principal structure.
- (2) Service Facility on a Lot Occupied by an Automotive Service Establishment for the Service of gas, oil, air or water or repair facility, provided:
 - (a) Any such equipment shall not be less than 15 feet from any alley or street nor less than 50 feet of any lot line in any Residential Zoning District or 100 feet from any lot line of a hospital, church or school.
- (3) Storage of Inflammable Liquids on a Lot Occupied by an Automotive Service Establishment or Transportation Terminal Establishment, provided: it shall be approved by the Shenango Township Fire Chief and Commonwealth of Pennsylvania.

- (4) Any R-2 Zoning District Permitted Accessory Use
- (5) Any Other Accessory Use, provided:
 - (a) It shall be customarily incidental and subordinate to the permitted principal use.
 - (b) It shall be located on the same zoning lot as the principal use.
 - (c) It shall be approved by the Zoning Hearing Board.

701.3 - Permitted Accessory Signs, - (Subject to provisions prescribed in Article XI).

701.4 - Required Parking and/or Loading Facilities - (Subject to provisions prescribed in Article XII).

SECTION 702 - Height Regulations - (signs subject to provisions prescribed in Article XI).

702.1 - Principal Structures -

- (1) Maximum Height - Not to exceed 40 feet.

702.2 - Accessory Structures -

- (1) Maximum Height - Not to exceed the height of the principal structure.

SECTION 703 - Area Regulations - (Signs subject to provisions prescribed in Article XI).

703.1 - Principal and Accessory Structures -

- (1) Minimum Lot Area - 20,000 square feet or 32,000 square feet where sanitary sewage disposal is provided by individual on-lot system. Street right-of-way shall not be used in determining minimum lot size.
- (2) Minimum Lot Width - 100 feet
- (3) Maximum Percentage of Lot Coverage - 50 percent, including principal and accessory structures.
- (4) Minimum Front Yard Depth - Building setback line shall be 100 feet on all roads classified by the Pennsylvania Department of Transportation as arterial or collector, and 75 feet on all other roads or streets. Measurements are to begin at the centerline of the streets.
- (5) Minimum Distance to a Lot Line of any "R" Zoning District - 50 feet, unless otherwise specified. Minimum distance from the lot line of any existing church, hospital, playground or any public building, shall be 100 feet.
- (6) Minimum Distance to any other Lot Line - 20 feet.

SECTION 704 - General Regulations - Nothing herein contained shall be construed to permit the use of land or buildings for the storage of junk or a junk yard. Storage of junk is prohibited except in the "I" Industrial Zoning District.

SECTION 705 - Development Regulations

705.1 - Provisions of Use - Any permitted principal and/or accessory use shall be subject to the following use regulations.

- (1) For commercial uses located on corner lots where one street is predominantly residential and one street is predominantly commercial, any commercial structure shall front on the street which is predominantly commercial.
- (2) All accessory storage of junk, waste, discarded or salvaged material, machinery or equipment, including automobile, truck, or other vehicle parts shall not be permitted except within a completely enclosed structure.
- (3) Adequate storm drainage facilities shall be installed to ensure that stormwater does not flow onto abutting property, sidewalks, or streets in such quantities as to cause detrimental effect or inconvenience. Maximum rates of stormwater runoff from the property after development shall not be greater than as existed prior to the development.
- (4) Any part or portion of a lot developed for "B-1" District uses which is not used for buildings, other structures, parking or loading spaces, or aisles, driveways, sidewalks, and designated storage areas shall be planted and maintained with grass or other all season groundcover vegetation. Grass shall be kept neatly mowed. Landscaping with trees and shrubs is permitted and encouraged.

Any off-street parking area located in a required front yard building setback shall be located at least 5 feet from the road right-of-way with the area in-between the road right-of-way and parking maintained according to the previous paragraph.

- (5) It shall not emit any noxious, toxic, or corrosive fumes or gasses nor shall it emit any offensive odors.
- (6) It shall provide necessary shielding or other protective measures against interference occasioned by mechanical equipment, or uses or processes with electrical apparatus.
- (7) All exterior lighting shall be so placed and shielded so as not to create a nuisance for adjacent properties.

705.2 - Buffer and Screening Requirements - Where any permitted principal and/or accessory use, excluding Governmental authority or public utility facility uses, abuts any land zoned "R" Residential, the following buffer and screening shall be required. These requirements shall apply in instances where such use is being newly developed on vacant land, expanded in floor area by 50% or greater, or removed and a new use developed.

- (1) A buffer strip at least 10 feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts an "R" District. Buffer strips shall not be used for parking, storage of vehicles, equipment, or materials, nor for any other use incompatible with their purpose as a visual, noise, dust, and pollution barrier.
- (2) The buffer strip shall contain suitable screening, defined as either of the following:
 - (a) A solid fence or wall, architecturally compatible with existing structures in the area, no less than 5 feet nor more than 8 feet in height; or
 - (b) A sight-obscuring planting of evergreens, not less than 4 feet in height at the time of planting and of a variety that will maintain full, dense growth from the ground up to a height of not less than 6 feet upon maturity, planted at a spacing of the lesser of 8 feet or the diameter of a mature specimen of the species being planted.
- (3) Areas of the buffer strip not covered with a fence, wall, or screening plantings, shall be planted with grass or other appropriate ground cover vegetation.
- (4) Installation and maintenance of the buffer and screening shall be the responsibility of the owner of the property on which the "B-1" District permitted use is located. Installation must be completed prior to issuance of a Certificate of Use and Occupancy by the Zoning Officer. Fences or walls must be maintained in safe and structurally sound condition. Dead or diseased plants shall be removed and replaced in a timely manner. Grass shall be kept neatly mowed.

Article VIII

"B-2" Business-Highway Service Zoning District

SECTION 800 - Purpose of Zoning District - To provide a Zoning District in which will be encouraged the establishment of and maintenance of business establishments principally designed to serve the motoring public, and such other uses that are dependent on highway access and to encourage sound development at major interchange areas involving access to Interstate or other limited access highways.

SECTION 801 - Use Regulations -

801.1 - Permitted Principal Uses:

- (1) Amusement Establishment such as: auditorium, bowling alley, club, dance hall, miniature golf course, pool hall, skating rink, theater, other social sport, or recreation center operated as a business, provided:
 - (a) Any entrance to such establishment shall not be within 100 feet of any lot line of a lot on which there is located any church, hospital, library or school.
- (2) Automotive Service Establishments, such as: automotive gasoline service station, automotive garage, automotive laundry, automatic and self-service car washes, automotive sales area, automotive sales and/or parts sales building, provided: including but not limited to a fuel service station, repair and service facility, car and/or truck wash, automotive sales, and auto parts sales, provided:
 - (a) It shall not be located within 100 feet of any lot line in any Residential Zoning District.
 - (b) Car washes permitted by special exception subject to provisions in Section 1601.4.
- (3) Eating and/or Drinking Establishment
- (4) Governmental or Governmental Authority Facility, Service Structure and/or Use, provided:
 - (a) It shall serve as a community facility or be reasonably necessary for the adequate distribution of services.
 - (b) It shall be authorized by a governmental agency.
- (5) Parking Lots and/or Parking Structure, provided:
 - (a) There shall not be any vehicle parked within 10 feet of any Residential Zoning District.

- (b) There shall not be any automotive repair facilities located on the lot or any automotive repairs made on any vehicle located thereon.
 - (c) There shall not be any storage of materials, junk, or any equipment on the lot.
 - (d) There shall not be any vehicle parked in front of the front or side street setback building line.
- (6) Public Utility Facility, Service Structure and/or Use.
 - (7) Retail Establishment, such as nursery, greenhouse, antique shop, novelty shop, farm commodities stand, farmer's auction market; excluding, however, adult entertainment establishments as same is defined by this Ordinance.
 - (8) Motel, Hotel, Motor Inn, excluding, however, adult entertainment establishments as same is defined by this Ordinance.
 - (9) Transportation Terminal Establishment, such as: aircraft passenger station, bus passenger station, railroad passenger station, motor freight terminal, motor freight relay station, fuel stops and like establishments, provided, however, that a motor freight terminal shall be subject to the following:
 - (a) The site for motor freight terminals must be located no closer than 500 feet from an existing residential zone.
 - (b) Any exit or entrance located therein shall not be within 100 feet of any lot line of a lot upon which there is located a dwelling unit.
 - (c) The site shall be designed in such a manner as to permit forward movement of all vehicles, both upon entering and leaving the site.
 - (d) Site plans must be submitted to and reviewed by the Township Planning Commission and approved by the Supervisors prior to the issuance of the building permit and/or occupancy permit.
 - (10) Any B-1 Zoning District Permitted Principal Use.

801.2 - Permitted Accessory Uses:

- (1) Service Facility on a Lot Occupied by an Automotive Service Establishment or Transportation Terminal Establishment for the Service of Gas, Oil, Air or Water or Repair Facility, provided:
 - (a) Any such equipment shall not be less than 15 feet from any alley or street nor less than 50 feet of any lot line of any Residential Zoning District or 100 feet from any lot line of a hospital, church, or school.

- (2) Storage of Inflammable Liquids on a Lot Occupied by an Automotive Service Establishment or Transportation Terminal Establishment, provided: it shall be approved by the Shenango Township Fire Chief and Commonwealth of Pennsylvania.
- (3) Any B-1 Zoning District Permitted Accessory Use
- (4) Any Other Accessory Use, provided:
 - (a) It shall be customarily incidental and subordinate to the permitted principal use.
 - (b) It shall be located on the same zoning lot as the principal use.
 - (c) It shall be approved by the Zoning Hearing Board.

801.3 - Permitted Principal and/or Accessory Signs - (Subject to provisions prescribed in Article XI).

801.4 - Required Parking and/or Loading Facilities - (Subject to provisions prescribed in Article XII).

SECTION 802 - Height Regulations - (Signs subject to provisions prescribed in Article XI).

802.1 - Principal Structures -

- (1) Maximum Height - Not to exceed 40 feet.

802.2 - Accessory Structures -

- (1) Maximum Height - Not to exceed the height of the principal structure.

SECTION 803 - Area Regulations - (Signs subject to provisions prescribed in Article XI).

803.1 - Principal Structures -

- (1) Minimum Lot Area - 32,000 square feet. The street right-of-way shall not be used in determining lot size.
- (2) Minimum Lot Width - 150 feet.
- (3) Maximum Percentage of Lot Coverage - 50 percent.
- (4) Minimum Distance to Road Centerline – 100 feet for all arterial or collector streets and 75 feet for all other streets.
- (5) Minimum Distance to a lot line of any "R" Zoning District, or property line of any existing church shall be 100 feet.
- (6) Minimum Distance to Any Other Lot Line - 25 feet, unless otherwise specified.

803.2 - Accessory Structures -

- (1) Maximum Sum of Ground Floor Areas - 40 percent of the gross floor area of the principal structure.
- (2) Minimum Distance to Street Right-of-Way - 125 feet, except business signs.
- (3) Minimum Distance to Fuel Pump Islands - Shall be 60 feet from street right-of-way.
- (4) Minimum Distance to a lot line of any "R" Zoning District, or property line of any existing church shall be 100 feet.

SECTION 804 - General Regulations - Nothing herein contained shall be construed to permit the use of land of building for the storage of junk or a junk yard. The storage of junk is prohibited except in the "I" Industrial Zoning District.

SECTION 805 - Development Regulations

805.1 - Provisions of Use - Any permitted principal and/or accessory use shall be subject to the following use regulations.

- (1) For commercial uses located on corner lots where one street is predominantly residential and one street is predominantly commercial, any commercial structure shall front on the street which is predominantly commercial.
- (2) Any business, servicing, or processing shall be conducted within a completely enclosed building, except for parking and loading facilities and for "drive-in" type establishments offering goods or services to customers waiting in parked motor vehicles.
- (3) All accessory storage of junk, waste, discarded or salvaged material, machinery or equipment, including automobile, truck or other vehicle parts shall not be permitted except within a completely enclosed structure.
- (4) Any business establishment shall deal directly with the consumer only and any work done on the premises shall be for sale on the premises.
- (5) Any display of goods shall be in back of the building setback line.
- (6) Adequate storm drainage facilities shall be installed to ensure that stormwater does not flow onto abutting property, sidewalks or streets in such quantities as to cause detrimental effect or inconvenience. Maximum rates of stormwater runoff from the property after development shall not be greater than as existed prior to the development.
- (7) Any part or portion of a lot developed for "B-2" District uses which is not used for buildings, other structures, parking or loading spaces or aisles, driveways, sidewalks and designated storage areas shall be planted and maintained with grass or other all season

groundcover vegetation. Grass shall be kept neatly mowed. Landscaping with trees and shrubs is permitted and encouraged.

Any off-street parking area located in a required front yard building setback shall be located at least 5 feet from the road right-of-way with the area in between the road right-of-way and parking maintained according to the previous paragraph.

- (8) It shall not emit any noxious, toxic, or corrosive fumes or gasses nor shall it emit any offensive odors.
- (9) It shall provide necessary shielding or other protective measures against interference occasioned by mechanical equipment or uses or processes with electrical apparatus.
- (10) All exterior lighting shall be so placed and shielded so as not to create a nuisance for adjacent properties.

805.2 - Buffer and Screening Requirements - Where any permitted principal and/or accessory use, excluding governmental authority or public utility facility uses, abuts any land zoned "R" Residential,, the following buffer and screening shall be required. These requirements shall apply in instances where such use is being newly developed on vacant land, expanded in floor area by 50% or greater, or removed and a new use developed.

- (1) A buffer strip at least 10 feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts a "R" District. Buffer strips shall not be used for parking, storage of vehicles, equipment or materials, nor for any other use incompatible with their purpose as a visual, noise, dust and pollution barrier.
- (2) The buffer strip shall contain suitable screening, defined as either of the following:
 - (a) A solid fence or wall, architecturally compatible with existing structures in the area, no less than 5 feet nor more than 8 feet in height; or
 - (b) A sight-obscuring planting of evergreens, not less than 4 feet in height at the time of planting and of a variety that will maintain full, dense growth from the ground up to a height of not less than 6 feet upon maturity, planted at a spacing of the lesser of 8 feet or the diameter of a mature specimen of the species being planted.
- (3) Areas of the buffer strip not covered with a fence, wall or screening plantings shall be planted with grass or other appropriate ground cover vegetation.
- (4) Installation and maintenance of the buffer and screening shall be the responsibility of the owner of the property on which the "B-2" District permitted use is located. Installation must be completed prior to issuance of a Certificate of Use and Occupancy by the Zoning Officer. Fences or walls must be maintained in safe and structurally sound condition. Dead or diseased plants shall be removed and replaced in a timely manner. Grass shall be kept neatly mowed.

Article IX

Light Industrial Zoning District

SECTION 900 - Purpose -The purpose of this district is to establish an industrial zone for light manufacturing and processing. In order to provide a healthful operating environment for industry, for the protection of industry from the encroachment of commercial and residential uses adverse to the operation and expansion of such industry, to protect industries within the district from the adverse effect of other incompatible industries and at the same time to reduce to a minimum, the impact of industries on surrounding non-industrial land uses, to lessen traffic congestion, to protect the health and safety of the residents and workers in the area and to prevent detrimental effects to the use or development of adjacent properties and the surrounding areas.

