

## TITLE SIX - Zoning

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## CHAPTER 1260

## General Provisions and Definitions

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## CROSS REFERENCES

- Authority to enact - see Penna. Mun. Plan. Code, Sec. 601
- Ordinance provisions - see Penna. Mun. Plan. Code, Sec. 603
- Interpretation of ordinance provisions - see Penna. Mun. Plan. Code, Sec. 603.1
- Zoning purposes - see Penna. Mun. Plan. Code, Sec. 604
- Statement of community development objectives - see Penna. Mun. Plan. Code, Sec. 606
- Preparation of proposed zoning ordinance - see Penna. Mun. Plan. Code, Sec. 607
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Enactment of zoning ordinance amendments - see Penna.  
Mun. Plan. Code, Sec. 609  
Procedure for landowner curative amendments - see  
Penna. Mun. Plan. Code, Sec. 609.1  
Procedure for Municipal curative amendments - see  
Penna. Mun. Plan. Code, Sec. 609.2  
Publication, advertisement and availability of ordinances -  
see Penna. Mun. Plan. Code, Sec. 610

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#### **1260.01 TITLE, EFFECTIVE DATE AND REPEALER.**

The official title of this Title Six of Part Twelve, the Planning and Zoning Code, is the "Lawrence Park Township Zoning Ordinance." This Title Six shall take effect on March 14, 1985. This Title Six repeals and replaces the former Township Zoning Ordinance, which was enacted on October 12, 1972, as well as all amendments made through July 9, 1985. (Ord. 300-85. Passed 3-4-85.)

#### **1260.02 INTERPRETATION; CONFLICT OF LAWS.**

The provisions of this Zoning Code shall be held to be minimum requirements, adopted for the promotion of the public health, safety and general welfare. Whenever the requirements of this Zoning Code are in conflict with the requirements of any other lawfully adopted rules, regulations or ordinances in force within the Township, the most restrictive or that imposing the higher standard shall govern. (Ord. 300-85. Passed 3-4-85.)

#### **1260.03 SEPARABILITY.**

Should any section or provision of this Zoning Code be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Zoning Code as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid. (Ord. 300-85. Passed 3-4-85.)

#### **1260.04 AUTHORITY FOR ADOPTION.**

This Zoning Code is adopted and designed pursuant to the authority vested in the Township by the Pennsylvania Municipalities Planning Code, Act of 1968 (P.L. 805, No. 247), as amended. (Ord. 300-85. Passed 3-4-85.)

#### **1260.05 COMPLIANCE REQUIRED.**

No structure shall be located, erected, constructed, reconstructed, moved, altered, converted or enlarged, nor shall any structure or land be used, except in full compliance with all provisions of this Zoning Code and after the lawful issuance of any permits, certificates or approvals as are required by this Zoning Code. (Ord. 300-85. Passed 3-4-85.)

**1260.06 COMMUNITY DEVELOPMENT OBJECTIVES.**

This Zoning Code and the Zoning Map adopted in Section 1266.01 are intended to promote, protect and facilitate the public health, safety, general welfare, coordinated and practical community development, proper density of population, civil defense, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water and sewage, schools, public grounds and other public requirements, as well as to prevent the overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers. More specifically, these broad purposes are designed to clearly achieve the community development objectives of the Lawrence Park Township Comprehensive Plan of 1983.

(Ord. 300-85. Passed 3-4-85.)

**1260.07 AMENDMENTS.**

(a) Manner of Originating. The Board of Commissioners may introduce and consider amendments to this Zoning Code and to the Zoning Map, as proposed by a member of the governing body, by the Planning Commission, or by a petition of a person residing or owning property within the Township.

(b) Petitions. Petitions for amendment shall be filed with the Board of Township Commissioners, and the petitioner, upon such filing, shall pay a filing fee, in accordance with a schedule established annually by the Township.

(c) Referral to Other Planning Agencies. Any proposed amendment presented to the Board of Commissioners shall be referred to the Township Planning Commission and the Erie County Department of Planning for review prior to a public hearing by the Board of Commissioners. A forty-five day review period of these planning agencies shall be allowed before the Board of Commissioners may take final action on the amendment.

(d) Public Hearings. Before acting upon a proposed amendment, the Board of Commissioners shall hold at least one public hearing thereon. Notice of such public hearing, containing a brief summary of the proposed amendment and a reference to the place where copies of the same may be examined, shall be published once each week for two successive weeks in a newspaper of general circulation within the Township. The first publication shall be at least fourteen days, but not more than thirty days, prior to the date of the hearing.

(Ord. 300-85. Passed 3-4-85.)

(e) Curative Amendments. A landowner in Lawrence Park, who desires to challenge on substantive grounds the validity of this Zoning Code or Map, or any provision thereof which prohibits or restricts the use or development of land in which he or she has an interest, may submit a curative amendment to the Board of Township Commissioners, with a written request that his or her challenge and proposed amendment be heard and decided as provided in Sections 609.1 and 609.2, as well as Section 916.1 of the Pennsylvania Municipalities Planning Code, Act of 1968 (P.L. 805, No. 247), as amended. As with other proposed amendments, the curative amendment shall be referred to the Township Planning Commission and the Erie County Department of Planning at least thirty days before the hearing is conducted by the Board of Township Commissioners. (Ord. 340-91. Passed 7-23-91.)

### **1260.08 DEFINITIONS.**

Certain words used in this Zoning Code are defined below. Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; and the word "shall" is mandatory and not permissive.

- (1) "Accessory structure" means a structure customarily incidental and subordinate to the principal use and located on the same lot as the principal use, including, but not limited to, solar devices, wind devices and satellite dishes. (Ord. 300-85. Passed 3-4-85; Ord. 356-93. Passed 9-14-93.)
- (2) "Animal" is not reserved to, but includes dogs and cats.
- (3) "Animal care" means the boarding, breeding, housing or medical treatment of four or more animals, six months old or older. (Ord. 316A-88. Passed 3-29-88.)
- (4) "Basement" means a story having more than fifty percent of its clear height below finished grade. A basement is not considered part of interior living area. (Ord. 300-85. Passed 3-4-85.)
- (4A) "Bed and breakfast" means a permitted home occupation use of a residence to provide temporary overnight lodging and a breakfast meal, subject to the provisions of Section 1286.10. (Ord. 406-98. Passed 6-23-98.)
- (5) "Board" means the Zoning Hearing Board of Lawrence Park Township, Erie County, Pennsylvania.
- (6) "Boarding, rooming, tourist, fraternity or lodging house" shall be as defined in Section 1286.09. (Ord. 300-85. Passed 3-4-85.)
- (7) "Bottle club" means a place of assembly owned, maintained or leased, for pecuniary gain, in which no intoxicating liquors are sold, but where patrons are being permitted to bring intoxicating liquors upon the premises for their own use and consumption. (Ord. 305-85. Passed 7-9-85.)
- (8) "Building" means a roofed structure enclosed by walls for the shelter, housing or enclosure of persons, goods, materials or animals.
- (9) "Building (setback) line" means an imaginary line fixed by the required yard depth, measured from the property line to the nearest point that a building may be constructed to the front, side and rear yards.

- (10) "Cartway" means, in the case of an improved road, the portion which is paved or improved for travel, and in the case of an unimproved road, the entire grade surface.
- (11) "Church" means an establishment designed and intended for religious instruction or public worship and designated as tax exempt property by the Erie County Tax Assessment Office.
- (12) "Club" means an establishment operated for social, recreational, athletic or educational purposes, but open to members and not the general public. (Ord. 300-85. Passed 3-4-85.)
- (12A) "Commercial equipment" means and includes trucks rated by the manufacturer as greater than one ton, tandems, tractor trailers, school buses, tractors or other commercial construction, earth-moving or cargo-moving vehicles or equipment, and all commercial trailers. (Ord. 416-99. Passed 5-25-99.)
- (13) "Commissioners" means the elected Board of Lawrence Park Township Commissioners. (Ord. 300-85. Passed 3-4-85.)
- (13A) "Communications antenna" means any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including, without limitation, omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence-mounted satellite dishes or television antennas or amateur radio equipment, including, without limitation, ham or citizen band radio antennas.
- (13B) "Communications equipment building" means an unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than 250 square feet.
- (13C) "Communications tower" means a structure, other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support communications antennas. (Ord. 418-99. Passed 6-24-99.)
- (14) "Conditional use" means a use or activity which the Board of Township Commissioners are permitted to authorize in specific instances listed in this Zoning Code, under the terms, procedures and conditions prescribed herein.
- (15) "Condominium" means a form of ownership of space and use in a multifamily dwelling. (See Section 1286.06.)
- (16) "Coverage, maximum lot" means the total allowable percentage of the lot area covered by principal and accessory structures. Driveways, sidewalks, patios, etc. are exempted from maximum lot coverage requirements.