SECTION 901 - Use Regulations

901.1 - Principal Uses Permitted

- (1) Truck terminal establishment.
- (2) Textile products.
- (3) Food processing plants.
- (4) Apparel and other finished products made from fabrics and similar materials.
- (5) Lumber and wood products.
- (6) Printing, Publishing and Allied Industries.
- (7) Leather and leather products.
- (8) Electrical and electronic machinery equipment and supplies.
- (9) Measuring, analyzing, and controlling instruments.
- (10) Distribution and warehousing.
- (11) Heavy equipment storage area.
- (12) Residences.
- (13) Printing Establishments.
- (14) Conditional use for sanitary landfills, waste transfer station, or similar facilities whose principal use is processing, storage and/or disposal of solid or hazardous waste, only upon application to and approval by the Township Board of Supervisors and after referral to the Township Planning Commission for review and recommendations. Prior to

approval by the Township Supervisors, the applicant for such conditional use shall comply with the following conditions:

- (a) The applicant shall comply with all applicable regulations and requirements of the Commonwealth of Pennsylvania and/or federal government and shall present to the Township Supervisors an approved permit for the proposed facility from the appropriate state and/or federal permitting authority.
- (b) The applicant shall provide the Township with a copy of the permit application submitted to the appropriate state and/or federal permitting authority and all accompanying site plans, engineering data, and other information.
- (c) The applicant shall grant a right of entry to the proposed facility to the Township Board of Supervisors or its authorized representatives, upon written request by the Township, in order to inspect the facility and ensure that all applicable regulations and requirements are being met while the facility is in operation.
- (d) The Township Board of Supervisors may impose other conditions, based on consideration of the unique physical conditions and natural and man-made characteristics of the proposed facility site and its surroundings, which do not violate the minimum standards of the Commonwealth of Pennsylvania and/or federal government and which are reasonably necessary to provide maximum protection to the Township's underground and surface water supplies and to minimize adverse impacts to surrounding properties.

(15) Any B-2 Zoning District Permitted Principal Use

901.2 - Permitted Accessory Uses

- (1) Administrative, professional, business offices associated with and accessory to a permitted use.
- (2) Cafeteria, Cafe, Restaurant or Auditorium incidental to a permitted use.
- (3) Non-commercial recreational facilities.
- (4) Loading Area, provided:
 - (a) There shall not be any storage of material, junk, or any equipment on the area.
 - (b) There shall not be any repair facilities located on the area or any repairs made on any vehicle located thereon.
 - (c) There shall not be any vehicle loading or unloading within ten feet from any front or side setback building line.
- (5) Hospital Use, incidental to a permitted use.
- (6) Any B-2 Zoning District Permitted Accessory Use

901.3 - Provisions of Use - Any permitted principal and/or accessory use shall be subject to the following use regulations:

- (1) All accessory storage of junk, discarded or salvaged material, machinery or equipment (including automobile, truck, or other vehicle parts), shall not be permitted except within a completely enclosed structure, or if the lot area devoted to such use is over 200 square feet in area, the owner may have the alternative of enclosing it on all sides except for an exit and entrance not over 25 feet in width by a solid fence or wall at least 6 feet in height and maintained in good condition or by a cyclone or equal wire fence at least 6 feet in height and surrounded, except for an exit not over 25 feet in width, by evergreens at least 6 feet in height and planted not further apart than 6 feet so as to form a solid screen.
- (2) It shall be carried on only in buildings classified as fire resistant and be carried on in such a manner with such precautions against fire and explosion hazards as to produce no exposure hazards to an adjacent property.
- (3) It shall provide necessary shielding or other protective measures against interference occasioned by mechanical and nuclear equipment, or uses or processes with electrical apparatus, to nearby residences.
- (4) Adequate storm drainage facilities shall be installed to ensure that stormwater does not flow onto abutting property, sidewalks, or streets in such quantities as to cause detrimental effect or inconvenience. Maximum rates of stormwater runoff from the property after development shall not be greater than as existed prior to the development.
- (5) Any part or portion of a lot developed for industrial uses which is not used for buildings, other structures, active landfilling areas in approved sanitary landfills, parking or loading spaces, or aisles, driveways, sidewalks, and designated storage areas shall be planted and maintained with grass or other all season ground cover vegetation. Grass shall be kept neatly mowed. Landscaping with trees and shrubs is permitted and encouraged.
- (6) Any off-street parking area located in a required front yard building setback shall be located at least 5 feet from the road right-of-way with the area in between the road right-of-way and parking maintained according to Section 901.3 (5).
- (7) All exterior lighting shall be so placed and shielded so as not to create a nuisance for adjacent properties.
- (8) It shall comply with all applicable pollution control regulations enacted by the federal and state government and other governmental authorities.

901.4 - Buffer and Screening Requirements - Where any permitted principal and/or accessory use abuts any residentially-zoned land, the following buffer and screening are required:

- (1) A buffer strip at least 30 feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts a residentially-zoned district. Buffer strips

shall not be used for parking, storage of vehicles, equipment, or materials, nor for any other use incompatible with their purpose as a visual, noise, dust, & pollution barrier.

- (2) The buffer shall be planted with evergreens capable of obtaining and maintaining a dense growth to a full height and a full diameter of no less than 12 feet. The minimum height at the time of planting shall be 4 feet. Plants shall be situated in two rows within the buffer strip, each row being located at least 10 feet from the edge of the buffer strip. Plants in each row shall be spaced no more than 20 feet center-to-center and the two rows shall be situated in an alternating pattern so that the trees in one row are located centrally between the trees in the other row. Plants shall be allowed to obtain a minimum height of 12 feet and shall not be trimmed below that height thereafter.
- (3) Installation and maintenance of the buffer and screening shall be the responsibility of the owner of the property on which the industrial use is located. Installation must be completed prior to issuance of a Certificate of Use and occupancy by the Zoning Officer. Dead or diseased plants shall be removed and replaced in a timely manner. Grass shall be kept neatly mowed.

SECTION 902 - Site Plan - All permitted uses shall submit and have reviewed by the Planning Commission and approved by the Township Board of Supervisors a site plan, prior to the issuance of a building permit. Site plans shall include the following information and be submitted in triplicate (3 copies) with the application for the building permit: 1 copy for the Zoning Officer, 1 for the Planning Commission and 1 for the Board of Supervisors.

If site plans in the detail prescribed herein were submitted and approved at the time of request for amendment for that part requested in the permit application, they need not be submitted again. The site plan shall include the following information:

- (1) Tract boundaries - drawn to appropriate scale.
- (2) Location of the following:
 - (a) All proposed and existing buildings principal and accessory,
 - (b) Parking and loading areas,
 - (c) Access Drives,
 - (d) Traffic patterns,
 - (e) Signs location and type,
 - (f) All utility lines including electric, gas, water, and sewer,
 - (g) Storage areas and screening, if necessary,
 - (h) Any buffer area required and type of material to be used,
 - (i) Approval of proposed water, sewer, and waste disposal systems by the Pennsylvania Department of Environmental Resources,
 - (j) Approval of air and water pollution proposals,
 - (k) Drainage Plan of site and how it will effect adjacent properties. Existing and finished grade, on-site drainage and effect on adjacent drainage ways and land shall

be submitted. These plans shall be prepared by a registered professional engineer, architect or surveyor.

- (3) The Planning Commission shall consider the appropriateness of the site plan and the design of the buildings in relation to the physical characteristics of the site, the character of the neighborhood, and the most beneficial prospective use of the land in the neighborhood.
- (4) Any proposed access roads which are to be maintained by the Township are subject to the following:
 - (a) Must be installed to the requirements of the Township,
 - (b) If not installed at the time a permit is issued, a bond or other security satisfactory to the township shall be posted with the Township in an amount sufficient to cover the cost of construction of the road in the event it is not completed by the applicant or his contractor. Written notification of the filing of such bond or other security must be submitted to the Board of Supervisors prior to the approving of a site plan and the issuance of a building permit.
- (5) All other requirements of the Zoning Ordinance must be met, including:
 - (a) Minimum front, side and rear yards,
 - (b) Parking and loading requirements,
 - (c) Sign requirements,
 - (d) Height requirements,
 - (e) Area regulations.
- (6) Before granting any such site approval, the Planning Commission shall obtain a report thereon from the Township Engineer, if one has been retained, and such other Township officers as may be deemed necessary, with special attention to the effect of such approval upon existing municipal services and utilities. Should additional facilities be needed, the Planning Commission shall forward its recommendations to the Township Supervisors who shall not issue final approval until they have entered into an agreement with the applicant regarding the development of such facilities.
- (7) An applicant wishing to make any changes in a duly approved site or use shall obtain Planning Commission and the Board of Supervisors approval thereof and a new certificate of occupancy.

902.1 - Principal and/or Accessory Signs (Subject to provisions of Article XI).

902.2 - Required Parking and/or Loading Facilities (Subject to provisions prescribed in Article XII).

902.3 - Height Regulations (Signs subject to provisions prescribed in Article XI).

SECTION 903 - Area Regulations (Signs subject to provisions prescribed in Article XI).

903.1 - Minimum Lot Width - 200 feet.

903.2 - Minimum Lot Area - 40,000 square feet.

903.3 - Minimum Distance to a Street Centerline - 125 feet on all roads Classified by the Pennsylvania Department of Transportation as arterial or collector and 100 feet on all other.

903.4 - Minimum Side Yard Requirement - 25 feet on each side.

903.5 - Minimum Distance to a Residential Zone Line - 100 feet.

903.6 - Accessory Structures -

- (1) Maximum Sum of Ground Floor Area - 40 percent of the gross floor area of the principal structure.
- (2) Minimum Distance to Street Right-of-Way - 125 feet, except business signs.
- (3) Minimum Distance to Fuel Pump Islands - Shall be 60 feet from street right-of-way.
- (4) Minimum Distance to a Lot Line of any "R" Zoning District, or property line of any existing church shall be 100 feet.

Article X

Heavy Industrial Zoning District

SECTION 1000 -Purpose - To provide a Zoning District which will:

- (1) Encourage the establishment and maintenance of industrial establishments for the manufacture, assembly, compounding, processing, or storage of products.
- (2) Control industrial uses and other uses which are clearly noxious or offensive by reason of odor, smoke, gas, vibration or noise.

SECTION 1001 - Use Regulations -

1001.1 -Principal Uses Permitted:

- (1) Plant for storage or sales.
- (2) Building supplies.
- (3) Automotive Service Establishment, such as: automotive gasoline service station, automotive repair garage, provided:
 - (a) Any such use or vehicular access thereto shall not be located within two-hundred (200) feet of any "R" District, school, playground or church, if the use is located along the same street and on the same block.
 - (b) No equipment, such as gas or oil pumps, shall be within fifteen (15) feet of the street right-of-way.
 - (c) There shall not be any vehicle parked within fifteen (15) feet of any Residential Zoning District or street right-of-way.
- (4) Motor freight terminal, provided any such use, or vehicular access thereto shall not be located within two-hundred (200) feet of any "R" District, nor any school, playground or church if the use is located along the same street and on the same block.
- (5) Warehousing and wholesaling establishments.
- (6) Industrial Establishments for manufacturing, processing, packing or bottling
- (7) Flammable liquid storage, provided it shall be approved by the Township Fire Chief and the Commonwealth of Pennsylvania.
- (8) Laboratories devoted to research, design, experimentation, processing and fabrication incidental thereto.
- (9) Essential Services

- (10) Junk Yards - See Special Exceptions.
- (11) Conditional use for sanitary landfills, waste transfer station, or similar facilities whose principal use is processing, storage and/or disposal of solid or hazardous waste, only upon application of and approval by the Township Board of Supervisors and after referral to the Township Planning Commission for review and recommendations. Prior to approval by the Township Supervisors, the applicant for such conditional use shall comply with the following conditions:
 - (a) The applicant shall comply with all applicable regulations and requirements of the Commonwealth of Pennsylvania and/or federal government and shall present to the Township Supervisors an approved permit for the proposed facility from the appropriate state and/or federal permitting authority.
 - (b) The applicant shall provide the Township with a copy of the permit application submitted to the appropriate state and/or federal permitting authority and all accompanying site plans, engineering data, and other information.
 - (c) The applicant shall grant a right of entry to the proposed facility to the Township Board of Supervisors or its authorized representatives, upon written request by the Township, in order to inspect the facility and ensure that all applicable regulations and requirements are being met while the facility is in operation.
 - (d) The Township Board of Supervisors may impose other conditions, based on consideration of the unique physical conditions and natural and man-made characteristics of the proposed facility site and its surroundings, which do not violate the minimum standards of the Commonwealth of Pennsylvania and/or federal government and which are reasonably necessary to provide maximum protection to the Township's underground and surface water supplies and to minimize adverse impacts to surrounding properties.

1001.2 - Accessory Uses Permitted:

- (1) Uses customarily incidental to the permitted principal use, provided the accessory use shall be on the same lot as the permitted principal use.
- (2) Signs, as provided for in Article XI.
- (3) Parking and Loading Facilities, as provided for in Article XII.
- (4) Processing, cleaning, servicing, testing or repair, provided it shall be entirely within the principal structure.
- (5) Walls and fences and other landscaping.

- (6) Storage of flammable liquids on a lot occupied by an automotive service establishment, provided that it shall be approved by the Commonwealth of Pennsylvania and the Township Fire Chief.
- (7) Office, restaurant, and hospital use.
- (8) Any other accessory use, provided:
 - (a) It will further the welfare and best interests of the Township.
 - (b) It shall be subject to the provisions of use prescribed in Section 1002.

SECTION 1002 - Development Regulations

1002.1 -Provisions of Use - Any permitted principal and/or accessory use shall be subject to the following use regulations:

- (1) All accessory storage of junk, waste, discarded or salvaged material, machinery or equipment, including automobile, truck or other vehicle parts shall not be permitted except within a completely enclosed structure, or if the lot area devoted to such use is over 200 square feet in area, the owner may have the alternative of enclosing it on all sides, except for an exit and entrance of not over 25 feet in width, by a solid fence or wall at least six feet in height and maintained in good condition or by a cyclone or equal-wire fence at least six feet in height and surrounded, except for an exit and entrance of not over 25 feet in width, by evergreens at least six feet in height and planted not further apart than six feet so as to form a solid screen.
- (2) It shall be carried on only in buildings classified as fire-resistant and be carried on in such a manner with such precautions against fire and explosion hazards as to produce no exposure hazards to an adjacent property.
- (3) It shall provide necessary shielding or other protective measures against interference occasioned by mechanical and nuclear equipment, or uses or processes with electrical apparatus to nearby residences.
- (4) Adequate storm drainage facilities shall be installed to ensure that stormwater does not flow onto abutting property, sidewalks or streets in such quantities as to cause detrimental effect or inconvenience. Maximum rates of stormwater runoff from the property after development shall not be greater than as existed prior to the development.
- (5) Any part or portion of a lot developed for industrial uses which is not used for buildings, other structures, active landfilling areas in approved sanitary landfills, parking or loading spaces or aisles, driveways, sidewalks and designated storage areas shall be planted and maintained with grass or other all season ground cover vegetation. Grass shall be kept neatly mowed. Landscaping with trees and shrubs is permitted and encouraged.

- (6) Any off-street parking area located in a required frontyard building setback shall be located at least 5 feet from the road right-of-way with the area in between the road right-of-way and parking maintained according to Section 1002.1 (5).
- (7) All exterior lighting shall be so placed and shielded so as not to create a nuisance for adjacent properties.
- (8) It shall comply with all applicable pollution control regulations enacted by the federal and state government and other governmental authorities.

1002.2 -Buffer and Screening Requirements -Where any permitted principal and/or accessory use abuts any residentially-zoned land, the following buffer and screening are required:

- (1) A buffer strip at least 30 feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts a residentially-zoned district. Buffer strips shall not be used for parking, storage of vehicles, equipment or materials, nor for any other use incompatible with their purpose as a visual, noise, dust and pollution barrier.
- (2) The buffer shall be planted with evergreens capable of obtaining and maintaining a dense growth to a full height and a full diameter of no less than 12 feet. The minimum height at the time of planting shall be 4 feet. Plants shall be situated in two rows within the buffer strip, each row being located at least 10 feet from the edge of the buffer strip. Plants in each row shall be spaced no more than 20 feet center-to-center and the two rows shall be situated in an alternating pattern so that the trees in one row are located centrally between the trees in the other row. Plants shall be allowed to obtain a minimum height of 12 feet and shall not be trimmed below that height thereafter.
- (3) Installation and maintenance of the buffer and screening shall be the responsibility of the owner of the property on which the industrial use is located. Installation must be completed prior to issuance of a Certificate of Use and Occupancy by the Zoning Officer. Dead or diseased plants shall be removed and replaced in a timely manner. Grass shall be kept neatly mowed.

SECTION 1003 - Lot, Yard and Height Requirements -

1003.1 - Lot Requirements:

- (1) Minimum Lot Area - 40,000 square feet.
- (2) Minimum Lot Width - 150 feet.
- (3) Maximum Lot Coverage - Subject to yard, parking and loading requirements.

1003.2 - Yard (Setback) Requirements

- (1) Minimum Front Yard - 75 feet as measured from the street centerline
- (2) Minimum Side Yard - 25 feet.

- (3) Minimum Rear Yard - 35 feet for principal and accessory structures.
- (4) Minimum Distance to a Residential District - 100 feet.

Article X-A

Special Zoning District

Section 1050 – Purpose of Zoning District – The location of adult entertainment establishments is of vital concern to the Supervisors of Shenango Township, especially when the “location” is in or near areas where minors may learn, play, pass by, or would be exposed to the advertising, window displays, or general atmosphere accompanying the operation. Thus, it is a firm belief of the Board of Supervisors that it has a vital duty and role to protect the moral fiber and standards of Township residents, and in particular, the minors of our community. The Board of Supervisors, in enacting these regulations relative to adult entertainment establishments, exercised the power which has been granted to them. The Supervisors do not attempt or intend to absolutely prohibit adult entertainment establishments in the Township, but rather seek to regulate to the maximum extent permitted by law to effectuate the promotion and protection of the public health, safety, morals, and general welfare of all the residents of Shenango Township.

Section 1051 – Permitted Principal Uses.

(1) Adult entertainment establishments, subject to the following restrictions:

- (a) No adult entertainment establishment shall be located within 1,000 feet of any other adult entertainment establishment.
- (b) No adult entertainment establishment shall be located within specified distances of certain land uses as set forth below:
 - i. No such establishment shall be located within 1,000 feet of a residential dwelling;
 - ii. No such establishment shall be located within 1,000 feet of any parcel of land which contains any one or more of the following specified uses: amusement park, camp, child care facility, church, synagogue, mosque, temple, or building which is used primarily for religious worship and related religious activities, community center, museum, park, or playground.
- (c) The distance between any two adult entertainment establishments shall be measured in a straight line, without regard to intervening structures, from the nearest point on the property line of each establishment. The distance between any adult entertainment establishment and any other use specified above shall be measured in a straight line without regard to intervening structures, from the nearest point on the property line of the adult entertainment establishment to the closest point on the property line of said use.
- (d) No person shall operate an adult business in such a manner as to permit, or cause to be permitted, any stock in trade which depicts, describes, or relates to specified sexual

activities and/or specified anatomical areas as defined in this Ordinance, to be viewed from the street, sidewalk, or highway.

- (e) All signs shall be flat wall signs, the gross surface area of which shall not exceed 5% of the area of the wall on which such sign is part and no sign shall be placed in any window. A 1 ½ square foot sign may be placed on the door to state hours of operation and admittance to adults only.

(2) Any other use permitted in the Industrial area.

Section 1052 – Height and Area Regulations

1052.1 – The height and area regulations for adult entertainment establishments shall be the same as those set forth for a permitted use in a Business Neighborhood Service (B-1) Zoning District.

The height and area regulations for an industrial use in this zoning district shall be the same as those set forth for a permitted use in the Heavy Industrial (I) Zoning District,

Article XI

Sign Regulations

SECTION 1100 - Purpose - The purpose of these sign regulations are: to encourage the effective use of signs as a means of communication in the Township; to maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the possible adverse effect of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign restrictions.

SECTION 1101 - Applicability - A sign may be erected, placed, established, painted, created, or maintained in the Township only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance.

SECTION 1102 - Definitions and Interpretation - Words and phrases used herein shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in Article XXI - Definitions shall be given the meanings set forth therein. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

- (1) **Animated Sign** - Any sign that uses movement or change of lighting to depict action or create a special effect or scene.
- (2) **Apartment Sign** - Any sign which identifies and is located on the premises of multiple-family dwellings of at least 3 units under single ownership (whether in single or multiple buildings) and which may also advertise the rental of units on the premises but contain no other commercial message.
- (3) **Banner** - Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags or the official flag of any institution or business shall not be considered banners.
- (4) **Beacon** - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.
- (5) **Building Marker** - Any sign indicating the name of a building and date and incidental information about its construction which is cut into a masonry surface or made of bronze or other permanent material.
- (6) **Building Sign** - Any sign attached to any part of a building, as contrasted to a freestanding sign.

- (7) **Canopy Sign** - Any sign that is a part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.
- (8) **Changeable Copy Sign** - A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this ordinance.
- (9) **Commercial Message** - Any sign wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity.
- (10) **Development Sign** - Any sign which identifies and is located on the premises of a planned residential or industrial development containing at least 5 lots to be separately developed in a planned, coordinated manner and which may also advertise the availability of lots for sale or development in the planned development identified by the sign but contain no other commercial message.
- (11) **Flag** - Any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, or other entity.
- (12) **Freestanding Sign** - Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
- (13) **Home Occupation Sign** - Any sign located in a district zoned for residential uses which contains no commercial message except advertising for goods and services legally offered on the premises where the sign is located, provided such use conforms with all requirements of the zoning ordinance.
- (14) **Identification Sign** - A sign which indicates only the name and address of the building or occupant of the building at which the sign is located.
- (15) **Incidental Sign** - A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.
- (16) **Institutional Sign** - Any sign which identifies and is located on the premises of an institutional or other non-residential principal use permitted in any Residential Zoning District.

- (17) **Marquee** - Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.
- (18) **Marquee Sign** - Any sign attached to, in any manner, or made a part of a marquee.
- (19) **Nonconforming Sign** - Any sign that does not conform to the requirements of this ordinance.
- (20) **Pennant** - Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.
- (21) **Portable Sign** - Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.
- (22) **Principal Building** - The building in which is conducted the principal use of the zone lot on which it is located. Zone lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages and other clearly accessory uses shall not be considered principal buildings.
- (23) **Projecting Sign** - Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall and that the highest point of any part of the sign does not exceed the height of the building or wall to which it is attached.
- (24) **Roof Sign** - Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.
- (25) **Roof Sign, Integral** - Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.
- (26) **Setback, Sign** - The distance from the property line to the nearest part of the applicable sign, measured perpendicularly to the property line.
- (27) **Sign** - Any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

- (28) **Street Frontage** - The distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.
- (29) **Suspended Sign** - A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.
- (30) **Temporary Sign** - Any sign that is used only temporarily and is not permanently mounted.
- (31) **Wall Sign** - Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.
- (32) **Window Sign** - Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.
- (33) **Zone Lot** - A parcel of land in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage and use, and that can provide such yards and other open spaces as required by the zoning regulations.

SECTION 1103 - Computations - The following principles shall control the computation of sign area and sign height.

1103.1 - Computation of Area of Individual Signs - The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

1103.2 - Computation of Area of Multifaced Signs - The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.

1103.3 - Computation of Height - The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating

solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

SECTION 1104 - Permitted Signs, Prohibited Signs, and Requirements for Sign Type, Numbers, Area, Dimensions, and Location - Signs shall be allowed on private property in the Township and must comply with the requirements for sign type, numbers, area, dimensions and location as specified in Table 1104 and the following additional requirements of this Article.

SECTION 1105 - Sign Design, Construction and Maintenance Standards - All signs shall be designed, constructed, and maintained in accordance with the following standards:

- (1) Except for banners, flags, temporary signs and window signs conforming in all respects with the requirements of this ordinance, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame or structure.
- (2) All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this ordinance, at all times.
- (3) Any sign which projects or is placed or erected over a public way shall provide a vertical clearance of 10 feet above a sidewalk, private drive or parking lot and 18 feet above a public street.
- (4) No direct light or significant glare from any sign shall be cast onto any zone lot that is zoned and used for residential purposes.
- (5) Bare bulb lighting or neon lighting, unshielded from the passing public shall be prohibited.
- (6) A sign shall not be an imitation of or resemble official traffic control signs or devices and any sign within 50 feet of an intersection shall not contain any visible green, yellow or red colored lights which might be confused with official traffic control devices.
- (7) A sign shall not be placed so as to prevent free ingress to or egress from any door or fire escape, to cause danger to traffic on a street by obscuring the view or to otherwise interfere with traffic.

Table 1104 – Permitted Signs & Requirements for Type, Number, Dimensions, and Location

Zoning District	Permitted Sign Type	Permitted Sign Placement	Number Allowed	Maximum Area in Square Feet	Maximum Height in Feet	Minimum Setback In Feet ^a	Illumination Allowed ^b
All R Districts	Identification	Freestanding	1 per zone lot	2	5	2	None
	Home Occupation	Freestanding	1 per zone lot	6	5	10	E
	Apartment/Development	Freestanding	1 per 200' frontage ^f	20	5	10	I or E
	Institutional	Freestanding	1 per zone lot	32	5	10	I or E
	Institutional – Wall Other ^g Exempt ^h	Building	1 per building	10			I or E
All B & I Districts	Miscellaneous	Freestanding	1 per 100' frontage ^f	50	30	10	I or E
	Banner	Building					E
	Canopy	Building	1 per building	25% ^c			E
	Marquee	Building	1 per building				I or E
	Projecting	Building	1 per building	40			I or E
	Wall	Building		10% ^d			I or E
	Window	Building		25% ^e			I or E
	Banner Roof ^f Other ^g Exempt ^h	Miscellaneous Building	1 per building	12			E I or E
All I Districts	Billboard signs as defined and further regulated below ⁱ						

Footnotes to Table 1104

a - In addition, all signs located adjacent to a lot zoned Residential shall have a setback distance no less than the height of the sign.

b - In this column, “I” shall mean internal illumination and “E” shall mean external illumination.

c - The percentage here shall mean the percentage of the vertical surface of the canopy.

d - The percentage here shall mean the percentage of the area of the wall of which such sign is a part or to which such sign is most nearly parallel.

e - The percentage here shall mean the percentage of the total window area for any given face or wall of a building.

f - Lots fronting on two or more streets are allowed the permitted signage for each street frontage, but signage shall not be accumulated on one street in excess of that allowed for lots with only one street frontage.

g - Includes: 1.) Incidental signs, provided that such sign shall not exceed 4 square feet in area; 2.) Flags of government; 3.) Temporary real estate sign advertising the sale or rental of the premises upon which it is located, provided it shall not exceed 6 square feet in area and shall be removed within 14 days after a deed of sale has been recorded or the premises are rented or leased; 4.) Announcement signs: a.) One unlighted Events sign per zone lot, provided that it does not exceed 15 square feet in area, is set back a minimum of 10 feet from the right-of-way line of any street, and is erected no sooner than 30 days prior to the event it concerns and shall be removed no later than 5 days following the close of the event; b.) One unlighted temporary work being performed sign per street frontage, for architects, contractors, mechanics, painters, and artisans erected and maintained on the lot where work is being performed,

provided that it does not exceed 15 square feet in area, is set back a minimum of 10 feet from the right-of-way line of any street, and is removed no later than 30 days after the work is completed.

- h - Includes the following signs which shall be exempt from regulation under this Ordinance: 1.) Any public notice or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance; 2.) Any sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the zone lot or parcel on which such sign is located; 3.) Election and political campaign signs located on private property provided they contain no commercial message, are erected no sooner than 120 days prior to the election date in which the candidate or issue is up for vote, and are removed no later than 14 days after said election; 4.) Posters no larger than 3 square feet in area located on private property which promote community events and programs and contain no commercial message; 5.) Traffic control signs on private property, such as Stop, Yield, and similar signs, the face of which meet Department of Transportation standards and which contain no commercial message of any sort; 6.) Temporary signs on private property used for a temporary time period and not permanently mounted, provided such signs shall be promptly removed after the event, sale, etc. of which they are advertising has ended or they shall be subject to the provisions of Section 1108.

- i - Billboard sign is defined as a sign directing attention to a product or service offered upon other premises and having more than 100 square feet of display surface which is either erected on the ground or attached to or supported by a building or structure, provided: 1.) The sign area may not exceed 400 square feet or a height of 50 feet; 2.) Such signs are erected no closer than 300 feet from another such sign; 3.) It shall be set back a minimum of 10 feet from the street right-of-way line except that on corner lots any such sign greater than 3 feet in height shall be placed behind a clear sight triangle formed by the right-of-way lines at points 20 feet from the point of intersection.

SECTION 1106 - Permits and Permit Procedures for Signs - All signs, except those so exempted in this Article, shall require a permit from the Zoning Officer prior to their construction, placement, erection, or modification.

1106.1 - Sign Permit Application Requirements - All applications for sign permits of any kind shall be submitted to the Zoning Officer in such form as he may prescribe and shall contain at least the following information:

- (1) Name, address and telephone number of the applicant.
- (2) A map showing the location of the building, structure or zone lot to which the sign is to be attached or erected, and showing the position of the sign in relation to nearby buildings and thoroughfares, and should show dimensions.
- (3) A plan showing design of sign, materials used, method of construction, dimensions of the sign, and means of attachment to the building or the ground; such plans must be to scale or show dimensions.
- (4) Name of person, firm, corporation or association erecting, altering or moving said sign.
- (5) Written consent of the owner of the land on which the sign is to be erected, altered or relocated.
- (6) Any other information as the Zoning Officer shall require in order to show full compliance with this and all other applicable laws of the Township.

1106.2 - Master Signage Plan - If more than one new sign requiring a permit is proposed for a zone lot or if one or more additional new signs requiring a permit are proposed for a zone lot with an existing sign, a master signage plan shall be submitted to the Zoning Officer along with the application for individual sign permits. The master signage plan shall indicate the types, dimensions, area and total combined sign area for all proposed and existing individual signs of any type, requiring a permit or not, except for incidental signs. A revised master signage plan shall be submitted to the Zoning Officer if modification is proposed to any individual sign covered by an existing master signage plan.

1106.3 - Action on Sign Permit Application - The Zoning Officer shall act on all applications for sign permits in accordance with the procedures contained in Sections 1502.5, 1502.6, 1503, 1504, 1505 and 1506 of the zoning ordinance.