- (17) "Drive-in facility" means a commercial business that provides service to the occupants of a vehicle from a window, booth or other structure designed to provide such service, while the patrons are parked in an off-street parking space. This shall include, but not be limited to, such establishments as drive-in banks, drive-in beverage distributors, restaurants, laundries and service stations.
- (18) "Dwelling" means any structure or portion thereof designed or used as the living quarters for one or more families.
- (19) "Dwelling, single-family" means a detached building designed for and used exclusively for occupancy by one family and having a minimum of 900 square feet of enclosed, interior living area on a permanent foundation.
- (20) "Dwelling, multifamily" means a building designed for or occupied by three or more families living independently of each other, with separate living, cooking, sanitary and entrance facilities for each, e.g. apartment buildings, condominiums and townhouses.
- (21) "Dwelling, multiple." See Section 1286.09.
- (22) "Dwelling, two-family" means a building designed for or occupied by two families living independently of each other, with separate cooking, sanitary and entrance facilities for each, e.g. a duplex.
- (23) "Dwelling unit" means one or more living and/or sleeping rooms, together with exclusive cooking and sanitary facilities for one family.  
(Ord. 300-85. Passed 3-4-85.)
- (24) "Essential services" means the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems and their essential buildings, excluding communications towers and communications antennas, as defined herein.  
(Ord. 418-99. Passed 6-24-99.)
- (25) "Family" means:
- A. A collective body of one or more persons living together as a separate housekeeping unit in a relationship based upon blood, marriage, adoption or law, plus necessary domestic help which shall not exceed two individuals except by variance before the Zoning Hearing Board with proper documentation.
  - B. A collective body of not more than three unrelated, or not all related, persons living and cooking together as a single housekeeping unit.  
(Ord. 469-06. Passed 12-12-06.)
- (26) "Front yard depth." See building (setback) line.  
(Ord. 300-85. Passed 3-4-85.)
- (27) "Handicapped ramp" means an accessory structure attached to an entrance of a primary residence, required solely for safe and ready access to or egress from a residence by a permanently or temporarily disabled resident. (See Section 1280.02(4)I.) (Adopting Ordinance)

- (27A) "Height of a communications tower" means the vertical distance measured from the ground level to the highest point on a communications tower, including antennas mounted on the tower.  
(Ord. 418-99. Passed 6-24-99.)
- (28) "Home occupation" means an income-producing activity, conducted by a resident in or around his or her residence, in which articles or materials are offered for sale or are manufactured or assembled or stored on the premises, or in which services are offered for sale and provided on the premises. The use of the resident's telephone or mail or incidental interior space for clerical or accounting work by the resident relating to a professional, sales, service or other business activity conducted at some other location is not a home occupation for the purposes of this definition, unless clients, customers, suppliers or employees frequently or regularly visit the residence. (Ord. 393-97. Passed 11-25-97.)
- (29) "Junkyard" means land or a structure used for the collecting, storage, processing and sale of scrap metal, scrapped, abandoned or junked motor vehicles, machinery, equipment, waste paper, glass, rags, containers and other discarded materials. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal.
- (30) "Light manufacturing" means the making or processing of materials into finished products through small scale industrial operations which meet with the performance standards set forth in Section 1286.17.
- (31) "Loading space" means a space on a lot usable for the standing, loading or unloading of trucks and having a minimum dimension of fourteen feet by fifty-five feet with a vertical clearance of fourteen feet.
- (32) "Lot" means a parcel of land occupied or capable of being occupied by one or more structures or dwelling units in a structure, provided the requirements of this Zoning Code are met.
- (33) "Lot, corner" means a lot at the junction of and fronting on two or more intersecting street right of ways. Any corner lot that is being built on must meet front yard setbacks for both streets.
- (34) "Lot, minimum area of" means the area of a lot computed exclusive of any portion of the right of way of any public thoroughfare.
- (35) "Lot of record" means any lot which individually or as a part of a subdivision has been recorded in the office of the Recorder of Deeds in Erie County.
- (36) "Lot width" means the mean width measured at right angles of its depth.

- (37) "Mobile home" means a transportable, single-family dwelling intended for permanent occupancy, office or place of assembly contained in one unit, or in two 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. Mobile homes located on a single (out-of-park) lot must be attached to a permanent foundation and contain a minimum of 900 square feet of enclosed, interior living space.
- (38) "Mobile home park" means a parcel of land under single ownership, which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.  
(Ord. 300-85. Passed 3-4-85.)
- (39) "No-impact home-based business" means a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. (Ord. 480-07. Passed 11-27-07.)
- (40) "Nonconforming structure" means a structure or part of a structure manifestly not designed to comply with the applicable use provisions in this Zoning Code or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.
- (41) "Nonconforming use" means a use, whether of land or of a structure, which does not comply with the applicable use provisions in this Zoning Code or any amendment theretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. (Ord. 316B-88. Passed 6-14-88.)
- (42) "Permit" means a written authorization or certificate issued by Zoning Administrator for occupancy, conversion, division, construction or reconstruction, alteration, addition, demolition, mobile home, placement of signs or other existing or proposed uses necessary to properly enforce this Zoning Code.
- (43) "Permitted use" means the main or primary purpose for which a building, other structure and/or land may be used, occupied or maintained under the provisions of this Zoning Code.
- (44) "Planning Code" "Pennsylvania Municipalities Planning Code" means the Pennsylvania Municipalities Planning Code, being the Act of July 31, 1968 (P.L. 805, No. 247) and amendments to same as may be adopted from time to time.



- (45) "Public notice" means a notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty days or less than fourteen days from the date of the hearing. (Ord. 300-85. Passed 3-4-85.)
- (46) "Public utility transmission tower" means a structure, owned and operated by a public utility electric company regulated by the Pennsylvania Public Utility Commission, designed and used to support overhead electricity transmission lines. (Ord. 418-99. Passed 6-24-99.)
- (47) "Rear yard depth" means the mean horizontal distance between the rear of a structure and the rear lot line.
- (48) "Renewable energy source" means any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy, and excluding those sources of energy used in the fission and fusion processes.
- (49) "Side yard" means the mean horizontal distance between a structure and a side lot line.
- (50) "Sign" means any structure or natural object, used to state an announcement, direction or advertisement, designed to attract the attention of the public. However, the word "sign" shall not include a flag or pennant, nor shall it include legal notices, addresses or official signs of any governmental agency, or traffic controls or directions.
- (51) "Special exception use" means a use or activity which the Zoning Hearing Board is permitted to authorize in specific instances listed in this Zoning Code, under the terms, procedures and conditions prescribed herein. (Ord. 300-85. Passed 3-4-85.)
- (52) "Structure" means any thing built, constructed or erected which requires locaiton on the ground or attachment to something located on the ground. (Ord. 418-99. Passed 6-24-99.)
- (53) "Surfacing, all-weather" means all weather cement, concrete, blacktop, bituminous surface, loose gravel or tar/chip. (Ord. 356-93. Passed 9-14-93.)
- (54) "Variance" means a departure from the strict letter of this Zoning Code as it applies to specific properties as authorized by the Zoning Hearing Board in accordance with the provisions of this Zoning Code.
- (55) "Zoning Code" means Ordinance 300-85, passed March 4, 1985, as amended, codified herein as Title Six of Part Twelve - the Planning and Zoning Code. (Ord. 300-85. Passed 3-4-85.)



CHAPTER 1262  
Administration, Enforcement and Penalty

1262.01	Position of Zoning Administrator established; appointment; official records; compensation.	1262.04	Action on permits and certificates of use and occupancy.
1262.02	Duties and powers of Zoning Administrator.	1262.05	Fee schedule.
1262.03	Permits and certificates of use and occupancy generally.	1262.06	Notice of violations.
		1262.07	Stop-work orders.
		1262.08	Prosecution of violations.
		1262.99	Penalty.

CROSS REFERENCES

Appointment and powers of Zoning Administrator - see Penna. Mun. Plan. Code, Sec. 614

Enforcement notice - see Penna. Mun. Plan. Code, Sec. 616.1

Causes of action - see Penna. Mun. Plan. Code, Sec. 617

Jurisdiction of District Justice - see Penna. Mun. Plan. Code, Sec. 617.1

Enforcement remedies - see Penna. Mun. Plan. Code, Sec. 617.2

Finances and expenditures - see Penna. Mun. Plan. Code, Sec. 617.3

Exemptions - see Penna. Mun. Plan. Code, Sec. 619

Department of Building and Zoning - see ADM. Ch. 246

General provisions and definitions - see P. & Z. Ch. 1260

Fee for zoning appeal hearing - see P. & Z. 1264.05

**1262.01 POSITION OF ZONING ADMINISTRATOR ESTABLISHED; APPOINTMENT; OFFICIAL RECORDS; COMPENSATION.**

(a) The office of Zoning Administrator of the Township of Lawrence Park, Pennsylvania, is hereby established.

(b) The Zoning Administrator shall be appointed by the Board of Township Commissioners as prescribed by the Pennsylvania Municipalities Planning Code, being the Act of July 31, 1968 (P.L. 805, No. 247), as amended.

(c) An official record shall be kept of all business of the Zoning Administrator and shall be open to public inspection at all appropriate times.

(d) The compensation of the Zoning Administrator shall be determined by the Board of Township Commissioners. (Ord. 300-85. Passed 3-4-85.)

### **1262.02 DUTIES AND POWERS OF ZONING ADMINISTRATOR.**

The Zoning Administrator shall interpret and enforce all the regulations and provisions of this Zoning Code.

- (a) Applications, Permits, and Certificates of Use and Occupancy. The Zoning Administrator shall receive applications for and issue permits and certificates of use and occupancy.
- (b) Annual Report. At least annually, the Zoning Administrator shall submit to the Board of Township Commissioners a written report of all permits and certificates of use and occupancy and notices issued and orders acted upon.
- (c) Registration of Nonconforming Uses and Structures. The Zoning Administrator shall identify and register all nonconforming uses and structures that:
  - (1) Existed at the time this Zoning Code was adopted; or
  - (2) Are created by subsequent amendment of this Zoning Code.
- (d) Right of Entry. The Zoning Administrator shall have the authority to enter at any reasonable hour any structure and/or land in the Township to enforce the provisions of the Zoning Code. A letter of his or her authority shall be provided by the Board of Township Commissioners and shall be displayed for the purpose of identification.  
(Ord. 300-85. Passed 3-4-85.)
- (e) Imposition of Late Filing Fee. The Zoning Administrator has the right to impose a late filing fee on anyone failing to obtain a proper permit required by this Zoning Code prior to the start of construction. The fee will be set by Resolution of the Board of Township Commissioners.  
(Ord. 322-88. Passed 10-11-88.)

### **1262.03 PERMITS AND CERTIFICATES OF USE AND OCCUPANCY GENERALLY.**

(a) Permit Required. It shall be unlawful to erect, enlarge, construct, reconstruct or structurally alter any building and/or other structure, in the Township, or change the use or intensity of use of any building and/or other structure and/or land in the Township, 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 Administrator in writing and obtaining the required permit therefor. A permit shall also be required when a business changes hands or re-opens after a one-year period of closure. (Ord. 356-93. Passed 9-14-93.)

(b) Certificate of Use and Occupancy 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 Administrator. 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 Administrator.

(c) Forms of Application. The application for a permit and a certificate of use and occupancy shall be submitted in such form as the Zoning Administrator may prescribe and shall be accompanied by the required fee as established by the Township.

(d) Authorized Applicants. Applications for a permit and a certificate of use and occupancy shall be made by the owner or lessee of the building, other structure and/or land or agent of either or by the contractor, engineer or architect employed in connection with the proposed work. If the application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or the qualified person making the application that the proposed work is authorized by the owner in fee and that the applicant is authorized to make such application. The full names and addresses of the owner, lessee, applicant and of the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application.

(e) Description of Work. The application shall contain a general description of the proposed work, its location, the use and/or occupancy of all parts of the building, other structure and of all portions of the site or lot not covered by the building, and/or other structure and use of land, proposed parking and/or loading facilities if required herein and such additional information as may be required by the Zoning Administrator.

(f) Plot Plan. There shall also be filed not less than one copy of a plot plan showing to scale at least the following:

- (1) The size and location of all new construction and all existing buildings and/or other structures on the site, dimensions and area of the lot, distances from lot lines, the location of streets and established street grades;
- (2) All existing, proposed, extended and/or new uses of buildings, other structures and/or land;
- (3) Proposed and existing parking and/or loading facilities if required herein; and
- (4) Such additional information as may be required by the Zoning Administrator. It shall be drawn in accordance with an accurate boundary line survey. Where complete and accurate information is not

readily available from existing records, the Zoning Administrator may require an applicant to furnish a survey of the lot by a registered engineer or surveyor. Each applicant shall be required to attest to the correctness of the data and statements furnished in the application.

- (g) Expiration of Permits. If work described in any permit has not begun within ninety days from the date of issuance, the permit shall expire, and written notice to that effect shall be given by the Zoning Administrator to the persons affected.

If work described in any permit has not been substantially completed within one year of the date of issuance, the permit shall expire, and written notice to that effect shall be given by the Zoning Administrator to the persons affected. Work as described in the cancelled permit shall not proceed unless a new permit is obtained.

(Ord. 300-85. Passed 3-4-85.)

#### **1262.04 ACTION ON PERMITS AND CERTIFICATES OF USE AND OCCUPANCY.**

(a) Action on Application. The Zoning Administrator shall act on all applications for a permit within ten business days after filing. If the requirements of this Zoning Code are satisfied, a permit shall be issued. Disapproval of a permit shall be in writing to the applicant.

(b) Posting of Permit. The permit issued by the Zoning Administrator shall be posted at the work site until the permit expires or the certificate of use and occupancy is delivered.

(c) Revoking a Permit. The Zoning Administrator may revoke an issued permit in the case of any false statement or misrepresentation of fact in the application for the permit. Notice of revocation shall be given in writing to the applicant.

(d) Notification Upon Completion of Work. Upon completion of the permitted work and prior to use and occupancy, the holder of the permit shall notify the Zoning Administrator of such completion. Within ten business days after receiving notice of completion, the Zoning Officer shall conduct a final inspection of all permitted structures and/or land. If the Zoning Administrator is satisfied that the completed work conforms with the issued permit and complies with this Zoning Code, he or she shall issue a certificate of use and occupancy for the use indicated in the permit within fifteen business days of notification of completion of work.

(Ord. 300-85. Passed 3-4-85.)

**1262.05 FEE SCHEDULE.**

No permit shall be issued until the applicant pays the respective fee prescribed by the Township. A permit fee schedule shall be established by resolution of the Board of Township Commissioners. (Ord. 300-85. Passed 3-4-85.)

**1262.06 NOTICE OF VIOLATION.**

(a) If the Zoning Administrator shall find that any of the provisions of this Zoning Code are being violated, he or she shall notify in writing by sending the owner(s) 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 that parcel, and to any other person requested in writing by the owner of record, notice as set forth in subsection (b) hereof.

(b) An enforcement notice shall state the following:

- (1) The name of the owner(s) of record and any other person against whom the Township intends to take action.
- (2) The location of the property in violation.
- (3) The specific violation, with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Zoning Code.
- (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- (5) 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 Zoning Code.
- (6) 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.

(Ord. 340-91. Passed 7-23-91.)

**1262.07 STOP-WORK ORDERS.**

(a) Notice to Owner. Upon notice from the Zoning Administrator that work on or use or occupancy of any building, other structure and/or land is contrary to this Zoning Code, such work shall be immediately stopped. The stop-work order shall be in writing to the owner of the property involved and shall state the conditions under which work or use shall be resumed.

(b) Conditions of Discontinued Work. Any person who has been served with a stop-work order or discontinues or abandons work shall not leave any building, other structure and/or land in such condition as to be a hazard to the public. The Zoning Administrator shall have the power to require that such building, other structure and/or land shall be put in such condition as he or she directs and the work on it shall be at the full expense of the person who has been served with a stop-work order. (Ord. 300-85. Passed 3-4-85.)

**1262.08 PROSECUTION OF VIOLATIONS.**

If the notice of violation is not complied with, the Zoning Administrator and/or the Township Solicitor shall institute the appropriate proceedings to correct the violation. (Ord. 356-93. Passed 9-14-93.)

**1262.99 PENALTY.**

Whoever violates or fails to comply with, or permits a violation of or noncompliance with, any of the provisions of this Zoning Code, for which another penalty is not provided, shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five-hundred dollars (\$500.00) 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 determines that there was a good faith basis for the person violating the provision to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this Zoning Code shall be paid over to the Township. (Ord. 340-91. Passed 7-23-91.)



CHAPTER 1264  
Zoning Hearing Board

1264.01	Establishment and organization.	1264.03	Hearing procedures.
1264.02	Functions.	1264.04	Appeal from Board's decision.
		1264.05	Fee for zoning appeal hearing.

CROSS REFERENCES

Zoning Appeals - see Penna. Mun. Plan. Code Sec. 615

Employment of legal counsel - see Penna. Mun. Plan. Code, Sec. 617.3(c)

Zoning Hearing Board and other administrative proceedings - see Penna. Mun. Plan. Code, Art. IX

Appeals to court - see Penna. Mun. Plan. Code Art. X-A

General provisions and definitions - see P. & Z. Ch. 1260

Administration, enforcement and penalty - see P. & Z. Ch. 1262

**1264.01 ESTABLISHMENT AND ORGANIZATION.**

In accordance with Article IX of the Pennsylvania Municipalities Planning Code, being the Act of 1968 (P.L. 805, No. 247), as amended, a Zoning Hearing Board shall be appointed by the Board of Township Commissioners, which Board shall adopt rules to govern its procedure. The Board shall hold meetings, keep minutes and pursuant to public notice, conduct hearings, compel the attendance of witnesses, take testimony under oath and render decisions or findings. For the filing of any appeal or proceeding with the Board, a fee shall be charged in accordance with a schedule established annually by the Board of Township Commissioners.

The membership of the Board shall be arranged in accordance with the provisions of Section 903 of the Planning Code. The organization of the Board shall be based upon Section 906 of the Planning Code and the removal of any members of the Board shall be undertaken pursuant to Section 905 of the Planning Code. There shall be no compensation to any member of the Board for the performance of his or her duties. However, the Board of Township Commissioners may from time to time appropriate moneys for clerical, technical or legal consultants for necessary services. (Ord. 300-85. Passed 3-4-85.)

**1264.02 FUNCTIONS.**

The Zoning Hearing Board shall conduct hearings and make determinations on matters as provided in this Zoning Code in accordance with the provisions of Sections 908 et seq. of the Pennsylvania Municipalities Planning Code, including the following functions:

- (a) Appeals from Decisions of the Zoning Administrator. The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Administrator has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of this Zoning Code or Map or any valid rule or regulation governing the action of the Zoning Administrator. Such appeals shall be filed within thirty days as provided in Section 914.1 of the Planning Code.
- (b) Variances. The Board shall hear requests for variances where it is alleged that the provisions of this Zoning Code inflict unnecessary hardship upon the applicant. The Board may grant a variance, provided the following findings are made where relevant:
  - (1) There are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this Zoning Code in the neighborhood or district in which the property is located.
  - (2) Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Zoning Code and that the authorization of a variance is, therefore, necessary to enable the reasonable use of the property.
  - (3) Such unnecessary hardship has not been created by the appellant.
  - (4) The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.
  - (5) The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
  - (6) The Zoning Hearing Board should consider neighborhood concerns when considering variances.

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

(Ord. 340-91. Passed 7-23-91; Ord. 480-07. Passed 11-27-07.)

- (c) Special Exception Uses. The Zoning Hearing Board shall have the power to hear and decide applications for special exception uses as specified in Chapter 1286 of this Zoning Code in harmony with its general purpose and intent and in accordance with the standards set forth. The Board shall approve a special exception use only if it meets the following standards and criteria.
- (1) The use is compatible with adjacent uses and structures.
  - (2) The use is suited to the topography and other characteristics of the site.
  - (3) The use complies with all off-street parking and other provisions of this Zoning Code.
  - (4) In interpreting and applying the provisions of this Zoning Code, they shall be held to be the minimum requirements for the health, safety and general welfare of the Township.
  - (5) The Zoning Hearing Board should consider neighborhood concerns when considering special exception uses.  
(Ord. 300-85. Passed 3-4-85; Ord. 406-98. Passed 6-23-98; Ord. 480-07. Passed 11-21-07.)
- (d) Challenge to the Validity of Zoning Code or Map. The Board shall hear challenges to the validity of this Zoning Code or Map as indicated in Section 909.1 and Section 916.1 of the Planning Code. In all such challenges, the Board shall take evidence and make a record thereon as provided in Section 908 of the Planning Code. At the conclusion of the hearing, the Board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court. (Ord. 340-91. Passed 7-23-91.)
- (e) Unified Appeals. Where the Board has jurisdiction over a zoning matter, it shall also hear all appeals which an applicant may elect to bring before it with respect to any Municipal ordinance or requirement pertaining to the same development plan or development. In any such case, the Board shall have no power to pass upon the nonzoning issues, but shall take evidence and make a record thereon as provided in Section 908 of the Planning Code. At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact, which shall become part of the record on appeal to the court.
- (f) Request and Application Procedure. All requests, applications or appeals made to the Board shall be in writing on forms prescribed by the Rules of Procedure of the Board. Every appeal or application shall refer to the specific provision of the Zoning Code involved, and shall set forth exactly the interpretation that is claimed, the use which is sought, or the details of the variance that are applied for and the grounds on which it is claimed a request should be granted. At least ten days before the date of the hearing, on a request, application or appeal, the Board shall transmit to the Township Planning Commission a copy of said request, application or appeal in order that the Planning Commission may have an opportunity to submit a report or opinion to the Board. (Ord. 300-85. Passed 3-4-85.)