SECTION 1107 - Signs in the Public Right-of-Way - No signs shall be allowed in the public right-of-way except for the following:

1107.1 - Permanent Signs - Permanent signs, including:

- (1) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information and direct or regulate pedestrian or vehicular traffic;

- (2) Bus stop signs erected by a public transit company;
- (3) Informational signs of a public utility regarding its poles, lines, pipes or facilities; and
- (4) Awning, projecting and suspended signs projecting over a public right-of-way in conformity with the conditions of this Article.

1107.2 - Temporary Signs - Temporary signs provided:

- (1) Such signs shall contain no commercial message; and
- (2) Such signs shall be no more than two square feet in area each.

1107.3 - Emergency Signs - Emergency warning signs erected by a governmental agency, a public utility company or a contractor doing authorized or permitted work within the public right-of-way.

1107.4 - Other Signs Forfeited - Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the Township shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.

SECTION 1108 - Termination of Non Conforming Signs

1108.1 - Removal of Non-Conforming Signs - When a non-conforming sign is taken down or moved for any reason, the same may not again be erected or reestablished or permitted to remain at any location on the property without the prior issuance of a sign permit, and in such case, no sign permit shall be issued unless the sign is then made to conform with all regulations applicable to new signs.

1108.2 - Damaged or Destroyed Non-Conforming Signs - A sign damaged or destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction shall not be reconstructed except in conformity with the provisions of this ordinance unless a variance is granted by the Zoning Hearing Board. Replacement cost shall be determined by obtaining cost of construction from one sign contractor mutually agreed to by the owner and the Township.

1108.3 - Signs Erected in Violation - The Zoning Officer or his authorized agent shall have the authority to order the removal of any sign erected after the effective date of this ordinance in violation of the ordinance.

1108.4 - Obsolete Signs - Any sign now or hereafter existing which no longer advertises or identifies a bonafide business conducted, event or a product sold upon the premises shall be taken down and removed by the owner of the building or structure or land upon which such sign may be found, within ten (10) days after written notification from the Zoning Officer, such notice to be sent by certified mail.

Article XII

Parking and Loading Regulations

SECTION 1200 - Off-Street Parking and/or Loading Facility Requirements

1200.1 - New Use of a Structure and/or Land -For the use of any structure constructed and any use of land established after the effective date of the Zoning Ordinance, parking and/or loading facilities for new uses of any structure or land shall be provided in accordance with the following schedules; and

1200.2 - Increase in Intensity of Use of a Structure and/or Land - The intensity of use of a structure and/or land shall not be increased through the addition of dwelling units, rooming units, gross floor area, lot area, or other units of measurement prescribed in the following schedules unless accessory parking and/or loading facilities shall be provided in accordance with the following schedules, and

1200.3 - Change in Use of Structure and/or Land -An existing use of a structure and/or land shall not be changed to a new use, unless parking and/or loading facilities shall be provided as required in the following schedules for such new use.

1200.4 - Size of Parking and Loading Spaces

- | | |
|--------------------------|---|
| (1)Minimum parking space | Not less than 9 feet wide x 20 feet long |
| (2)Minimum loading space | Not less than 12 feet wide x 50 feet long |

1200.5 - Required Parking Spaces for Each Use

AGRICULTURAL USES

- | | |
|--|--|
| (1)Farm | 3 per dwelling unit |
| (2)Agricultural products processing | 1 for each 500 square feet of gross floor area |
| (3)Experimental station | 1 for each 500 square feet of gross floor area |
| (4)Grange hall, similar use | 1 for each 200 square feet of gross floor area |
| (5)Nursery | 1 for each 200 sq. ft. of gross floor area |
| (6)Stand for sale of agricultural products | 5 spaces |

RESIDENTIAL USES

- | | |
|--|--|
| (7) One & two unit dwelling | 2 for each dwelling unit |
| (8) Three or more unit multi family dwelling | 1.5 for each dwelling, apartment or rooming unit or any combination unit, plus one additional space for every 5 units |
| (9) Housing for elderly persons | 1 for each dwelling unit |
| (10) Boarding unit, convalescent unit, lodging unit or rooming unit | 1 for each unit, plus one additional space for every 5 units |
| (11) Home occupation | spaces as required for dwelling unit(s) plus spaces as required for the specific type of business as found elsewhere in this Article |
| (12) Convalescent home, hospital, sanatorium, sanitarium, institutional home | 1 for each 400 square feet of gross floor area, plus 1 for each employee. |
| (13) Cottage, tent camp or recreational vehicle park | 1 for each unit |
| (14) Professional office | 1 for each employee and 1 for each 200 feet of gross floor devoted to such use |
| (15) Travel trailer park or recreational vehicle park | 1 for each trailer lot |
| (16) Mobile home park | 2 for each mobile home unit |

COMMUNITY FACILITIES

- | | |
|---|---|
| (17) Governmental or governmental authority facility service structure and/or use (other than a place of public assembly) | 1 for each 200 square feet of gross floor area and 1 for each vehicle stored |
| (18) Church, church school, church use | 1 for each 200 square feet of gross floor area or 1 for each 3 units of seating capacity |
| (19) Dormitory, fraternity house, sorority house, nurses home, hospital, similar institution | 1 for each sleeping room or 1 for each 400 square feet of gross floor area, whichever requires the greater number of spaces |

- | | |
|--|---|
| (20) School, college, day nursery school | 1 for each classroom, plus in a high school or college 1 for each 7 students of enrollment capacity, plus 1 for each 4 units of seating capacity of an auditorium or general purpose room |
| (21) Place of public assembly (other than a church, funeral home, mortuary or amusement establishment) | 1 for each 4 units of seating capacity |
| (22) Golf course, country club | 50 for each 9-hole course in use |

PUBLIC UTILITY FACILITIES

- | | |
|---|---|
| (23) Public utility facility, service structure and/or use (other than an office establishment) | 1 for each employee with a minimum of 3 parking spaces required |
|---|---|

BUSINESS USES

- | | |
|---|---|
| (24) Amusement establishment | 1 for each 200 square feet of gross floor area. If an auditorium or public meeting room, 1 for each 4 units of seating capacity. |
| (25) Boarding house, rooming house, lodging house | 1 for each rooming unit plus one additional space of over 5 units or fraction thereof |
| (26) Business school or college | 1 for each classroom, plus in a high school or college 1 for each 7 students of enrollment capacity, plus 1 for each 4 units of seating capacity of an auditorium or general purpose room |
| (27) Club | 1 for each 100 square feet of gross floor area |
| (28) Eating establishment, drinking establishment | 1 for each employee, plus 1 for each 4 units of seating capacity |
| (29) Hotel, tourist court | 1 for each sleeping room plus 1 for each 8 units of seating capacity, if an integral restaurant |
| (30) Mixed use | Sum of various uses computed separately |
| (31) Mortuary | A minimum of 20 for each chapel used for mortuary purposes, plus 2 for each dwelling |

unit and 1 for each employee

- (32) Office establishment 1 for each employee plus 1 for each 200 square feet of gross floor area
- (33) Retail establishment 1 for each 200 square feet of gross floor area plus 1 for each employee
- (34) Service establishment 1 for each 200 square feet of gross floor area, plus 1 for each employee

TRANSPORTATION USES

- (35) Automotive service establishment 1 for each 200 square feet of gross floor area, plus 1 for each employee
- (36) Transportation terminal establishment To be determined by agreement with Planning Commission and the Board of Supervisors

WHOLESALE USES

- (37) Warehouse Establishment, wholesale establishment 1 for each employee plus 1 for each 500 square feet of gross floor area

INDUSTRIAL USES

- (38) Industrial plant, manufacturing establishment 1 for each employee on largest shift

1200.6 - Loading Schedule

USES

Any apartment hotel, apartment house, multiple-family dwelling, community facility, public utility use, business use, transportation use, agricultural products processing use, wholesale use or industrial use which has an aggregate gross floor area of 10,000 square feet or more

To be determined by agreement with the Planning commission and Board of Supervisors

Mixed use

Sum of various uses computed separately.

SECTION 1201 - General Provisions -

1201.1 - Location of Required Parking Facilities - The parking spaces required for the use listed in the above schedule shall be on the same lot as the use they are intended to serve.

1201.2 - Location of Required Loading Facilities - The loading spaces required for the uses listed in the above schedule shall in all cases be on the same lot as the use they are intended to serve. In no case shall the required loading space be part of the area used to satisfy the parking requirements of the Zoning Ordinance.

1201.3 - Use of Required Parking and/or Loading Facilities by Another Use -Any part of the parking and/or loading facilities required for any use for the purpose of complying with the regulations of the Zoning Ordinance shall not be included as part of a parking and/or loading facility similarly required for another use unless the type of use indicated that the periods of usage shall not be simultaneous with each other as determined by the Zoning Officer.

1201.4 - Encroachment and Reduction -A required parking and/or loading space shall not be encroached upon by a structure, storage or any other use, nor shall the number of spaces be reduced.

Article XIII

Supplementary Regulations

SECTION 1300 -Supplementary Use Regulations -

1300.1 - Essential Services -Essential services, as defined in the Zoning Ordinance, shall be permitted in any Zoning District subject to the stated limitations.

SECTION 1301 - Supplementary Height Regulations -

1301.1 - Exceptions to Height Requirements -

- (1) The height limitation of this ordinance shall not apply to flagpoles, silos, barns, church spires, belfries, domes, or similar projections not used for human occupancy; nor to chimneys, ventilators, skylights, water tanks, antenna, and other necessary mechanical apparatus usually carried above the roof level, provided such shall be set back in conformance with the zoning district setback and yard requirements plus 1 foot horizontally for each foot in which it exceeds 40 feet in height above ground level.
- (2) Existing Designed Structures - The vertical extension of a structure existing at the effective date of the Zoning Ordinance may be erected to such height as the original drawings of said building indicated, provided:
 - (a) The building was actually designed and constructed to carry the additional stories necessary for such height.

SECTION 1302 - Supplementary Area Regulations -

1302.1 - Number of Principal Structures on a Lot - Only one principal structure may be permitted on a lot except in multi-family developments, planned commercial or industrial building groups, or a temporary mobile home as a second residence on a lot, subject to the provisions of Section 1304.

1302.2 - Subdivision of Lot - Any lot shall not be subdivided, if by such action the Zoning Ordinance would be violated.

1302.3 - Determination of Yards and Minimum Distance to Lot Lines on Irregularly Shaped Lots - On an irregularly shaped lot no point of a building shall be less than the required setback.

1302.4 - Projection into and Occupancy of Yards, Courts or Other Open Spaces - The following projections into and the occupancy of required yards, courts or other open space, except a porch and/or similar attached or semi-detached accessory structure, shall be permitted subject to the following provisions:

- (1) Steps, Stoop, Window Sill, Belt Course, Similar Architectural Feature, Rain Leader and/or Chimney, provided:
(a) It shall not project more than four (4) feet beyond the face of the wall.

1302.5 - Fences - Except as provided in the next paragraph, the yard requirements of this ordinance shall not be deemed to prohibit any otherwise lawful fence or wall, provided that in any Residential District no fence or wall shall exceed the maximum height stated in the district regulations.

1302.6 - Visibility at Intersections - On a corner lot in any district, no structure, sign, solid fence or wall, hedge or other planting shall be erected, placed or maintained at a height of more than thirty (30) inches above the curb line within the triangle formed by the street lines (edge of pavement) and a straight line joining said street lines at points which are thirty (30) feet distance from the point of intersection.

SECTION 1303 - Illumination of Buildings - Buildings and uses may be illuminated by reflected light provided that the source of such light shall be suitably shielded so as not to detract from the surrounding uses. The Zoning Officer may, at any time, require existing lights to be rearranged or shielded to conform. Such an order may be appealed to the Zoning Hearing board, but otherwise, must be in compliance within thirty (30) days from the date of notification.

SECTION 1304 – The Placement of a Temporary Mobile Home as a Second Principal Building on a Lot, is permitted as a Conditional Use, provided:

- (1) The temporary mobile home shall be placed behind the principal structure at a separation distance of at least 15 feet and shall comply with the rear yard requirement for principal structures in the zoning district.
- (2) The occupancy of the mobile home is limited only to the parents or grandparents of the property owner. They shall indicate their relationship and intent to occupy the temporary mobile home by co-signing the permit application.
- (3) The property owner shall occupy the principal structure.
- (4) The permit is only granted for one year. If the applicant wishes to keep the temporary mobile home on the property for longer than one year, they must again receive the approval of the Township Board of Supervisors before a new permit can be granted.
- (5) If the parent or grandparents ends their residence in the temporary mobile home, the Applicant must remove the temporary mobile home from the property within six months.
- (6) To ensure removal of the temporary mobile home from the property after it no longer remains occupied, a bond or letter of credit must be held with the Township for an amount that would cover the removal of the temporary mobile home from the property. The Township would release the bond or letter of credit when the Applicant has proven that they have removed the temporary mobile home from the property.

SECTION 1305 - Gas Well Provisions

The drilling and production of Oil and Gas shall be permitted as an accessory use on a property in any zoning district, provided:

- (1) The drilling site, production site, and access roads shall be located, designed, and constructed to minimize the removal of trees and shrubs.
- (2) Any wells, structures, or equipment shall be screened from any adjacent properties or street right-of-ways by a solid fence, wall, row of plantings, or natural or artificial land forms of at least six feet in height.
- (3) All wells shall be setback at least 100 feet from all roads and right-of-ways within the Township and at least 150 feet from all residential lots whose owners are not a party to the oil and/or gas lease.
- (4) All other State and Federal provisions, including, but not limited to, the Oil & Gas Act and Chapter 79 (Oil and Gas Conservation) of the PA Code, must be met.

Article XIV

Non-Conforming Uses, Structures and Lots

SECTION 1400 - Intent and Standards - Within the districts established by this ordinance or amendments that may later be adopted there exist lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited under the terms of this ordinance or future amendment.

It is the intent of this ordinance to permit these non-conformities to continue until they are removed. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. Non-conformities may be enlarged and expanded as determined by the Zoning Hearing Board. However, non-conforming residential uses may erect, construct, or engage in any accessory uses permitted in the accessory provisions or the R-1 Residential District without the approval of the Zoning Hearing Board, provided all other requirements are met.

A non-conforming use of a structure, a non-conforming use of land, or non-conforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by:

- (1) by the addition of other used, if such additions are of a nature which would be prohibited generally in the district,
- (2) attachment of additional signs to a building, or
- (3) the placement of additional signs or display devices on the land outside the building.

Nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been continuously carried on. Actual construction is defined to include the placing of construction materials in permanent position and fastened in a permanent manner, and demolition, elimination, and removal of an existing structure in connection with such construction, provided that actual construction work shall be continuously carried on until the completion of the building involved.

SECTION 1401 - Non-Conforming Lots of Record - For non-conforming lots of record the owner shall apply to the Zoning Hearing Board for the appropriate variances for the use of said lot. If two or more lots with continuous frontage are in single ownership and if all or part of the lots do not meet the requirements for lot width and area in the respective district, the lands involved shall be considered to be an undivided parcel for the purpose of this ordinance. No portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this ordinance. Nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.

SECTION 1402 - Non-Conforming Uses of Land - Where a lawful use of land exists that is made no longer permissible under the terms of this ordinance as enacted or amended, such use may be continued, subject to the following provisions:

1402.1 - No such non-conforming use shall be expanded, occupy a greater area of land than was occupied at the effective date of this ordinance, except as specified by Section 1400 of this Ordinance.

1402.2 - No such non-conforming use shall be moved to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance.

1402.3 - If any such non-conforming use of land ceases for any reason for a period of more than twelve (12) consecutive months, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.

SECTION 1403 -Non-Conforming Structures - Where a lawful structure exists that could not be built under the terms of this ordinance, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1403.1 - A structure may be enlarged or altered in a reasonable amount only as approved by the Zoning Hearing Board.

1403.2 - Should such structure be destroyed by any means to an extent of more than 50% of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance unless a variance is granted by the Zoning Hearing Board.

Replacement cost shall be determined by obtaining cost of reconstruction from the following sources:

- (1) One (1) building contractor selected by owner;
One (1) building contractor selected by the Township.
- (2) The average cost of replacement will then be ascertained after receipt of the two costs.

1403.3 - Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after moved.

SECTION 1404 -Non-Conforming Uses of Structures - If a lawful use of a structure, or of a structure and premises in combination exists that would be allowed in the district, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1404.1 - An existing structure devoted to a use not permitted by this ordinance in the district in which it is located may be enlarged, extended, constructed, reconstructed, or structurally altered upon granting of a variance by the Zoning Hearing Board.

1404.2 - Any non-conforming use may be extended throughout any parts of a building, but no such use shall be extended to occupy any land outside such building.

1404.3 - If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use provided that the Zoning Hearing Board shall find that the proposed use is equally appropriate to the district than the existing

non-conforming use. In permitting such change, the Zoning Hearing Board may require additional conditions and safeguards.

1404.4 - Once a non-conforming use is superseded by a permitted use, the non-conforming use shall not be resumed.

1404.5 - When a non-conforming use of a structure, or structure and premises in combination, is discontinued or abandoned for twelve (12) consecutive months, they shall not be used except in conformance with the regulations of the district in which they are located.

1404.6 - Where non-conforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the non-conforming status of the land.

SECTION 1405 -Repairs and Maintenance - On any building, devoted in whole or in part to any non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing without the requirement of a permit.

Nothing in this ordinance 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 official charged with protecting the public safety, upon order of such official.

SECTION 1406 - Uses Granted Under Special Exception Provisions -Any use for which a special exception is granted shall be deemed a conforming use.

Article XV

Administration and Enforcement

SECTION 1500 - Office of Zoning Officer -

1500.1 - Creation of Office - The Office of Zoning Officer is hereby created.

1500.2 - Appointment - The Zoning Officer shall be appointed by the Township Board of Supervisors . The Township Board of Supervisors shall establish qualifications for the position of Zoning Officer which require candidates to demonstrate a working knowledge of municipal zoning to the satisfaction of the Township.

1500.3 - Official Records - An Official Record shall be kept of all business of the Zoning Officer and shall be open to public inspection at all appropriate times.

1500.4 - Compensation of the Zoning Officer - The compensation of the Zoning Officer shall be as determined by the Township Board of Supervisors.

SECTION 1501 - Duties and Powers of the Zoning Officer - The Zoning Officer shall interpret and enforce all provisions of the Zoning Ordinance.

1501.1 - Permits and Certificates of Use and Occupancy - The Zoning Officer shall issue Permits and Certificates of Use and Occupancy. Permits and Certificates of Use and Occupancy for construction and uses which are a special exception or variance from the Zoning Ordinance shall be issued only upon order of the Zoning Hearing Board.

1501.2 - Annual Report - The Zoning Officer shall annually submit to the Governing Body a report of all Permits and Certificates of Use and Occupancy, Notices issued and Orders.

1501.3 - Right of Entry - The Zoning Officer shall have the authority to enter at any reasonable hour any land and/or structure in the Township to inspect and to enforce the provisions of the Zoning Ordinance. Before entering, he shall provide proper identification.

SECTION 1502 - Application for Permit and Certificate of Use and Occupancy -

1502.1 - When Permit is Required - It shall be unlawful to erect, enlarge, construct, reconstruct or structurally alter any building and/or other structure (except a sign as prescribed in Article XI) or change the use, intensity of use, or extend or displace the use of any building, other structure and/or land in the Township without first filing an application with the Zoning Officer in writing and obtaining the required Permit.

1502.2 - When a Certificate of Use and Occupancy is Required - It shall be unlawful to use and/or occupy any building, other structure and/or land for which a Permit is required until a Certificate of Use and Occupancy for such building, other structure and/or land has been issued by

the Zoning Officer. The application for issuance of a Certificate of Use and Occupancy shall be made at the same time an application for a Permit is filed with the Zoning Officer.

1502.3 - Forms of Application - The Application for a Permit and a Certificate of Use and Occupancy shall be submitted in such form as the Zoning Officer may prescribe and shall be accompanied by the required fee.

1502.4 - Plot Diagram - Applications shall be accompanied by a plot plan diagram (in duplicate) drawn to a suitable scale showing all dimensions of lands or buildings or a deed if required by the Zoning Officer, to provide accurate means of review of the material in the application. One copy shall be returned to the applicant indicating approval or disapproval, one copy shall be retained by the Zoning Officer.

1502.5 - Amendments to a Permit - Amendments to a permit or other records accompanying it may be filed at anytime before completion of the work. Such amendments shall be deemed a part of the original application.

1502.6 - Expiration of Permits - If work described in any permit has not begun within 180 days from the date of issuance, it shall expire. A written notice shall be given by the Zoning Officer to the persons affected. Failure to notify the permittee shall not effect the time period.

If permitted work has not been substantially completed within one year of the date of issuance, the permit shall expire. A written notice shall be given by the Zoning Officer to the persons affected. A new permit shall be required.

SECTION 1503 - Action on Permits and Certificates of Use and Occupancy -

1503.1 - Action on Permit Application - The Zoning Officer shall act on all applications for Permits and amendments thereto within 10 days after filing. He shall conduct a preliminary inspection of all structures and/or land for which an application has been filed for a Permit. If the application and preliminary inspection indicate compliance with the Zoning Ordinance, a Permit shall be issued. Disapproval of a Permit shall be in writing to the applicant. Requests for Planning Commission review of non-residential development shall extend the time period to not more than thirty (30) days.

1503.2 - Posting of Permit - The Permit issued by the Zoning Officer shall be posted at the work site and be visible from the street until the completion of the permitted work.

1503.3 - Revoking a Permit - The Zoning Officer may revoke an issued Permit in case of any false statement in the application for the Permit.

1503.4 - Action Upon Completion - Upon completion of the permitted work and prior to use and occupancy, the holder of the permit shall notify the Zoning Officer of such completion. Within 10 days after receiving notice of completion, the Zoning Officer shall conduct a final inspection of all permitted structures and/or land. All violations of the approved permit and plans shall be recorded and presented in writing to the holder of the permit.

If the Zoning Officer is satisfied that the completed work conforms with the issued Permit and complies with the Zoning Ordinance, he shall issue a Certificate of Use and Occupancy for the use indicated in the Permit.

SECTION 1504 - Fee Schedule -

1504.1 - Payment of Fees - No Permit or Certificate of Use and Occupancy shall be issued until the fees prescribed by resolution of the Township Board of Supervisors have been paid.

SECTION 1505 - Violations:

1505.1 - Enforcement Notice: When it appears to the Township and/or the Zoning Officer that a violation has occurred, the Zoning Officer shall send an enforcement notice. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding the parcel, and to any other person requested in writing by the owner of record. The enforcement notice shall state the following:

- (a) The name of the owner of record and any other person against whom the Township intends to take action.
- (b) The location of the property in violation.
- (c) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of the Ordinance.
- (d) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- (e) That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in this Ordinance.
- (f) That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

1505.2 - Causes of Action: In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, the Township, the Zoning Officer of the Township, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township at least 30 days prior to the time the action is begun by serving a copy of the complaint on

the Shenango Township Board of Supervisors No such action may be maintained until such notice has been given.

1505.3 - Jurisdiction: District justices shall have initial jurisdiction over proceedings brought under this section.

1505.4 - Enforcement Remedies: Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred (\$500) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determine that there was a good faith basis for the person, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation continues shall constitute a separate violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the Township. Nothing contained in this section shall be construed or interpreted to grant any person or entity other than the Township and its Zoning Officer the right to commence any action for enforcement pursuant to this section.

SECTION 1506 - Prosecution of Violation -If the Enforcement Notice is not complied with, the Zoning Officer shall request the Township Solicitor to institute appropriate proceedings to correct such violations. Such proceedings are provided for and shall be in accordance with Article VI of the Planning Code (Act 247 of 1968, as amended).

Article XVI

Zoning Hearing Board

SECTION 1600 - Creation, Membership and Organization - A Zoning Hearing Board shall be created for the purpose of considering applications for variances or exceptions to the Zoning Ordinance and making decisions on appeals and challenges within the legal jurisdiction granted to zoning hearing boards by the Commonwealth of Pennsylvania. It shall be created and maintained in accordance with the applicable provisions of Article IX of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) and this Ordinance. Its membership, organization and rules and procedures shall be as prescribed in the Planning Code.

SECTION 1601 - Jurisdiction and Functions - The Zoning Hearing Board shall have exclusive jurisdiction to hear and render decisions on applications for variances and special exceptions, and certain challenges and appeals in accordance with all applicable requirements of Article IX of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

SECTION 1602 - Hearings - In consideration of challenges and appeals and applications for variances and special exceptions, the Zoning Hearing Board shall conduct hearings and make decisions in accordance with all applicable requirements of Article IX of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

SECTION 1603 - Termination and Modification of Permit - Where a decision of the Zoning Hearing Board authorizes issuance of a zoning permit, the following shall apply:

1603.1 - Termination of Permits - If after a Permit has been authorized by the Board, such permit is not applied for within a period of six (6) months from the date of authorization, then such authorization shall be null and void and no Permit shall be issued thereunder.

1603.2 - Modification of a Permit - Any Permit so issued shall not be modified except by action of the Board.

SECTION 1604 - Parties Appellant before the Board - Appeals and challenges within the jurisdiction of the Zoning Hearing Board as prescribed by the Planning Code may be filed with the Board in writing by the landowner affected, any officer or agency of the municipality, or any person aggrieved. Applications for variance or special exception may be filed with the Board by any landowner or tenant with the permission of such landowner.

SECTION 1605 - Applications and Fees - Requests for a hearing and action for appeals, challenges, variances, or special exceptions shall be accompanied by an application in such form as shall be required by the Zoning Hearing Board and submitted to the Zoning Officer. Such application shall include payment of a reasonable fee based upon cost to be established by resolution

of the Township Board of Supervisors and in accordance with the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

SECTION 1606 - Special Exceptions - Upon application in accordance with the provisions of the Zoning Ordinance and the rules of the Board, the Board shall determine the reasonableness and propriety in particular cases of any one of the following special exceptions to the Zoning District regulations of the Zoning Ordinance. The proposed use shall also conform with all the provisions for the use in the particular Zoning District in which it is to be located, and all other pertinent provisions of the Zoning Ordinance, except as wherein prescribed in this Article. The Board shall consider, explain and record its finding and determination in conformity with the spirit of the Zoning Ordinance and may authorize the issuance of a Permit for the following:

1606.1 - Special Exception to Permit Accessory Apartments

- (1) Accessory Apartment Definition - A temporary accessory apartment is a separate complete housekeeping unit that is substantially contained within the structure of a single-family dwelling but can be isolated from it. An accessory apartment can also be included in an existing accessory building.
- (2) Purpose - The purpose of permitting temporary accessory apartments is to:
 - (a) Provide older homeowners with a means of obtaining, through tenants in accessory apartments, rental income, companionship, security, and services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
 - (b) Add inexpensive rental units to the housing stock to meet the needs of smaller households, both young and old;
 - (c) Make housing units available to moderate-income households who might otherwise have difficulty finding homes within the Township;
 - (d) Develop housing units in single-family neighborhoods that are appropriate for households at a variety of stages in the life cycle, thereby lessening fluctuations in neighborhood demand for particular services such as education;
 - (e) Protect stability, property values, and the single-family residential character of a neighborhood by ensuring that temporary accessory apartments are installed in owner-occupied houses or accessory structures and under such additional conditions as may be appropriate to further the purposes of this Ordinance; and
 - (f) To provide rental housing units for persons who are handicapped, to allow handicapped individuals who currently own their houses to remain in them, and, generally, to promote access for all people.
- (3) Conditions of Permit

- (a) It shall only be permitted in Residential Districts.
- (b) The apartment will be a complete, separate housekeeping unit that can be isolated from the original unit.
- (c) Only one apartment will be created within a single-family house or an accessory structure.
- (d) The owner(s) of the residence in which the accessory unit is created shall occupy at least one of the dwelling units on the premises, except for bona fide temporary absences.
- (e) The accessory apartment shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a one-family residence. In general, any new entrances shall be located on the side or in the rear of the building, and any additions shall not increase the square footage of the original house by more than 10 percent.
- (f) Conversion of accessory buildings to temporary accessory apartments shall not increase the ground floor area of the original building.
- (g) Maximum Floor Size Required - The temporary accessory apartment shall be clearly a subordinate part of the single-family dwelling. In no case shall it be more than (30) percent of the buildings total floor area nor greater than eight hundred (800) square feet nor have more than two (2) bedrooms, unless, in the opinion of the Zoning Hearing Board, a greater or lesser amount of floor area is warranted by the circumstances of the particular building.
- (h) Minimum Floor Size - The temporary accessory apartment shall have at least 300 square feet of floor area.
- (i) The design and size of the apartment conforms to all applicable standards in the health, building, and other codes.
- (j) At least three off-street parking spaces are available for use by the owner-occupant(s) and tenant(s).
- (k) Any other appropriate or more stringent conditions deemed necessary by the Zoning Hearing Board to protect public health, safety, and welfare, and the single-family character of the neighborhood.
- (l) In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the Zoning Hearing Board may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons.

(4) Application Procedures

- (a) Application for a permit for a temporary accessory apartment shall be made to the Zoning Hearing Board in accordance with the special permit procedures given in this zoning ordinance and shall include:
 - (1) A notarized letter of application from the owner(s) stating that he/they will occupy one of the dwelling units on the premises, except for bona fide temporary absences;
 - (2) A floor plan of 1/4-inch to the foot showing proposed changes to the building;
 - (3) A site plan;
 - (4) An affidavit certifying that an approved public notice application for a special exception permit for a temporary accessory apartment has been posted on all streets fronted by the applicant's property, and it will remain posted until the public hearing; and
 - (5) A fee in an amount as specified by the Township Supervisors, to cover costs of processing the application, legal notices, and any applicable inspections.
 - (b) Within 30 days of the receipt of an application, the Zoning Hearing Board shall hold a public hearing.
 - (c) Purchasers of homes that had special exception permits for temporary accessory apartments who want to continue renting those apartments must reapply for a permit and must demonstrate that all conditions prerequisite to obtaining the relevant permit, in particular their residence in the home, have been met.
 - (d) Where appropriate, the Zoning Hearing Board will take steps to expedite approval or to give conditional approvals prior to sale in order to protect continued residence by existing tenants.
- (5) Renewal of the Special Use Permit - The effective period of the special exception permit shall be two (2) years. At the end of every two (2) years, renewal shall be automatically granted upon receipt of certification by the Zoning Hearing Board that the property remains the principal residence of the owner and that all remains the principal residence of the owner and that all other conditions met at the time of the original application remain unchanged. The Zoning Hearing Board, in its sole discretion, may require a new application and a demonstration of compliance with all conditions necessary for a special use permit.