**1264.03 HEARING PROCEDURES.**

The Board shall conduct hearings and make decisions in accordance with the provisions of Section 908 of the Pennsylvania Municipalities Planning Code.  
(Ord. 300-85. Passed 3-4-85.)

**1264.04 APPEAL FROM BOARD'S DECISION.**

Any person aggrieved by any decision of the Board, or any taxpayer or member of the Township Board of Commissioners may, within thirty days after such decision of the Board, appeal therefrom in accordance with Article X-A of the Pennsylvania Municipalities Planning Code.  
(Ord. 340-91. Passed 7-23-91.)

**1264.05 FEE FOR ZONING APPEALS HEARING.**

The fee for a zoning appeals hearing shall be one hundred fifty dollars (\$150.00).  
(Res. 1996-40. Passed 6-25-96.)

CHAPTER 1266  
Districts Generally and Zoning Map

1266.01	Zoning District Map.	1266.04	Classification of annexed lands.
1266.02	Zoning districts established.		
1266.03	District boundaries	1266.05	District regulation

CROSS REFERENCES

Zoning classifications see Penna. Mun. Plan. Code Sec. 605  
 General provisions and definitions see P. & Z. Ch. 1260  
 Administration, enforcement and penalty see P. & Z. Ch. 1262  
 Zoning Hearing Board see P. & Z. Ch. 1264  
 Lot, height and yard requirements see P. & Z. Ch. 1280  
 Nonconforming uses see P. & Z. Ch. 1282  
 Conditional uses see P. & Z. Ch. 1284  
 Signs see P. & Z. Ch. 1285  
 Supplementary regulations - see P. & Z. Ch. 1286

**1266.01 ZONING DISTRICT MAP.**

The map entitled "Lawrence Park Township Zoning District Map" is hereby adopted as part of this Zoning Code and is included herein as Appendix I immediately following the text of this Zoning Code. While a copy of this Map is included herein, the Official Zoning District Map shall be maintained and be available for inspection at the Township Building. The Official Zoning District Map shall be updated in the future should there be any property rezoning amendments made pursuant to the procedure required by this Zoning Code and the Pennsylvania Municipalities Planning Code. (Ord. 300 85. Passed 3 4 85.)

**1266.02 ZONING DISTRICTS ESTABLISHED.**

The Township is divided into six districts shown by the district boundaries on the Zoning District Map, such districts shall be known as:

- R 1 Residential District
- R 2 Residential District
- B 1 Business District
- I 1 Industrial District
- F P Flood Plain Overlay District
- C 1 Conservation District

(Ord. 300 85. Passed 3 4 85.)

**1266.03 DISTRICT BOUNDARIES.**

The boundaries between districts are centerlines of streets, or such lines extended or lines parallel thereto or concentric therewith, or property lines when proximate thereto, or may be numerical figures otherwise indicated on the Zoning Map. When the Zoning Administrator cannot definitely determine the location of a district boundary, he or she shall consult the Zoning Hearing Board, which shall interpret the location of the district boundary.

(Ord. 300-85. Passed 3-4-85.)

**1266.04 CLASSIFICATION OF ANNEXED LANDS.**

Any land annexed to or made a part of the Township subsequent to the adoption of this Zoning Code shall immediately be classified in the same zoning district as the area to which it is contiguous, as of the effective date of annexation. Within ninety days from the effective date of any annexation proceedings, the Township Planning Commission shall prepare and submit to the Commissioners a report and study of its recommendations for rezoning of the annexed territory. The Planning Commission shall hold at least one public hearing thereon before submitting its final report to the Commissioners.

(Ord. 300-85. Passed 3-4-85.)

**1266.05 DISTRICT REGULATIONS.**

The minimum lot and yard requirements and other development standards for each zoning district are set forth within the chart located in Section 1280.01. These standards must be met at the minimum as well as any other requirement(s) listed within this Zoning Code that apply to the respective use. Any use not expressly listed for a district, or uses which the Zoning Officer cannot interpret as being of the same classification as a listed use, are prohibited within the district. Permitted uses require only normal application procedures, while conditional uses require the review by the Planning Commission and the approval of the Township Board of Commissioners, while special exception uses require the review and approval of the Zoning Hearing Board.

(Ord. 300-85. Passed 3-4-85.)

CHAPTER 1268  
R-1 Residential Districts

1268.01 Purpose and authorized uses.

CROSS REFERENCES

Parking in front yard in residential areas see TRAF. 460.14  
 General provisions and definitions see P. & Z. Ch. 1260  
 Administration, enforcement and penalty see P. & Z. Ch. 1262  
 Zoning Hearing Board see P. & Z. Ch. 1264  
 Districts generally and Zoning Map see P. & Z. Ch. 1266  
 Lot, height and yard requirements see P. & Z. Ch. 1280  
 Nonconforming uses see P. & Z. Ch. 1282  
 Conditional uses see P. & Z. Ch. 1284  
 Signs see P. & Z. Ch. 1285  
 Supplementary regulations see P. & Z. Ch. 1286

**1268.01 PURPOSE AND AUTHORIZED USES.**

The purpose of this District is to preserve existing and encourage the continued development of single family residential dwellings. Additional land uses that are compatible with single family dwellings are also provided for, as are various uses that may prove necessary due to future community development needs.

The following uses are authorized:

Permitted Uses

Single family dwellings  
 Essential services  
 Public structures and grounds  
 Accessory uses and structures  
 Signs (Section 1286.04)  
 Fences and walls (Section 1286.05)  
 Private swimming pools  
 (Section 1286.035)

Special Exception Uses

Home occupations (Section 1286.10)  
 Temporary structures (Section 1286.01)  
 Renewable energy source(Section 1286.18)  
 Day care (Section 1286.21)

Conditional Uses

Water recreation and storage areas  
 (Section 1286.03)  
 Natural gas production  
 (Section 1286.19)

Communications antennas mounted  
 on an existing public utility  
 transmission tower, building or  
 other structure, and communica  
 tions equipment buildings  
 (Section 1286.27)

(Ord. 300 85. Passed 3 4 85; Ord. 356 93. Passed 9 14 93; Ord. 418 99. Passed 6 24 99.)

CHAPTER 1270  
R-2 Residential Districts

1270.01 Purpose and authorized uses.

CROSS REFERENCES

Parking in front yard in residential areas - see TRAF. 460.14  
 General provisions and definitions - see P. & Z. Ch. 1260  
 Administration, enforcement and penalty - see P. & Z. Ch. 1262  
 Zoning Hearing Board - see P. & Z. Ch. 1264  
 Districts generally and Zoning Map - see P. & Z. Ch. 1266  
 Lot, height and yard requirements - see P. & Z. Ch. 1280  
 Nonconforming uses - see P. & Z. Ch. 1282  
 Conditional uses - see P. & Z. Ch. 1284  
 Signs - see P. & Z. Ch. 1285  
 Supplementary regulations - see P. & Z. Ch. 1286

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**1270.01 PURPOSE AND AUTHORIZED USES.**

The purpose of this District is to provide for a more diverse residential composition through allowing a variety of housing types to serve the future housing needs of the Township. While a mix of housing types is provided for within this District, development standards are geared to obtain compatibility between the uses. Secondary uses that do not create high volumes of traffic that are compatible with residential uses are also provided for within this District.

The following uses are authorized:

Permitted Uses

Single family dwellings  
 Two family dwellings  
 Essential services  
 Public structures and grounds  
 Accessory uses and structures  
 Churches  
 Signs (Section 1286.04)  
 Fences and walls  
 (Section 1286.05)  
 Private swimming pools  
 (Section 1286.035)  
 Communications antennas  
 mounted on an existing public utility transmission  
 tower, building or other structure, and communica-  
 tions equipment buildings (Section 1286.27)

Special Exception Uses

Multifamily dwellings (Section 1286.06)  
 Multiple family dwellings (Section 1286.09)  
 Apartment conversions (Section 1286.07)  
 Home occupations (Section 1286.10)  
 Mobile home parks (Section 1286.15)  
 Temporary structures (Section 1286.01)  
 Renewable energy sources (Section 1286.18)  
 Community Residential  
 Facilities (Section 1286.20)  
 Day care (Sections 1286.21 and 1286.22)

Conditional Uses

Water recreation and storage areas (Section 1286.03)  
 Natural gas production (Section 1286.19)  
 (Ord. 300 85. Passed 3 4 85; Ord. 356 93. Passed 9 14 93; Ord. 418 99. Passed 6 24  
 99.)  
 2000 Replacement



CHAPTER 1272  
B-1 Business Districts

1272.01 Purpose and authorized  
Uses.

CROSS REFERENCES

General provisions and definitions - see P. & Z. Ch. 1260  
Administration, enforcement and penalty - see P. & Z. Ch. 1262  
Zoning Hearing Board - see P. & Z. Ch. 1264  
Districts generally and Zoning Map - see P. & Z. Ch. 1266  
Lot, height and yard requirements - see P. & Z. Ch. 1280  
Nonconforming uses - see P. & Z. Ch. 1282  
Conditional uses - see P. & Z. Ch. 1284  
Signs - see P. & Z. Ch. 1285  
Supplementary regulations - see P. & Z. Ch. 1286

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**1272.01 PURPOSE AND AUTHORIZED USES.**

The purpose of this District is to provide ample land area for the business potential of the Township. While the District is primarily designed for the shopping convenience of persons residing within the Township, the uses provided for also serve regional interests and needs. Since this District is the only business district within the Township, it is designed and intended to permit a wide range of commercial uses. Standards are developed to provide an attractive, functional and efficient central shopping and business district to protect existing investments and encourage reinvestment.

The following uses are authorized:

Permitted Uses

Private clubs and fraternal organizations  
 Private schools or training establishments  
 Eating and drinking establishments (non drive-in)  
 Essential services  
 Public structures and grounds  
 Personal and professional services  
 Funeral homes  
 Hotels and motels  
 Indoor commercial recreation  
 Retail business  
 Wholesale business  
 Churches  
 Medical clinics, hospitals and nursing homes  
 Accessory uses and structures  
 Signs (Section 1286.04)  
 Fences and walls (Section 1286.05)  
 Child day care use center (Section 1286.23)  
 Bottle club (Section 1286.24)  
 Animal care  
 Communications antennas mounted on an existing public utility transmission tower, building or other structure, including existing communications towers and communications equipment buildings  
 (Ord. 300-85. Passed 3-4-85; Ord. 305-85. Passed 7-9-85; Ord. 316A-88. Passed 3-29-88; Ord. 418-99. Passed 6-24-99.)

Special Exception Uses

Automotive dealer establishments (Section 1286.11)  
 Automotive service establishments (Section 1286.12)  
 Car washes (Section 1286.13)  
 Drive-in establishments (Section 1286.14)  
 Residential uses (Section 1286.08)  
 Renewable energy source (Section 1286.18)  
 Temporary structures (Section 1286.01)  
 Day care (Sections 1286.21 and 1286.22)

Conditional Uses

Natural gas production (Section 1286.19)

CHAPTER 1274  
I-1 Industrial Districts

1274.01 Purpose and authorized  
uses.

CROSS REFERENCES

General provisions and definitions - see P. & Z. Ch. 1260  
Administration, enforcement and penalty - see P. & Z. Ch. 1262  
Zoning Hearing Board - see P. & Z. Ch. 1264  
Districts generally and Zoning Map - see P. & Z. Ch. 1266  
Lot, height and yard requirements - see P. & Z. Ch. 1280  
Nonconforming uses - see P. & Z. Ch. 1282  
Conditional uses - see P. & Z. Ch. 1284  
Signs - see P. & Z. Ch. 1285  
Supplementary regulations - see P. & Z. Ch. 1286

**1274.01 PURPOSE AND AUTHORIZED USES.**

The purpose of this District is to provide for the manufacturing needs and potential of the Township. This District will contain only those industrial establishments, heavy commercial activities, and facilities for manufacturing, processing, packaging, storage and warehousing which can conform to the performance standards of this Zoning Code.

The following uses are authorized:

Permitted Uses

Manufacturing  
Office establishments  
Warehouse or storage buildings  
Wholesale establishments  
Research and testing laboratories  
Central distribution establishments  
Truck terminals  
Supply yards

Special Exception Uses

Automobile salvage and junk yards  
(Section 1286.16)  
Other industries which meet the performance  
standards of this Zoning Code  
(Section 1286.17)  
Renewable energy source (Section 1286.18)  
Temporary structures (Section 1286.01)

Permitted Uses

Essential services

Public structures and grounds

Accessory uses and structures

Fences and walls (Section 1286.05)

Signs (Section 1286.04)

Child day care use center  
(Section 1286.23)

Nonresidential B-1 uses  
buildings.

Communications antennas mounted on  
an existing public utility  
transmission tower, building or  
other structure, including existing  
communications towers and  
communications equipment buildings

(Ord. 300-85. Passed 3-4-85; Ord. 356-93. Passed 9-14-93; Ord. 418-99. Passed 6-24-99.)

Conditional Uses

Natural gas production (Section 1286.19)

Water recreation and storage areas  
(Section 1286.03)

Communications towers, subject to the  
standards for communications  
towers as a conditional use set forth  
in section 2184.04(g), and  
communications equipment

CHAPTER 1276  
F-P Flood Plain Districts

1276.01 Purpose and authorized  
uses.

CROSS REFERENCES

Subdivision design standards see P. & Z. 1248.02  
 General provisions and definitions see P. & Z. Ch. 1260  
 Administration, enforcement and penalty see P. & Z. Ch. 1262  
 Zoning Hearing Board see P. & Z. Ch. 1264  
 Districts generally and Zoning Map see P. & Z. Ch. 1266  
 Lot, height and yard requirements see P. & Z. Ch. 1280  
 Nonconforming uses see P. & Z. Ch. 1282  
 Conditional uses see P. & Z. Ch. 1284  
 Signs see P. & Z. Ch. 1285  
 Supplementary regulations see P. & Z. Ch. 1286  
 Flood control see B. & H. Ch. 1420

1276.01 PURPOSE AND AUTHORIZED USES.

The purpose of this District is to provide for the protection of life and property in the recognized 100 year flood plain of the Township, as is identified in the Flood Insurance Study and Mapping prepared for the Township by the Federal Insurance Administration. The Flood Plain District, as mapped generally on the Zoning District Map and specifically (officially) within the aforementioned Flood Insurance Study, shall be considered an area whereby all structures are subject to special development standards. Reference is hereby made to Chapters 1420 and 1424 of the Building and Housing Code. All structures shall be regulated according to Chapters 1420 and 1424 to protect the health, safety and welfare of the Township.  
(Ord. 300 85. Passed 3 4 85.)

CHAPTER 1278  
C-1 Conservation Districts

1278.01 Purpose and authorized uses.

CROSS REFERENCES

General provisions and definitions see P. & Z. Ch. 1260  
 Administration, enforcement and penalty see P. & Z. Ch. 1262  
 Zoning Hearing Board see P. & Z. Ch. 1264  
 Districts generally and Zoning Map see P. & Z. Ch. 1266  
 Lot, height and yard requirements see P. & Z. Ch. 1280  
 Nonconforming uses see P. & Z. Ch. 1282  
 Conditional uses see P. & Z. Ch. 1284  
 Signs see P. & Z. Ch. 1285  
 Supplementary regulations see P. & Z. Ch. 1286

**1278.01 PURPOSE AND AUTHORIZED USES.**

The purpose of this District is to preserve, enhance and protect the natural environment of the Township. As such, the development opportunities within this District are limited and contained to the following uses:

Permitted Uses

Golf courses (private or public)  
 Public uses  
 Parks and playgrounds  
 Schools and churches  
 Accessory uses and structures  
 Child day care use center  
 (Section 1286.23)  
 Communications antennas  
 mounted on an existing  
 public utility transmission  
 tower, building or other  
 structure, including existing  
 communications towers and  
 communications equipment  
 buildings (Section 1286.27)

Special Exception Uses

Off street parking  
 Essential services

Conditional Uses

Natural gas production (Section 1286.19)  
 Water recreation and storage areas  
 (Section 1286.03)  
 Temporary structures  
 (Section 1286.01)  
 Communications towers, subject to the standards  
 for communications towers as a conditional  
 use set forth in Section 1284.04(g), and  
 communications equipment buildings

(Ord. 300 85. Passed 3 4 85; Ord. 356 93. Passed 9 14 93; Ord. 418 99. Passed 6 24 99.)

2000 Replacement

CHAPTER 1279  
Airport District Overlay

1279.01 Purpose.	1279.08 Pre-existing non-conforming uses.
1279.02 Relation to other zone districts.	1279.09 Obstruction marking and lighting.
1279.03 Definitions.	1279.10 Appeals.
1279.04 Establishment of Airport Zones and height limitations.	1279.11 Conflicting regulations.
1279.05 Permit applications.	1279.12 Severability.
1279.06 Variance.	1279.13 Violations and penalties.
1279.07 Use restrictions.	

CROSS REFERENCES

General provisions and definitions - see P. & Z. Ch. 1260  
 Administration, enforcement and penalty - see P. & Z. Ch. 1262  
 Zoning Hearing Board - see P. & Z. Ch. 1264  
 Districts generally and Zoning Map - see P. & Z. Ch. 1266  
 Lot, height and yard requirements - see P. & Z. Ch. 1280  
 Nonconforming uses - see P. & Z. Ch. 1282  
 Conditional uses - see P. & Z. Ch. 1284  
 Signs - see P. & Z. Ch. 1285  
 Supplementary regulations - see P. & Z. Ch. 1286

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**1279.01 PURPOSE.**

The purpose of this chapter is to create an airport district overlay that considers safety issues around the Erie International Airport Tom Ridge Field, regulates and restricts the heights of constructed structures and objects of natural growth, creates appropriate zones, establishing the boundaries thereof and providing for changes in the restrictions and boundaries of such zones, creates the permitting process for use within said zones and provides for enforcement, assessment of violation penalties, an appeals process, and judicial review.

(Ord. 2011-510. Passed 12-27-2011.)

**1279.02 RELATION TO OTHER ZONE DISTRICTS.**

The Airport District Overlay shall not modify the boundaries of any underlying zoning district. Where identified, the Airport District Overlay shall impose certain requirements on land use and construction in addition to those contained in the underlying zoning district.

(Ord. 2011-510. Passed 12-27-2011.)