1606.2 -Special Exception to Permit a Small Personal Care Boarding Home, provided:

- (1) No fewer than three (3) and no more than eight (8) clients shall occupy such dwelling. (At least 80% of such clients shall be 62 years or older).
- (2) The operator shall obtain a license from the Commonwealth of Pennsylvania Department of Public Welfare and Department of Labor and Industry.
- (3) It shall not involve the use of advertising signs on the premises or any local advertising media which calls attention to the fact that the home is used for business purposes, except those permitted in a residential zone as provided for Section XI.
- (4) In no way shall the appearance of the structure be altered or occupation within the residence be conducted in a manner which would cause the premise to differ from its residential character either by the use of colors, materials, construction, lighting, signs or the emission of sounds, noises or vibrations.
- (5) The parking need generated by the conduct of a personal care boarding house shall be met off the street and other than in the required front yard at a rate of 1 staff for each three (3) residents including clients.
- (6) If the dwelling structure to be converted is not served by public sewer, the request for a building permit must be accompanied by a statement from an officer of the Pennsylvania Department of Environmental Resources or the Township Sewage Officer certifying that proposed on-lot sewage disposal system is adequate.

1606.3 - Special Exception to Permit the Alteration, Change in Intensity of Use and Use of Any Existing One-Family Detached Dwelling in any Residential Zoning District for one (1) Additional Dwelling Unit, provided:

- (1) The height regulations and yard requirements shall not be violated.
- (2) The minimum lot area per dwelling unit shall not be less than 24,000 square feet per dwelling unit.
- (3) One (1) parking space shall be provided for the additional dwelling unit to be provided.
- (4) That any proposed alteration, change intensity of use, and use shall meet all the requirements of the Township and State Boards of Health, and the Fire and Panic Laws of the Commonwealth of Pennsylvania.

1606.4 - Special Exception to Permit the Temporary Erection and Use of a Real Estate Office and/or Contractor's Storage Yard in any "R-2" Zoning District. In cases where such use is incidental and reasonable necessary to the development of housing or construction purposes, and where the proposed use is clearly of a temporary nature, to be abandoned as the adjacent areas become occupied for residential use. Any Permit so authorized shall be only for such limited period of time, in no case more than 1 year, or as the Board, considering the character of the area in question, shall determine is reasonable, provided:.

- (1) Such Permit shall be conditional upon written agreement by the owner to remove any building or other structure erected thereunder upon the expiration of the Permit.

1606.5 - Special Exception to Permit Car Washes, automatic and self-service, provided they meet the following requirements:

- (1) Provide sufficient off-street parking for waiting cars. The parking or standing area shall be situated on the property, outside the washing facilities and be of sufficient size to accommodate at least one-third the hourly capacity (or hourly turn-over) of the car wash plus a reserve of 20 percent of the hourly capacity to accommodate peak demand periods. Hourly capacity in this instance, shall mean the greatest number possible of automobile washes that can be provided in one hour.
- (2) Provide separate entrance and exit facilities with paved driveways. Minimum width of driveways and stacking lanes for waiting cars shall be ten (10) feet.
- (3) No entrance or exit shall be located closer than 50 feet to an existing street intersection of 125 feet from the centerline of ramps extended until it intersects Route 18-551 centerline.
- (4) Provide an area of at least 800 square feet beyond the exit end of the washing building to be used for hand finishing operations of the washing process.
- (5) Car washes may not be located less than 100 feet from the nearest residential zone.
- (6) Provide separate off-street parking area for the owner and employees at the rate of one space for the owner and one space for every two employees.
- (7) The owner shall provide a site plan of the proposed car wash operation showing the location of entrances and exits, the building housing the washing equipment, the parking areas for waiting vehicles and employees, the distance to nearest street intersection, property lines and required setback side yard, and rear yard lines, plus type of screening to be used.
- (8) A permanent screening fence of wall not less than five (5) feet in height shall be constructed along any property line which abuts property zoned for residential use.
- (9) All off-street parking areas shall be hard-surfaced and dust free.
- (10) Side yard and rear yard requirements shall be in accordance with Section 803 of this Ordinance.
- (11) Signs - in accordance with applicable sections of present Ordinance.

1606.6 - Special Exception to Permit Open Pit (strip) Mining of Coal and Other Minerals in the Heavy Industrial District

- (1) General Conditions

- (a) Open pit (strip) mining shall be done on a parcel of not less than 50 acres unless adjacent to a property that has been stripped or is to be stripped, according to certification of the owner (so as to produce a total area of not less than 50 acres).
 - (b) Open pit (strip) mining shall not reach within 100 feet of any property line except where adjacent properties have been or are being stripped.
 - (c) Open pit (strip) mining is permitted in the "I" Zoning District only.
- (2) Procedure for Securing Permit to Strip Mine
- (a) Submit a site map of the area proposed to be stripped, prepared by a registered engineer or surveyor, at a scale of 100' to 1' which shows the following:
 - (1) Contours at 5' intervals.
 - (2) All water courses and culverts.
 - (3) All pertinent boundary lines.
 - (4) All buildings within 200' of the area proposed to be stripped.
 - (5) Signature of the owner in fee of the land and certification thereof.
 - (6) Signature of the owner of mineral rights if separately owned, and certification thereof.
 - (7) Said site map shall be drawn with India ink on linen and prepared as required by the Zoning Hearing Board.
 - (8) Said information shall be drawn with India ink on linen and prepared as required by the Zoning Hearing Board.
- (3) Consideration by the Zoning Hearing Board - In addition to the general standards listed herein, the Zoning Hearing Board shall grant a special exception for strip mining only under the following conditions:
- (a) The Zoning Hearing Board shall require that the stripped land be restored to approximately the original contour, that all "high-wall" shall be sloped to a safe angle of repose, that top soil be stock-piled and re-spread, and that appropriate vegetation be planted to prevent erosion. The Board may, however, allow some other land configuration than the original contour if equally satisfactory in all respects.
 - (b) The Zoning Hearing Board shall require a performance bond or other surety, acceptable in form to the Township Solicitor, guaranteeing that the land be suitably restored, within a one-year period, keeping in mind that the cost of such restoration in 1957 is estimated at \$1000 to \$1500 per acre; such surety being sufficient in amount to fully cover the cost of the restoration except that a credit may be given for the amount of any bond covering the same land posted within the time limit with the State Department of Forests and Waters or other appropriate State Department

- (c) The Zoning Hearing Board shall further limit the amount of land which may be disturbed and unrestored at any one time to a maximum of not more than 10% of the designated minable area.
 - (d) The Zoning Hearing Board shall establish hours of operation, measures to control dust, noise, vibration, and danger, and any other controls necessary to insure the quiet enjoyment of adjoining property as conditions to granting a permit.
- (4) Restoration of Property - The Zoning Hearing Board shall, in case of failure to restore the land at the allotted time, deliver such surety to the Township commissioners who shall take such proper measures as are necessary to restore the disturbed land, within the available funds.

1606.7 - Special Exception to Permit Junk Yards, Salvage Yards in the Heavy Industrial District, provided:

- (1) All storage of junk, waste, discarded or salvaged material, machinery, or equipment, including automobile, truck, or other vehicle parts shall be enclosed on all sides except for an exit and entrance not over 25 feet in width by a solid fence or wall at least 6 feet in height and maintained in good condition or by a cyclone or equal wire fence at least 6 feet in height and surrounded, except for an exit or entrance not over 25 feet in width, by evergreens at least 6 feet in height and planted not further apart than 6 feet so as to form a solid screen.
- (2) Any other part of the operation shall be carried on only in buildings classified as fire-resistant and be carried on in such a manner with such precautions against fire and explosion hazards as to produce no exposure hazards to an adjacent property.
- (3) Burning of any type shall be limited to those hours specified by the Township.

1606.8 - Special Exception to Permit Animal Processing Establishments or Slaughterhouses in the Heavy Industrial District, provided:

- (1) It must be set back from any residential dwelling 300 feet.
- (2) All operations must be completely enclosed in a building.
- (3) It shall not discharge any wastes, liquid or solid into the waters of the Commonwealth.
- (4) It shall meet any requirements set forth by the Commonwealth of Pennsylvania.

1606.9 - Special Exception to Permit the Reasonable extension of Use Regulations in Any Zoning District into Another Zoning District - Over a Lot divided by a Zoning District Boundary Line, provided:

- (1) Such extension shall not be more than 50 feet beyond the boundary line of the Zoning District, when all parts of such lot are held under the same ownership at the effective date of the Zoning Ordinance.

1606.10 - Special Exception to Permit the Use of Land For, and the Erection, Alteration or Enlargement and Use of any Building and/or Other Structure in any "I" Zoning District which shall conform to the Height Regulations and Area Regulations of the "I" Zoning District for any Use Prohibited in the Heavy "I" Zoning District by the Use Regulations and Use Provisions of the Zoning Ordinance, provided:

- (1) The Board determined in each instance, such use shall be essential to the general welfare of the community.
- (2) The proposed location shall be such as to offer a reasonable protection to the immediate area against possible detrimental effects of such use, taking into consideration the physical relationship to surrounding properties and access to the site including any nearby residential streets that must not be traversed in bringing the material to the site.
- (3) It shall not be in conflict with any other law or ordinance of any governmental agency having pertinent jurisdiction.
- (4) That such building, other structure or use shall not occupy more than 50 percent of the buildable area of the lot.
- (5) It shall be convincingly demonstrated to the Board by competent technical experts that such prohibited use can and shall make such use of advanced technical equipment and processes as it shall no longer justify prohibition of such use.

1606.11 - Special Exceptions in Off-Street Parking Facility Requirements to Permit the Modification of Off-Street Parking Facility Requirements in any Zoning District, provided:

- (1) Such modification shall not be inconsistent with the purpose and intent of such requirements.
- (2) It shall be satisfactory to the Board that public or private transportation facilities shall be sufficient to accommodate travel needs of those employed on the premises.
- (3) If after investigation by the Board, it shall be found that such modification shall be necessary to prevent unreasonable hardship or to secure an appropriate development of a specified parcel of land which has such peculiar or exceptional geographical or topographical conditions, or is of size, shape, dimension or location that it cannot be reasonably developed in accordance with the regulations and provisions of the Zoning Ordinance as herein specified.

1606.12 - Other Principal Use Not Explicitly Permitted Within a Zoning District - A use which is not explicitly listed as a permitted principal use within the regulations of a zoning district may be permitted as a Use by Special Exception provided that the use is similar to and not more objectionable to the general welfare than the permitted uses listed in that zoning district. The Zoning Hearing Board may attach reasonable conditions necessary to protect and promote the health, safety and general welfare of the Township.

Article XVII

Amendment, Supplement or Change

SECTION 1700 - Procedure for Amendments - The Zoning Ordinance may be amended or repealed by the Township Supervisors in accordance with provisions of the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended) and with the following procedures:

- (1) Any amendment or repeal may be initiated by:
 - (a) The Township Planning Commission.
 - (b) The Township Board of Supervisors.
 - (c) A notarized petition to the Township Supervisors by the owner of the affected property or by other party having legal interest therein.
- (2) Proposed amendments shall be submitted to the Township Supervisors at a regular or special meeting of the Township Supervisors.
- (3) Before voting on the enactment of an amendment, the Township Supervisors shall conduct such public hearing and/or public review, and follow such procedures including referrals to the Township and county planning commissions as prescribed by the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).
- (4) An application for amendment shall be submitted in a form prescribed by the Township Board of Supervisors containing the following minimum information:
 - (a) Name, address, and phone number of the applicant or his agent.
 - (b) The applicant's legal interest in the affected property(ies).
 - (c) A map showing the location of the affected property(ies), the present and proposed zoning classification and boundaries, and a perimeter sketch of the affected property(ies) showing dimensions and size.
- (5) Any application for amendment to the Zoning Ordinance shall be accompanied by a reasonable fee in such amount as set by resolution of the Township Board of Supervisors.

Article XVIII

Appeals

SECTION 1800 - Zoning Appeals - The review or appeal of any provision of this Ordinance or decision, determination, order or finding of the Township Board of Supervisors or it's agencies or officers shall follow the procedures set forth in the Pennsylvania Municipalities Planning Code (Act 247 of 1968, as amended).

Article XIX

Validity

SECTION 1900 - Severance - If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, or word in the Zoning Ordinance or the Zoning District boundaries as shown on the Zoning Map, shall be for any reason, declared to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of the Zoning Ordinance as a whole or any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of the Zoning Ordinance. The Township Supervisors hereby declare that it would have adopted the Zoning Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, and each Zoning District boundary of the Zoning Map irrespective of the fact that any one or more of the sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases, words or boundaries may be declared illegal, unconstitutional or invalid.

Article XX

Repeal

SECTION 2000 - Ordinance Repealed - Any resolution, or ordinance or any part of any resolution or ordinance conflicting with the provisions, regulations, limitations and/or restrictions of the Zoning Ordinance shall be and the same is hereby repealed to the extent of such conflict.

Article XXI

Definitions

SECTION 2100 - General Interpretation - For the purposes of the Zoning Ordinance, certain terms, phrases and words shall have the meaning given herein. Words used in the present tense include the future; the singular includes the plural; the word "used" shall be construed as though followed by the words "or intended or designed to be used"; the words "building", "structure", and "land" or "premises" shall be construed as though followed by the words "or any portion thereof"; and the word "structure" includes the word "building". The word "shall" is always mandatory and not merely directory.

SECTION 2101 - Definition of Terms

Abandoned Motor Vehicles. Shall be prima facie abandoned when the physical possession or control of which has been voluntarily or intentionally relinquished or disclaimed by its owner without reference to any particular person or purpose without the intention of returning to reclaim or appropriate such vehicles.

Abutting. Having property or district lines in common; e.g., two lots are abutting if they share a common property line.

Access. A way of approaching or entering a property.

Accessory Apartment. A separate, complete housekeeping unit which is contained within the structure of a single-family dwelling but may be isolated from it, or which is contained within an existing accessory building.

Accessory Building or Use. A building or use which: (1) is subordinate to and serves a principal building or principal use; (2) is subordinate in area, extent or purpose to the principal building or principal use served; (3) contributes to comfort, convenience or necessity of occupants of the principal building or principal use; and (4) is located on the same zoning lot as the principal building or principal use.

Addition. Any construction which increases the size of a building such as a porch, attached garage or carport, or a new room or wing.

Adult Entertainment Establishments are defined to include:

Adult Bookstore – Any establishment having as a substantial portion (25% or greater) of its stock in:

- (a) Books, films, magazines, or other periodicals or other forms of audio or visual representation which are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas;

- (b) Instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities.

Adult Cabaret – (1) An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital area; (2) a cabaret that features topless dancers, go-go dancers, strippers, male or female impersonators, or similar entertainers for observation by patrons.

Adult Mini Motion Picture Theater – An enclosed or unenclosed building with a capability of more than five (5) but less than fifty (50) persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material which is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

Adult Model Studio – Any place where, for any form of compensation or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by persons paying such consideration or gratuity, except that this provision shall not apply to any "figure studio" or "school of art" or similar establishment that meets the requirements established in the Education Code of the Commonwealth of Pennsylvania for the issuance of or conferring of, and is in fact authorized thereunder to issue, a diploma.