**1279.03 DEFINITIONS.**

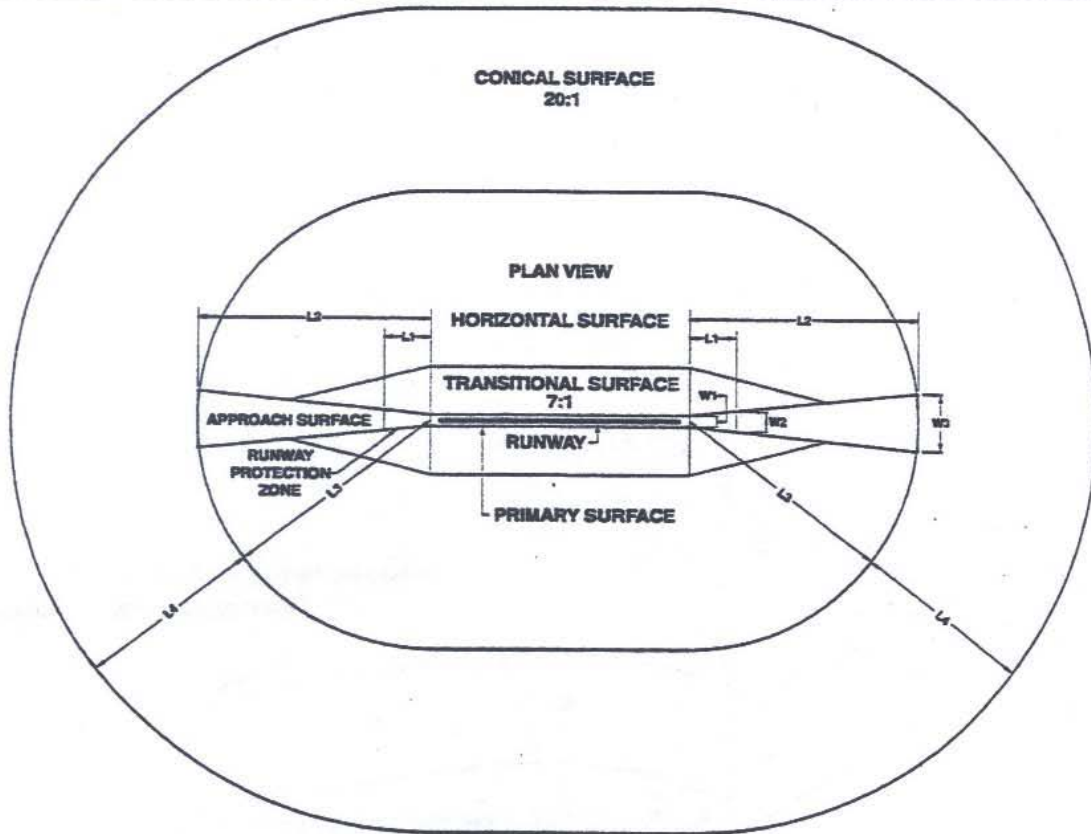
The following words and phrases when used in this chapter shall have the meaning given to them in this section unless the context clearly indicates otherwise.

- (a) Airport elevation means the highest point of an airports useable landing area measured in feet above sea level. The airport elevation of the Erie International Airport Tom Ridge Field is 733 feet.
- (b) Airport hazard means any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR Part 77 and 74 Pa. Cons. Stat. ' 5102.
- (c) Airport hazard area means any area of land or water upon which an airport hazard might be established if not prevented as provided for in this chapter and the Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).
- (d) Approach Surface (Zone) means an imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach. The approach surface zone, as shown on Figure 1, is derived from the approach surface.
- (e) Conical Surface (Zone) means an imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally to one foot vertically for a horizontal distance of 4,000 feet. The conical surface zone, as shown on Figure 1, is based on the conical surface.
- (f) Department means the Pennsylvania Department of Transportation.
- (g) FAA means the Federal Aviation Administration of the United States Department of Transportation.
- (h) Height. For the purpose of determining the height limits in all zones set forth in this chapter and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.
- (i) Horizontal Surface (Zone) means an imaginary plane 150 feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach. The horizontal surface zone, as shown on Figure 1, is derived from the horizontal surface.



- (j) Larger than utility runway means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.
- (k) Non-precision instrument runway means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.
- (l) Obstruction means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by this chapter.
- (m) Precision instrument runway means a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- (n) Primary Surface (Zone) means an imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of seven feet horizontally to one foot vertically (7:1). The transitional surface zone, as shown on Figure 1, is derived from the transitional surface.
- (o) Tree@ means any object of natural growth.
- (p) Utility runway means a runway that is constructed for and intended to be used by propeller drive aircraft of 12,500 pounds maximum gross weight or less.
- (q) Visual runway means a runway intended solely for the operation of aircraft using visual approach procedures.  
(Ord. 2011-510. Passed 12-27-11.)

Figure 1



FAR PART 77 "IMAGINARY SURFACES" DIMENSION REQUIREMENTS

Runway Type	Runway End		Conical Surface (L4)	Horizontal Surface (L3)	Approach Surface			Approach Slope	Primary Surface Width	Transitional Surface
	Approach	Other			Length (L2)	Inner Width (W1)	Other Width (W3)			
Small Airplanes <sup>2</sup>	V	V	4,000	5,000	5,000	250	1,250	20:1	250	7:1
		NP	4,000	5,000	5,000	500	1,250	20:1	500	7:1
		NP 3/4	4,000	5,000	5,000	1,000	1,250	20:1	1,000	7:1
	NP	P	4,000	5,000	5,000	1,000	1,250	20:1	1,000	7:1
		V	4,000	5,000	5,000	500	2,000	20:1	500	7:1
		NP	4,000	5,000	5,000	500	2,000	20:1	500	7:1
Large Airplanes <sup>3</sup>	V	V	4,000	5,000	5,000	500	1,500	20:1	500	7:1
		NP	4,000	10,000	5,000	500	1,500	20:1	500	7:1
		NP 3/4	4,000	10,000	5,000	1,000	1,500	20:1	1,000	7:1
	NP	P	4,000	10,000	5,000	1,000	1,500	20:1	1,000	7:1
		V	4,000	10,000	10,000	500	3,500	34:1	500	7:1
		NP	4,000	10,000	10,000	500	3,500	34:1	500	7:1
Large and Small Airplanes	NP 3/4	V	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP 3/4	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
	P	V	4,000	10,000	10,000	1,000	4,000	34:1	1,000	7:1
		NP	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1
		NP 3/4	4,000	10,000	10,000/40,000	1,000	4,000/16,000	50:1/40:1	1,000	7:1

1 - In Feet

2 - Less than 12,500 lbs maximum certified takeoff weight

3 - Greater than 12,500 lbs maximum certified takeoff weight

V = Visual approach 20:1

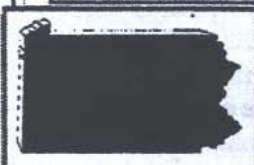
NP = Nonprecision approach 34:1

NP 3/4 = Nonprecision approach with visibility minimums as low as 3/4 statute miles 34:1

P = Precision approach 50:1

Note: L1 is the length of the RPZ and W2 is the outer width of the RPZ as defined by approach visibility minimums





Source: Federal Aviation Administration



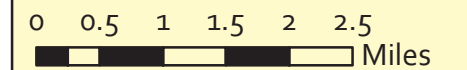


# Erie International / Tom Ridge Field Airport Surface Areas

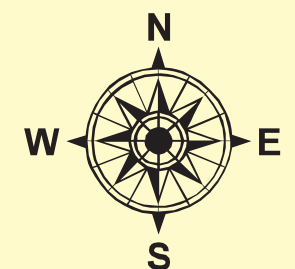
## Legend

-  Part 77 Surfaces
-  Municipal Boundary
-  County Boundary
-  Road

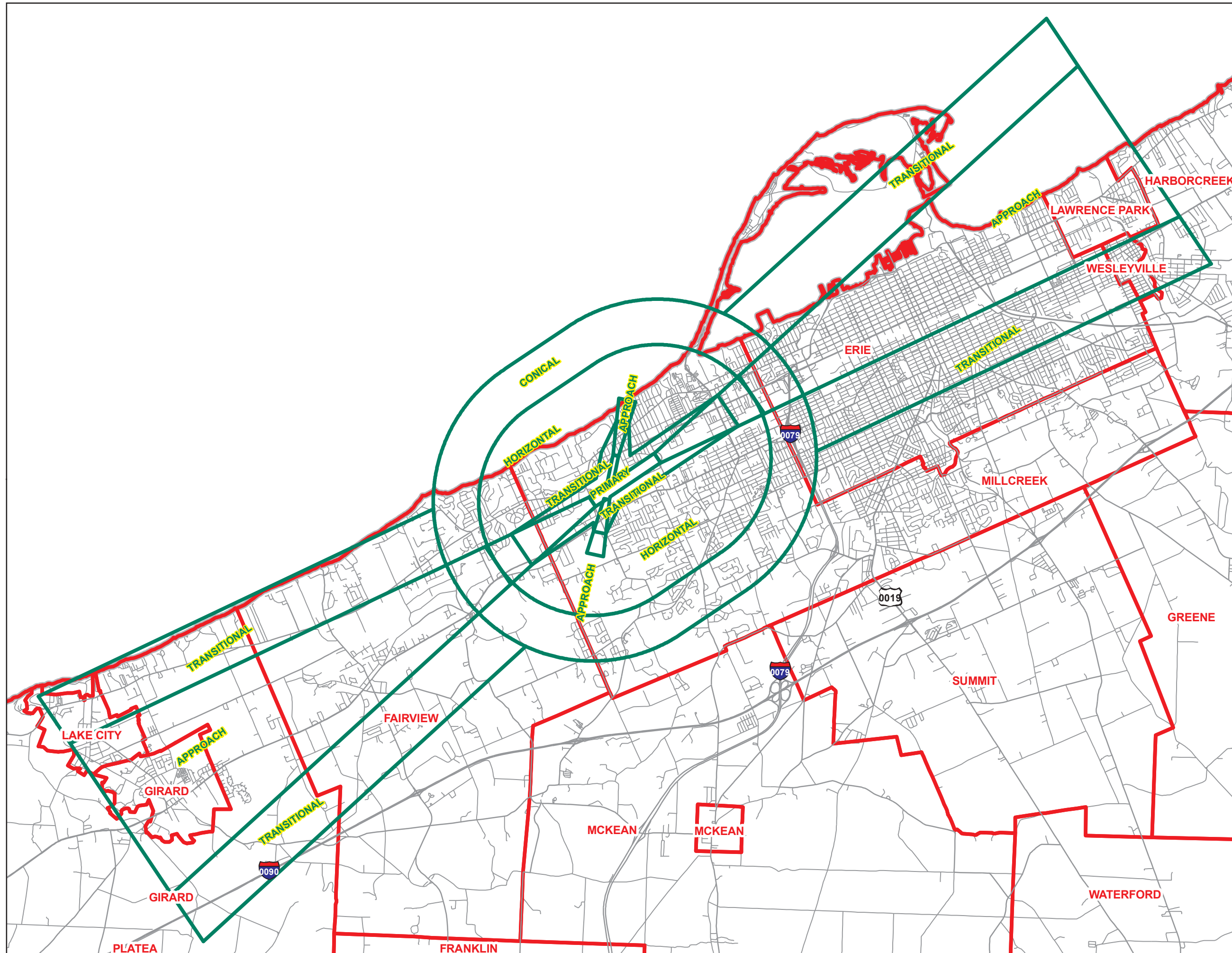
**Draft: Preliminary Use Only**



1 in = 1.5 miles



Created by URS Corporation on behalf of PennDOT Bureau of Aviation  
May 24, 2010