Adult Motel - A motel or similar establishment offering public accommodations for any consideration, which provides patrons with material distinguished or characterized by an emphasis on depiction or descriptions of specified sexual activities or specified anatomical areas.

Adult Motion Picture Arcade - An enclosed or unenclosed building with a capacity of 50 or more persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material that is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

Adult Motion Picture Theater - An enclosed or unenclosed building with a capacity of 50 or more persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time, measured on an annual basis, is devoted to the showing of material that is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

Adult Newsrack - Any coin-operated machine or device that dispenses material substantially devoted to the depiction of specified sexual activities or specified anatomical areas.

Adult Theater - A theater, concert hall, auditorium, or other similar establishment, either indoor or outdoor in nature that regularly features live performances that are distinguished or

characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

Bath House - An establishment or business that provides the services of baths of all kinds, including all forms and methods of hydrotherapy during which specified anatomical areas are displayed or specified sexual activity occurs. This section shall not apply to hydrotherapy treatment practiced by, or under the supervision of a medical practitioner. A medical practitioner for the purpose of this Ordinance shall be a medical doctor, physician, chiropractor, or similar professional licensed by the Commonwealth of Pennsylvania.

Body Painting Studio - Any establishment or business that provides the service of applying paint or other substance, whether transparent or nontransparent, to or on the human body when specified anatomical areas are exposed.

Massage Parlor - Any establishment or business that provides the services of massage and body manipulation, including exercises, heat, and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner or professional physical therapist licensed by the Commonwealth. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

Out Call Service Activity - An establishment or business that provides an out call service that consists of individuals leaving the premises upon request or by appointment to visit other premises for a period of time for the purpose of providing any service during which time specified anatomical areas are displayed or specified sexual activity occurs.

Sexual Encounter Center - Any business, agency, or person who, for any form of consideration or gratuity, provides a place where two or more persons may congregate, assemble, or associate for the purpose of engaging in specified sexual activity or exposing specified anatomical area, excluding psychosexual workshops, operated by a medical practitioner (as previously defined), to engage in sexual therapy.

Any other business or establishment that offers its patrons services or entertainment characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

Agent or owner. Any person who can show written proof that he has authority to act for the property owner.

Agri-business (Agricultural Business). Any business or industry supplying services, goods, or involved in the manufacture and/or processing of agricultural products for retail or wholesale purposes.

Alley. The space or area between the rear or side lot lines of lots which has a minor right-of-way width of twenty (20) feet or less which is dedicated for the public use of vehicles and pedestrians and which affords secondary access to an abutting lot.

Alteration. As applied to a building or structure, is a change or rearrangement in the structural parts, or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or moving from one location or position to another.

Alteration, Structural. A change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as bearing wall, columns, beams and girders.

Apartment House. See Dwelling, Multiple-Family.

Apartment Unit. See Dwelling Unit.

Automotive Service Establishment. Any premises used for supplying gasoline, oil, minor accessories and services for automotive vehicles at retail direct to the motorist consumer, including the making of minor repairs, but not including major repairs, such as spray painting; body, fender, and frame repairs; or complete recapping or retreading of tires.

Automotive Wrecking. The dismantling or wrecking of used motor vehicles, trucks, trailers, or farm equipment or the storage, sale or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

Awning. An awning shall include any structure made of cloth or metal with a metal frame attached to a building and projecting over a yard or thoroughfare, when the same is so erected as to permit its being raised to a position flat against the building when not in use or not permanently attached to and an integral part of a porch, carport, or similar attached accessory structure.

Back-to-Back Lots. Lots which have at least part of their rear lot lines in common.

Basement. portion of a building partly underground, having one-half (½) or more than one-half (½) of its floor-to-ceiling height below the average grade of adjoining ground. A basement is not included in computing the number of stories for the purpose of maximum height regulations.

Block. The length of a street between two (2) street intersections; or a piece of land bounded on all sides by streets or other transportation routes such as railroad lines, or by physical barriers such as waterbodies or public open space, and not traversed by a through street. A block shall be considered to have a maximum length of 1600 feet.

Board. The Zoning Hearing Board of Shenango Township, Mercer County, Pennsylvania.

Boarding House (also Rooming House). A building or portion thereof, arranged or used for sheltering and feeding for compensation individuals who are not members of the proprietor's family.

Boarding Unit. Living quarters which, unlike a Dwelling Unit, do not contain complete housekeeping facilities and are typically used for sheltering and feeding paying occupants who are not members of the proprietor's family.

Breezeway. Any portion of a lot roofed over by a structure joining a principal dwelling unit to any other structure.

Building. An enclosed structure built, erected, and framed of component structural parts, designed for the housing, shelter, enclosure, and protection of persons, animals, or property of any kind, including mobile homes.

Building, Accessory. A detached, subordinate building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building.

Building, Attached. A building where both side walls of all except the end structures are party walls.

Building Coverage. The amount of land covered or permitted to be covered by a building, measured in terms of percentage of the lot.

Building, Detached. A building which has no party wall.

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

Canopy. A canopy shall include any structure (other than an awning, made of cloth or metal with frames attached to a building) projecting over a pedestrian or vehicular thoroughfare, and carried by a frame supported by the ground or sidewalk.

Carport. A roofed structure having two or more open sides and extending from the side or rear wall of a principal or accessory building, used primarily as a shelter for automotive vehicles or recreation equipment. The open sides may be screened or enclosed, but at least 50 percent of such wall area must remain open. In addition, the carport shall not extend into any required yard.

Cartway. That area of a street within which vehicles are permitted including travel lanes and parking areas but not including shoulders, curbs, sidewalks or swales.

Car Washes. Any portion of a building or lot wherein car washing services are offered to the general public on a commercial basis, including automatic types in which cars are driven or towed through and coin-operated, self-service types.

Centerline. The line located at the middle of the traveled surface of a road, equi-distant from both edges of the road surface.

Certificate of Use and Occupancy. A statement, based on an inspection and signed by the Zoning Officer, indicating that a building, structure, and/or land conforms with the provisions

prescribed in the Zoning Ordinance and may lawfully be occupied or used for a specified use or uses.

Child Care Center. Provides out-of-home care for seven (7) or more children for part of a 24-hour day to children 15 years and younger, including care provided to a child at the parents work site when the parent is not present in the child care space, and including care provided in public or private profit or non-profit facilities. Also, care provided before or after the hours of instruction at non-public and private nursery schools and kindergartens. Definition does not apply to care provided: by a relative; in places of worship during religious services; in a facility where the parent is present at all times child care is provided; during hours of instruction in non-public or private nursery school or kindergarten.

Church. A building for public religious worship.

Client. Means any person who is an ambulatory resident of a personal care residence.

Clinic. Any professional medical building or establishment where people are examined or treated by doctors or dentists, but are not hospitalized overnight.

Club, Lodges and Fraternal Organizations. An establishment operated for social, recreational, or educational purposes, and open only to members and their guests, but not the general public.

Commercial Vehicle. A commercial vehicle shall be any vehicle other than a private passenger vehicle, including trucks, trailers and construction equipment.

Commission. The Shenango Township Planning Commission.

Conditional Use. A permission or approval granted by the Township Board of Supervisors to use land in a district for a purpose other than that permitted outright in that district, only upon showing that such use in a specified location will comply with the express standards and criteria contained in the Zoning Ordinance and any additional safeguards deemed necessary for approval of the governing body. Conditional uses may be approved or denied by the Board of Supervisors only in accordance with the provisions of the PA Municipalities Planning Code (Act 247 of 1968, as amended).

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

Convalescent Home. A dwelling converted into quarters or new building constructed with quarters for the full-time convalescent or chronic care of persons who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves.

Conversion. Changing the original purpose of a building to a different use.

Court. A portion of a lot unoccupied above grade but partially or wholly surrounded by building walls.

Court, Inner. A court surrounded on all sides by the exterior walls of a structure or by such walls and a lot line.

Court, Outer. Open space bounded on three sides by building walls or potential building walls along the property lines.

Covenant. A private legal restriction on the use of land, contained in the deed to the property or otherwise formally recorded.

Curb Level. The elevation of the street grade as established in accordance with the law or when a curb level has not been established, the grade at the center of the street.

Curb Line. The line establishing the width of a cartway in a right-of-way. Where curbs do not exist the edge of pavement shall be the curb line.

Day Nursery School. A school for the education of children under six (6) years of age, not including therewith rooming, boarding or lodging accommodations.

Dedication. The transfer of property from private to public ownership.

Deed Restriction. See Covenant.

Density. The area of a lot or group of lots computed, exclusive of any portion of the right-of-way of any street, divided by the number of dwelling units contained on the lot or group of lots.

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

District. A district or a zone shall be any portion of the territory of the Township of South Pymatuning within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

Dormitory. A building, or part thereof, operated by an institution and containing a room or rooms forming one or more habitable units which are intended for living and sleeping purposes, but not for cooking or eating purposes, by the residents of the institution.

Drive-in Business. A place of business where persons are served in automobiles from a refreshment stand, restaurant, food store and the like.

Driveway. An open space located on a private lot built for access to a private garage or to any structure located on the lot.

Dwelling. A building arranged and used for residential occupancy containing a dwelling unit or units, but excluding a boarding house, hospital, institutional home, hotel, motel, and other similar types of uses.

Dwelling, Multiple-Family. A building have three (3) or more dwelling units and designed to be used or occupied as a residence by three (3) or more families living independently of each other and each with its own exterior entrance door or own entrance door from an interior hallway.

Dwelling, Single-Family. A detached, permanent building designed for and used exclusively for occupancy by one family.

Dwelling, Two-Family (Duplex). A building having two (2) dwelling units, each with its own entrance door and designed for and used for occupancy by two families. The Dwelling Units may be either semi-detached with one (1) family living on either side of a common party wall, or stacked with one (1) family living over the other.

Dwelling Unit. A building or portion thereof providing complete house keeping facilities for one family. The term shall include all structures designed for and/or used for living purposes, including mobile homes, prefabricated dwellings, and similar portable structures.

Easement. A right given by the owner of land to another party for specific limited use of that land.

Enlargement. A construction activity which increases the size of a building or other structure.

Essential Services. The erection, construction, alteration or maintenance by public utilities or municipal departments or municipal authorities of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, 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 public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including office buildings or maintenance depots.

Family. A group of individuals not necessarily related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability. A family shall not include profit-making arrangements, groups in boarding houses or hotels/motels, or fraternities, sororities or clubs.

Farm. A lot, parcel or tract of land used for agricultural purposes.

Floor Area, Gross. The total area of all floors of a building as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, attached garages, porches and balconies.

Floor Area, Residential. The total area of all floors of a residential building devoted solely to residential use, measured between interior faces of walls and exclusive of entrance ways, porches, breezeways and roofed terraces, whether enclosed or not, and excluding basements and garages.

Fraternal Organization. A group of people formally organized for a common interest, usually cultural, religious or entertainment, with regular meetings, rituals and formal written membership requirements.

Frontage. The frontage, or front of a lot, is the side nearest the street. For the purposes of determining yard and setback requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards and setbacks shall be provided as indicated in this Ordinance.

Garage, Automotive. A premises used for repair of automotive vehicles but not including automotive wrecking (including therewith may be facilities supplying gasoline, oil, accessories and services to automotive vehicles direct to the motorist consumer).

Garage, Private. A detached accessory building or a portion of a principal building used only for the storage of automobiles by the families resident upon the premises.

Garage, Public. A structure or portion thereof, other than a private garage, operated for gain and which is used for the storage, sale, hire, care, repair, or refinishing of automobiles; not including a structure or part thereof used only for storage or display of automobiles for other than transients.

Golf Course. A tract of land for playing golf, improved with tees, greens, hazards, pro-shop and may include clubhouses and shelters.

Grade. The mean curb level or, when the curb level has not been established or all the walls of the building are more than fifteen (15) feet from street lot lines, grade means the mean elevation of the ground adjoining the structure on all sides.

Hardship. Unique circumstances or conditions on a property which by strict adherence to zoning ordinance provisions may limit full utilization of property. Further definition of hardship and provisions for proper application of hardships relating to a zoning ordinance shall be in accord with the Pennsylvania Municipalities Planning Code, as amended.

Height of Building. The vertical distance from the grade to the highest point on a building except as otherwise provided for in Section 1301.1 of this ordinance.

Height of Story. The vertical distance from top to top of two (2) successive tiers of beams or finished floor surfaces; and, for the top most story, from the top of the floor finish to the top of the ceiling joists, or where there is no ceiling to the top of the roof rafters.

Height of Wall. The vertical distance from the foundation wall or other immediate support of such wall to the top of the wall.

Home Occupation. Any accessory use customarily conducted entirely within a dwelling and carried on by occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and which does not change the residential character thereof.

Hospital. A private or public institution where the ill or injured may receive medical, surgical, or psychiatric treatment, nursing, food, lodging, etc., during illness or injury.

Hospital, Animal. A structure designed or converted for the care of and/or treatment of sick or injured domestic animals.

Hotel. A building designed for occupancy as the temporary residence of individuals or transients who are lodged with or without meals, and in which no provision is made for cooking in any individual room or suite.

Household Pet. Animals integrated into and which become part of and may be housed as part of the normal household unit for purpose of pleasure and companionship.

Housing Unit. Same as Dwelling Unit.

Industrial Services. Establishments providing primary service to industries such as machinery sales and repair, supply sales and warehousing, transportation services, restaurants serving industrial concerns, and the like. Industrial services shall not include the sales, salvage, or repair of passenger vehicles.

Institutional Home. A residential building used for health or welfare purposes by a non-profit organization.

Junk. Any worn, cast off, or discarded articles or material which is ready for destruction or which has been collected or stored for sale, resale, salvage or conversion to some other use. The term junk shall include abandoned and/or non-operating vehicles as defined below:

Abandoned Vehicle. Shall be prima facie abandoned when the physical possession or control of which has been voluntarily or intentionally relinquished or disclaimed by its owner without reference to any particular person or purpose and without the intention of returning to reclaim or appropriate such vehicle.

Non-Operating Vehicle. Shall be prima facie non-operating when it does not display thereon a current Pennsylvania registration plate and inspection sticker, or if such current registration plate and inspection sticker are displayed thereon, does not currently meet the requirements of the Pennsylvania Motor Vehicle Code concerning the condition of vehicles and the necessary equipment to be attached to vehicles in order to pass current state inspection standards.

Junk Yard. The use of more than 200 square feet of the area of any lot, outside a building, or the use of any portion of that half of any lot that joins any street, for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition or abandonment of automobiles or other vehicles or machinery or parts thereof.

Land. The solid portion of the earth's surface which is capable of being used or occupied.

Land, Developed. "Improved land" with buildings.

Land, Improved. "Raw land" which has been provided with basic utilities such as water and sewerage, streets, sidewalks, but not buildings.

Land, Raw. Vacant land unsubdivided and unimproved (without utilities or streets).

Landscaping. Changing, rearranging, or adding to the original vegetation or scenery of a piece of land to produce an aesthetic effect appropriate for the use to which the land is put. It may include reshaping the land by moving the earth, as well as preserving the original vegetation or adding vegetation.

Land Use. A description of how land is occupied or utilized.

Loading Space. An off-street space or berth on same lot with a building, or contiguous to a group of buildings, for the temporary stopping of commercial vehicles while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access to a public right-of-way.

Lot. The basic development unit - an area with fixed boundaries, used or intended to be used customarily by one building and its accessory building(s) and not divided by any public highway or alley. The lot shall not include any portion of the street right-of-way.

Lot Area. The computed area of a lot contained within the lot lines and measured at grade on a horizontal plane.

Lot, Corner. A lot abutting upon two (2) or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lot lines is the "corner".

Lot Coverage. See "Building Coverage".

Lot Depth. The mean horizontal distance between the front lot line and the rear lot line, or the distance between the midpoint of the front lot line and the midpoint of the rear lot line.

Lot, Double Frontage. An interior lot whose front and rear lot lines abut streets, or a corner lot with two (2) opposite lot lines abutting a street.

Lot Frontage. See "Frontage".

Lot, Interior. A lot whose side lot lines do not abut a road.

Lot Lines. The property lines bounding the lot.

Lot Line, Front. The line separating the lot from a road right-of-way.

Lot Line, Rear. The lot line opposite and most distant from the front lot line.

Lot Line, Side. Any lot line other than a front or rear lot line; a side lot line separating a lot from a street is called a side street lot line.

Lot Line, Street or Alley. A lot line separating the lot from a street or alley.

Lot, Non-Conforming. A lot lawfully existing at the effective date of the Zoning Ordinance or by subsequent amendment thereto which does not conform with the area regulations and other provisions prescribed for the Zoning District in which it is located.

Lot of Record. A lot which is part of a recorded subdivision or a parcel of land which has been recorded or registered in the Office of the Recorder of Deeds of Mercer County, Pennsylvania.

Lot Width. The mean horizontal distance between the side lot lines of a lot measured at right angles to the depth.

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

Mobile Home Lot. A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

Mobile Home Park. A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

Motel (also Motor Court, Auto Court, Motor Hotel, Tourist Court, Cabin and/or Motor Lodge). Any building or group of attached, semi-attached, or detached buildings (not including a trailer) located on a single lot containing individual sleeping or housekeeping units designed for use by transients.

Motor Freight Terminal. A lot maintained by a motor freight company which is the origin and/or destination point of short and long distance hauling and which is used for the purpose of storing, transferring, loading and unloading of merchandise and truck parking and storage facilities.

Nursery (also Greenhouse). Land or greenhouses used to raise flowers, shrubs, or plants for sale.

Open Space. An area of land unoccupied by a building and/or other structure.

Owner. The duly authorized agent, attorney, purchaser, devisee, fiduciary or any person having vested or contingent interest in the lot, building, or structure in question.

Parking Area. An open space on a lot used as an accessory use for the parking of automotive vehicles.

Parking Space. An off-street space, whether outside or inside a structure, to be used exclusively as a parking stall for one (1) motor vehicle.

Permit. A license issued by the Zoning Officer which permits the applicant to proceed with the work specified in the permit application as approved by the Zoning Officer.

Person - An individual, association, co-partner or corporation.

Personal Care Residence. A building where food, shelter and personal assistance or supervision are provided for at least one full day for three or more ambulatory adults who are not relatives of the operator and who may require assistance or supervision in such matters as dressing, bathing, diet or medication prescribed for self-administration but do not require hospitalization or care in a skilled nursing or intermediate care facility.

Planning Code. The Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended by Act 170 of 1988, as further amended by Act 209 of 1990, and Act 131 of 1992, and including any further amendments.

Planning Commission. The Planning Commission of Shenango Township.

Plat. A map, plan or chart of a section or subdivision of the Township indicating the location and boundaries of individual lots.

Plot. A parcel of land consisting of one or more lots or portions thereof which is described by reference to a recorded plat or by metes and bounds.

Porch. A roofed over structure projecting from the front, side or rear wall of a building. A porch is considered a part of the principal building and is not permitted to extend into any required yards.

Professional Office. The office of a member of a recognized profession.

Recreation, Commercial. Recreational facilities operated as a business and open to the general public for a fee.

Recreation, Non-Commercial. Recreation facilities operated by a non-profit organization and open only to bonafide members of such organization.

Recreation, Public. Recreation facilities operated as a non-profit enterprise by the Township, and any other governmental entity, or any non-profit organization which are open to the general public.

Recreational Vehicle. A vehicular-type unit primarily designed for temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper, and motor home. No Recreational Vehicle shall be used as a permanent dwelling or business.

Recreational Vehicle Park. A plot of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

Road. Any street, highway, or other public roadway which is dedicated to public use by governmental authority.

Screening. A method of visually shielding or obscuring abutting or nearby structures or uses from another by fencing, walls, or densely planted vegetation.

Setback. See "Yard, Front (also Building Setback)".

Sign. See Article XI for specific definitions regarding signs, sign types, and related terms.

Site. A plot of land intended or suitable for development.

Site Plan. A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, streets, building sites, reserved open space, buildings, major landscape features - both natural and man-made - and the locations of proposed utility lines.

Special Exception. A provision which permits, under specified terms and conditions, particular uses to locate in a zoning district without detriment to the routine and orderly development as provided for that zoning district. The provision is granted by the Zoning Hearing Board.

Specified Anatomical Areas. As used within shall mean and include any of the following:

- (a) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola, or;
- (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered

Specified Sexual Activities include the following:

- (a) showing of human genitals in a state of sexual stimulation or arousal;
- (b) acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, cunnilingus, or any other specified sexual activity prohibited by law;
- (c) fondling or erotic touching of female genitals, pubic region, buttock, or female breasts

Story. A part of a building comprised between a floor and a floor or roof next above, including a basement.

Story, Half. A story with at least two (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor area immediately below it.

Street. See "Road".

Street, Private. A street which serves lots or parcels which do not have access to a public street and require access through the private street to a public street. A private street is maintained by the owner of the street or road or through a property owners' agreement.

Structure. A combination of materials forming a construction for occupancy and/or use including among other, a building, stadium, gospel tent, circus tent, reviewing stand, platform,

staging, observation tower, radio tower, water tank, trestle, pier, wharf, open shed, coal bin, shelter, fence, wall and a sign.

Structure, Accessory. An attached, semi-detached or detached structure whose use is customarily incidental and subordinate to that of the principal structure or use and which is located on the same lot as the principal structure or use.

Structure, Non-Conforming. A legal structure existing at the effective date of the Zoning Ordinance or by a subsequent amendment thereto which does not completely conform to the height regulations, area regulations, and other provisions prescribed for the Zoning District in which it is located.

Structure, Principal. A structure housing the principal use.

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, partition by the court for distribution to heirs or devisees, 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 (10) acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

Terminal. (1) A place where transfer between modes of transportation takes place; (2) A terminating point where goods are transferred from a truck to a storage area or to other trucks, or picked up by other forms of transportation.

Terrace. A natural or artificial embankment which is higher than the curb level.

Terrace, Height of. The difference in elevation between the curb level and the top of the terrace at the center of the wall of the principal structure.

Townhouse (also Row House). A unique residential structure containing four or more attached dwelling units. Each dwelling unit has a recorded lot and may have a vested interest in the common open space. The structure may be one, two or three stories in height.

Township Supervisors. The Board of Supervisors of Shenango Township.

Trailer. Any licensed or unlicensed piece of mobile equipment designed or constructed to be towed or pulled by a motor vehicle.

Transient. Any individual residing or stopping in the municipality for less than thirty (30) days at one time.

Travel Trailer. See "Recreational Vehicle".

Use, Accessory. A use customarily incidental and subordinate to the principal use of a building, structure and/or land or a use not the principal use which is located on the same zoning lot as the principal building, other structure and/or land, except parking and/or loading facilities as herein provided.

Use, Non-Conforming. A legal use of a building, other structure and/or land existing at the effective date of the Zoning Ordinance or by a subsequent amendment thereto, which does not completely conform with the use regulations and other provisions prescribed for the Zoning District in which it is located.

Use, Principal. The main or primary purpose, for which a building, other structure and/or land is designed, arranged, or intended, or for which it may be used, occupied or maintained under the Zoning Ordinance.

Utility, Private or Public. (1) Any agency which, under public franchise or ownership, or under certificate of convenience and necessity, provides the public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other similar service; (2) A closely regulated private enterprise with an exclusive franchise for providing a public service.

Variance. Relief granted by the Zoning Hearing Board upon appeal in specific cases, from the terms of the Ordinance as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the Zoning Regulations will result in unnecessary hardship, and so that the spirit of the Zoning Regulations will be observed and substantial justice done.

Visual Obstruction. Any fence, wall, tree, hedge, or shrub, or a combination of them which limits visibility.

Written Notice. Shall have been served if delivered in person to the person intended or if delivered or sent by certified mail to the last known address of the person intended.

Yard. An unoccupied space, other than a court, on the same lot with a building, unobstructed artificially from the ground to the sky, except as otherwise provided herein.

Yard, Front (also Building Setback). A yard across the full width of the lot, extending from any point of a principal or accessory building or structure to the front lot line.

Yard, Minimum Dimension. The minimum, permitted horizontal distance between a lot line and the nearest point of a main wall of a principal building or structure exclusive of permissible yard encroachments and occupancy and street projections as provided by this Ordinance. The measurement of the minimum dimension shall be made at grade and perpendicular to the lot line and building or structure.

Yard, Rear. A yard across the full width of the lot, extending from any point of a wall of a principal or accessory building or structure to the rear lot line of the lot.

Yard, Side. A yard between a principal or accessory building or structure to the adjacent side lot line of the lot, extending from the front yard to the rear yard.

Yard, Corner Side. A side yard which faces a public or private street.

Yard, Interior Side. A side yard located immediately to another zoning lot or to an alley separating such side yard from another zoning lot.

Zero Lot Line. A development approach in which a building is sited on one or more lot lines with no rear yard.

Zoning Map. The zoning district map or maps of the Township of Shenango, together with all amendments subsequently adopted.

Zoning Officer. The agent or official designated by the Board of Supervisors and charged by law with the administration and enforcement of the Zoning Ordinance.

Zoning Ordinance. The Zoning Ordinance of the Township of Shenango together with all amendments subsequently adopted.

Article XXII
Effective Date

SECTION 2200 - Effective Date - The Zoning Ordinance shall take effect ten (10) days after the date of adoption by the Board of Township Supervisors of Shenango Township, Mercer County, Pennsylvania.

We hereby certify that the Shenango Township Zoning Ordinance was adopted by the Board of Supervisors of Shenango Township, Mercer County, Pennsylvania this _____ day of _____, A.D., _____.

TOWNSHIP OF SHENANGO
MERCER COUNTY, PENNSYLVANIA

MEMBER - BOARD OF SUPERVISORS

MEMBER - BOARD OF SUPERVISORS

MEMBER - BOARD OF SUPERVISORS

MEMBER - BOARD OF SUPERVISORS

MEMBER - BOARD OF SUPERVISORS

(SEAL)

ATTEST:

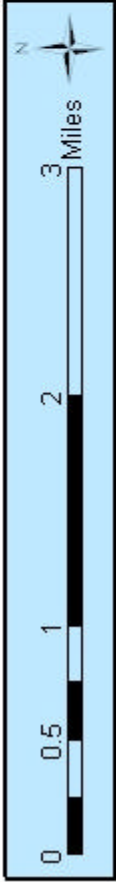
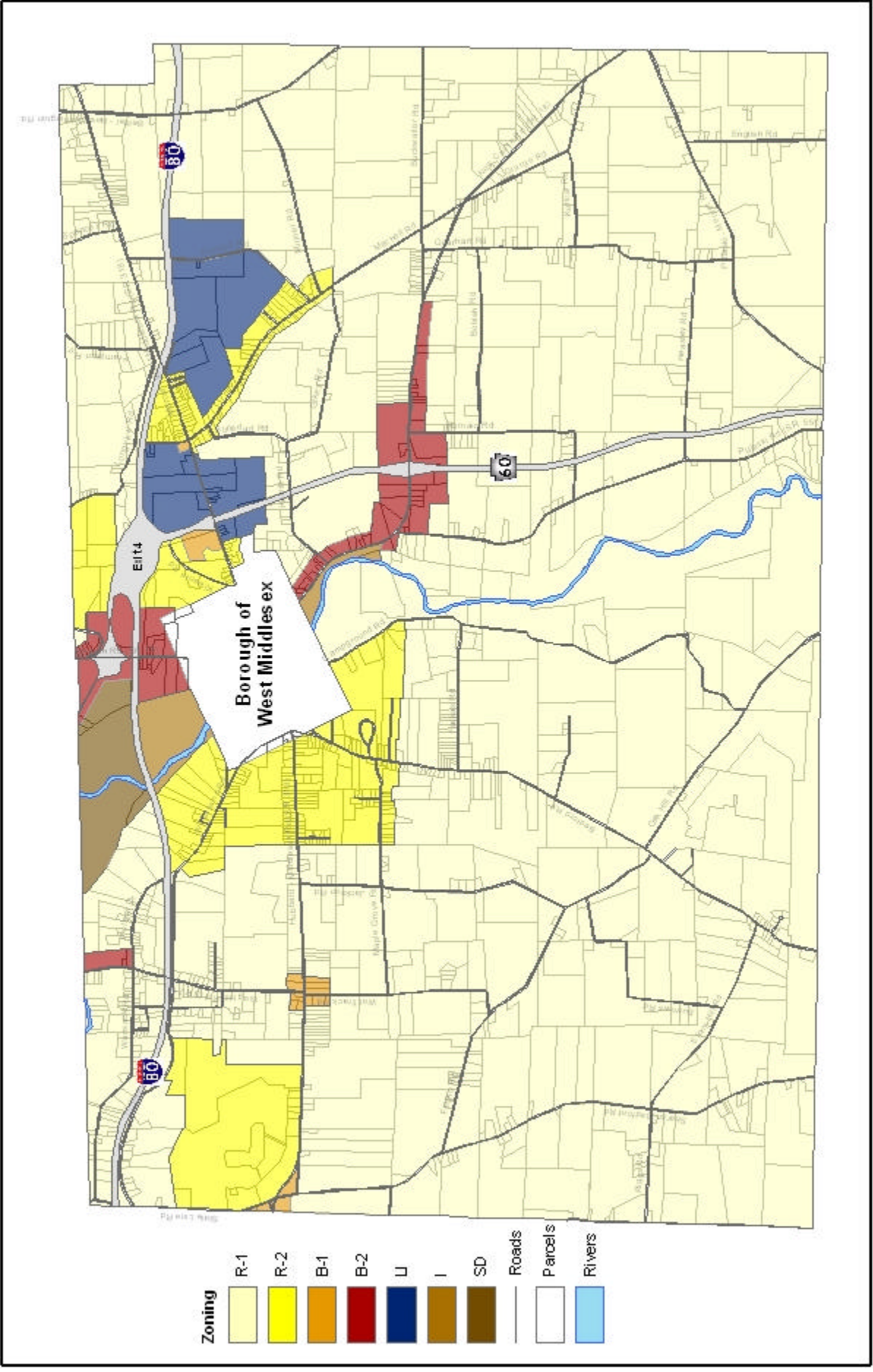
TOWNSHIP SECRETARY

Article XXIII Certification

SECTION 2300 - Certification - I do hereby certify that the foregoing is a true copy of Ordinance Number ____, adopted by the Board of Township Supervisors of Shenango Township, Mercer County, Pennsylvania on _____, A.D., _____.

TOWNSHIP SECRETARY

Shenango Township Zoning Map



Created September 2005 by the Mercer County Regional Planning Commission (MCRPC)
 For reference only.
 For parcel zoning information, contact the Township at (724) 528-9571.