**1279.04 ESTABLISHMENT OF AIRPORT ZONES.**

There are hereby created and established certain zones within the Airport District Overlay, defined in Section 1279.03 and depicted on Figure 1 and illustrated on Erie International Airport Tom Ridge Field Hazard Area map, hereby adopted as part of this chapter, which include:

- (a) Approach Surface Zone.
  - (b) Conical Surface Zone.
  - (c) Horizontal Surface Zone.
  - (d) Primary Surface Zone.
  - (e) Transitional Surface Zone.
- (Ord. 2011-510. Passed 12-27-11.)

**1279.05 PERMIT APPLICATIONS.**

(a) As regulated by Act 164 and defined by 14 Code of Federal Regulations Part 77.13(a) (as amended or replaced), any person who plans to erect a new structure, to add to an existing structure, or to erect and maintain any object (natural or manmade) greater than 900 feet in height, in the vicinity of the airport, shall first notify the Departments Bureau of Aviation (BOA) by submitting PENNDOT Form AV-57 to obtain an obstruction review of the proposal at least 30 days prior to commencement thereof. The Departments BOA response must be included with this permit application for it to be considered complete. If the Departments BOA returns a determination of no penetration of airspace, the permit request should be considered in compliance with the intent of this chapter. If the Departments BOA returns a determination of a penetration of airspace, the permit shall be denied, and the project sponsor may seek a variance from such regulations as outlined in Section 1279.06.

(b) No permit is required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of an existing structure. (Ord. 2011-510. Passed 12-27-11.)

**1279.06 VARIANCE.**

(a) Any request for a variance shall include documentation in compliance with 14 Code of Federal Regulations Part 7 Subpart B (FAA Form 7460-1 as amended or replaced). Determinations of whether to grant a variance will depend on the determinations made by the FAA and the Departments BOA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air space. In particular, the request for a variance shall consider which of the following categories the FAA has placed the proposed construction in:

- (1) No Objection - The subject construction is determined not exceed obstruction standards and marking/lighting is not required to mitigate potential hazard. Under this determination a variance shall be granted.

- (2) Conditional Determination - The proposed construction/alteration is determined to create some level of encroachment into an airport hazard area which can be effectively mitigated. Under this determination, a variance shall be granted contingent upon implementation of mitigating measures as described in Section 1279.09 - Obstruction Marking and Lighting.
- (3) Objectionable - The proposed construction/alteration is determined to be a hazard and is thus objectionable. A variance shall be denied and the reasons for this determination shall be outlined to the applicant.

(b) Such requests for variances shall be granted where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and that relief granted will not be contrary to the public interest, will not create a hazard to air navigations, will do substantial justice, and will be in accordance with the intent of this chapter.

(Ord. 2011-510. Passed 12-27-11.)

#### **1279.07 USE RESTRICTIONS.**

Notwithstanding any other provisions of this chapter, no use shall be made of land or water within the Airport District Overlay in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the Erie International Airport Tom Ridge Field.

(Ord. 2011-510. Passed 12-27-11.)

#### **1279.08 PRE-EXISTING NON-CONFORMING USES.**

The regulations prescribed by this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this chapter, or otherwise interfere with the continuance of a non-conforming use. No non-conforming use shall be structurally altered or permitted to grow higher, so as to increase the non-conformity, and a non-conforming use, once substantially abated (subject to the underlying zoning ordinance), may only be reestablished consistent with the provisions herein.

(Ord. 2011-510. Passed 12-27-11.)

#### **1279.09 OBSTRUCTION MARKING AND LIGHTING.**

Any permit or variance granted pursuant to the provisions of this chapter may be conditioned according to the process described in Section 1279.06 to require the owner of the structure or object of natural growth in question to permit the municipality, at its own

expense, or require the person requesting the permit or variance, to install, operate, and maintain such marking or lighting as deemed necessary to assure both ground and air safety.

(Ord. 2011-510. Passed 12-27-11.)

**1279.10 APPEALS.**

Subject to the process in the underlying Zoning Ordinance.

(Ord. 2011-510. Passed 12-27-11.)

**1279.11 CONFLICTING REGULATIONS.**

Where there exists a conflict between any of the regulations or limitations prescribed in this chapter and any other regulation applicable to the same area, the more stringent limitation or requirement shall govern and prevail.

(Ord. 2011-510. Passed 12-27-11.)

**1279.12 SEVERABILITY.**

If any of the provisions of this chapter or the application thereof to any person or circumstance are held invalid, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end, the provisions of this chapter are declared to be severable.

(Ord. 2011-510. Passed 12-27-11.)

**1279.13 VIOLATIONS AND PENALTIES.**

Subject to that in the underlying Zoning Ordinance.

(Ord. 2011-510. Passed 12-27-11.)

CHAPTER 1280  
Lot, Height and Yard Requirements

- 1280.01 Basic development standards.                      1280.02 Application of area, lot, yard  
and height requirements.

CROSS REFERENCES

- Subdivision design standards for lots - see P. & Z. 1248.06  
General provisions and definitions - see P. & Z. Ch. 1260  
Administration, enforcement and penalty - see P. & Z. Ch. 1262  
Zoning Hearing Board - see P. & Z. Ch. 1264  
Districts generally and Zoning Map - see P. & Z. Ch. 1266  
Nonconforming uses - see P. & Z. Ch. 1282  
Conditional uses - see P. & Z. Ch. 1284  
Signs - see P. & Z. Ch. 1285  
Supplementary regulations - see P. & Z. Ch. 1286

**1280.01 BASIC DEVELOPMENT STANDARDS.**

The following chart delineates the basic development standards for each district. Specific applications and further description of these requirements are included in Section 1280.02. The numbers in parentheses in the following chart refer to the respective subsections of Section 1280.02.

(Cont.)

BASIC DEVELOPMENT STANDARDS

	Min.Lot Area (1)(sq.ft.) (6)(ft.)	Min.Lot Width (8)(ft.)	Min. Front Yard Setback (2,3,4,5),(ft.)	Min. Side Yard (2&4)(ft.)	Min. Rear Yard (2&4)(ft.)	Max. Lot Cov.	Max Height (7)(%)
<u>R-1</u>							
All uses, except accessory structures(10) -----	10,000 -----	75 --	35 (9)	10 5	35 5	30 (7)	35 15
<u>R-2</u>							
Single-family Accessory structures(10) -----	7,000 -----	60 --	30 (9)	8 5	35 5	40 (7)	35 15
Two-family Accessory structures(10) -----	8,000 -----	70 --	30 (9)	8 2	35 2	45 (7)	35 15
New multiple- family Accessory structures(10) -----	9,000 -----	80 --	30 (9)	10 2	35 2	50 (7)	75 15
Other uses Accessory structures(10) -----	7,000 -----	60 --	30 (9)	10 5	35 5	40 (7)	75 15
Existing row or townhouse Exterior or end row house	Exist	Exist	Exist	8	25	50	Exist
Interior row house	Exist	Exist	Exist	0	25	50	Exist
Accessory row house (10)				2	2		20
<u>B-1</u>							
All uses (10)	2,000	20	10	(11)	10	100*	75
<u>I-1</u>							
All uses (10)	7,500	70	50	50	50	50	75
<u>C-1</u>							
All uses, except accessory structures (10)----	N/A ----	N/A ----	** (9)	** **	** **	30% (7)	35 See Section 1280.02(6)



\* 100% of available yard after standards are met.

\*\* Consistent with the majority of the adjacent property districting.

See Section 1280.02 for votes.

(Ord. 300-85. Passed 3-4-85; Ord. 316B-88. Passed 6-14-88; Ord. 356-93. Passed 9-14-93; Ord. 469-06. Passed 12-12-06.)

### **1280.02 APPLICATION OF AREA, LOT, YARD AND HEIGHT REQUIREMENTS.**

The following requirements apply to Section 1280.01.

- (1) Minimum lot area shall be exclusive of road right of ways or access easements.
- (2) Front, side and rear yard requirements are established from the right of way and/or adjacent property line.
- (3) Front yard setbacks in existing developed areas may be waived by the Zoning Administrator in those situations where a continuity of existing setback situations has been established. In such situations, the minimum front yard setback shall be determined by an averaging of the existing buildings within 150 feet of both sides of the proposed structure on the same side of the street.
- (4) Accessory structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies or platforms above normal grade level, may not project into the setback area of required yards.

The following exceptions may project into the setback area of required yards regardless of the setback requirements set forth in Section 1280.01.

- A. Steps or stoops not exceeding twenty-four square feet in area.
- B. Eaves, cornices and belt courses not exceeding two feet.
- C. Open fire escapes not exceeding four feet, six inches in width.
- D. Chimneys with foundations at or below grade not exceeding one foot, six inches.
- E. Bay windows above normal grade level not exceeding two feet.
- F. Door or window canopies or awnings not exceeding three feet. If canopies or awnings contain printed material, see Section 1286.04.
- G. Above-ground patio slabs of concrete or precast stone at no more than four inches above normal grade level.
- H. Above-ground landscape timbers, retaining walls or decorative borders at a height of no more than twelve inches above ground level.
- I. Handicapped ramps not exceeding four feet, six inches in width. Such a ramp shall be removed within three months after its express use is no longer required. This accessory structure must be re-permitted upon transfer of property ownership. Handicapped ramps may project into required yard setbacks the minimum distance necessary to achieve a slope of one-inch drop per one linear foot.

- J. Flagpoles erected to fly governmental flags or other insignias.
  - K. An open front yard porch may extend to the setback of the existing front stoop or step, not to exceed a distance of six feet from the house's existing vertical exterior wall which is closest to the setback line of the existing house.
- (5) Corner lots shall have the front yard requirements of those established in Section 1280.01 for both portions of the lot facing a road right of way.
  - (6) Measuring of building height shall be established from the average elevation of the finished grade at the front of the structure to the highest point of the structure. When the following conditions are met, height limits may be increased up to a 50% increase over those specified in Section 1280.01. Building height in excess of the height above ground level allowed in any district may be permitted, provided all minimum front, side and rear yard depths are increased one foot for each additional foot of height. The following structures are exempt from height requirements, provided they do not constitute a hazard to an established airport: television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, ornamental towers, elevator bulkheads, chimneys, smokestacks, flagpoles, wind generators and other necessary mechanical apparatus normally carried above roof level. However, such structures as television, radio and ornamental towers shall have only a height which will not exceed the shortest distance to the nearest lot line. These height exceptions shall not apply to any communications antennas or communications towers.
  - (7) Building coverage is that total coverage by all structures, both permitted and accessory structures. No construction of any structures shall be permitted in the road right-of-way area, except those that are allowed by State or Federal laws, such as mailboxes, newspaper delivery boxes and directional signs to churches.
  - (8) A portion of all lots must abut either road, street or road right of way, and no lot can be landlocked.
  - (9) Accessory structures and/or uses are not permitted between the principal building and the road right of way.
  - (10) Accessory structures not attached to the principal building must be located at least ten feet from the main building.
  - (11) A permitted use in the B-1 District shall not be subject to a side yard setback, provided it abuts another use permitted in the B-1 District. Should, however, the side yard or yards abut a R-1, R-2 or C-1 District, then a ten-foot setback shall be required.
  - (12) Any roofed accessory structure of less than 20/25 square feet and/or 80/125 cubic feet that is in compliance with all other provisions of this Zoning Code does not require a permit. This includes dog houses.
  - (13) "Attachment" means a structural support or a roofed connection over an improved weatherproof surface.

- (14) Concrete slabs at grade level, such as driveways, sidewalks or patios, do not require a building permit. Concrete slabs that exceed four inches above normal grade level are considered accessory structures and are regulated by the basic development standards of Section 1280.01. No further vertical development shall be erected on said improvement until a building permit has first been obtained.

(Ord. 300-85. Passed 3-4-85; Ord. 316B-88. Passed 6-14-88; Ord. 356-93. Passed 9-14-93; Ord. 365-94. Passed 5-24-94; Ord. 418-99. Passed 6-24-99; Adopting Ordinance; Ord. 441-03. Passed 3-25-03.)



CHAPTER 1282  
Nonconforming Uses

1282.01 General regulations.

1282.02 Existing lots of record.

CROSS REFERENCES

Registration of nonconforming uses - see Penna. Mun. Plan. Code, Sec. 613  
 General provisions and definitions - see P. & Z. Ch. 1260  
 Administration, enforcement and penalty - see P. & Z. Ch. 1262  
 Zoning Hearing Board - see P. & Z. Ch. 1264  
 Districts generally and Zoning Map - see P. & Z. Ch. 1266  
 Lot, height and yard requirements - see P. & Z. Ch. 1280  
 Conditional uses - see P. & Z. Ch. 1284  
 Signs - see P. & Z. Ch. 1285  
 Supplementary regulations - see P. & Z. Ch. 1286

**1282.01 GENERAL REGULATIONS.**

The following provisions shall apply to all nonconforming uses and structures:

- (a) Any nonconforming use may be continued, but may not be extended or expanded or changed unless to a conforming use, except as may be allowed by the Zoning Hearing Board in accordance with the provisions of this Zoning Code.
- (b) Any nonconforming structure damaged by fire, flood, explosion or other casualty may be repaired or reconstructed on the same foundation and in the same location, if the repaired or reconstructed structure covers no greater area and contains no greater cubic content than before such casualty.
- (c) The conforming use of a building may be extended throughout the parts hereof which were obviously arranged or designed for such use at the time of adoption of this Zoning Code. A nonconforming building or structure may be extended or enlarged, but must meet minimum yard requirements of the district in which it is located. If the nonconforming condition is due to front, side or rear yards, these yards may be continued at the same depths along the extension or enlargement, so long as they are not decreased and the maximum lot coverage meets the requirements of this Zoning Code. In no case shall the new side or rear yard be less than five feet, except in existing town or row houses. Off-street parking and loading requirements of this Zoning Code must be met.

- (d) If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or more restricted classification.
- (e) A structure that has been razed shall not be reconstructed for a use that does not conform with the provisions of this Zoning Code.
- (f) Any structure or portion thereof declared unsafe by a proper authority may be restored to a safe condition.
- (g) Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.
- (h) Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, this chapter shall also apply to any uses which thereby become nonconforming.
- (i) Any nonconforming use discontinued for a six-month period shall not be resumed and any future use must be conforming.
- (j) Any lot which is reduced in area or building setback which is reduced in distance or any building modifications necessary for proper access, ingress or egress, which is necessitated by a state or local highway project should be considered to have the same benefit as that of a legal nonconforming status as a lot and/or building that existed prior to the adoption of the Zoning Ordinance. In addition, any property that enjoys nonconforming status to a provision of the Zoning Ordinance shall not have its continuing use extinguished if that property's nonconforming status is affected by acquisition or condemnation for a state or local highway project, unless all or a substantial portion of the improvements on the property are within the area of the property taken or acquired.  
(Ord. 300-85. Passed 3-4-85; Ord. 316B-88. Passed 6-14-88; Ord. 406-98. Passed 6-23-98; Ord. 432-01. Passed 8-14-01.)

#### **1282.02 EXISTING LOTS OF RECORD.**

Any lot of record existing at the effective date of this Zoning Code (Ordinance 300-85, passed March 4, 1985) and held in separate ownership different from the ownership of adjoining lots may be used for the erection of a structure conforming to the use regulations of the district in which it is located, even though its dimensions are less than the minimum requirements of this Zoning Code, except as set forth hereafter. Where two or more adjacent lots of record with less than the required area and width are held by one owner on or before the date of enactment of this Zoning Code, the request for a permit shall be referred to the Zoning Hearing Board, which may require replatting to fewer lots which would comply with the minimum requirements of this Zoning Code.

(Ord. 300-85. Passed 3-4-85.)

CHAPTER 1284  
Conditional Uses

1284.01	Permission or denial.	1284.04	Criteria for approval.
1284.02	Applications.	1284.05	Public Notice
1284.03	Review.		

CROSS REFERENCES

- General provisions and definitions see P. & Z. Ch. 1260
- Administration, enforcement and penalty see P. & Z. Ch. 1262
- Zoning Hearing Board see P. & Z. Ch. 1264
- Districts generally and Zoning Map see P. & Z. Ch. 1266
- Lot, height and yard requirements see P. & Z. Ch. 1280
- Nonconforming uses see P. & Z. Ch. 1282
- Signs see P. & Z. Ch. 1285
- Supplementary regulations see P. & Z. Ch. 1286

**1284.01 PERMISSION OR DENIAL.**

Conditional uses may be permitted or denied by the Board of Township Commissioners after recommendations by the Planning Commission in accordance with the criteria and provisions of this chapter.  
(Ord. 300 85. Passed 3 4 85.)

**1284.02 APPLICATIONS.**

Applications for conditional uses shall be filed with the Zoning Administrator and shall be accompanied by:

- (a) Fee. An application fee in an amount equal to that established by resolution of the Board of Township Commissioners.
- (b) Plans. Seven copies of a site plan and supporting data, which show the size, location and topography of the site, the use of adjacent land, the proposed size, bulk, use and location of buildings; the location, distance and proposed function of all yards, open spaces, parking areas, driveways, storage areas and accessory structures; the location of all utilities, the provisions for parking, moving or loading vehicles and the timing of construction proposed, as well as a copy of other permits or plans required for the particular use by respective County, State and/or Federal Government agencies, and any other pertinent information required by the Zoning Administrator.

(Ord. 300 85. Passed 3 4 85.)

**1284.03 REVIEW.**

The Zoning Administrator shall forward a copy of the application to the Board of Township Commissioners and to the Planning Commission for review and approval.

- (a) Time. The Board of Township Commissioners, with the review and recommendations of the Planning Commission, shall forward its decision to the applicant within ninety days of the application submission, unless the applicant agrees, in writing, to a time extension.
- (b) Conditions. The Board of Commissioners may, in addition to those specifically provided in this Zoning Code, attach such reasonable conditions and safeguards as it determines necessary to meet the intent of this Zoning Code, to protect adjacent property, and to further the public interest. All development, construction and use shall be in accordance with the approved plan and all attached conditions, unless a revised plan is submitted and approved. Any development contrary to the approved plan shall constitute a violation of this Zoning Code.  
(Ord. 300-85. Passed 3-4-85.)

**1284.04 CRITERIA FOR APPROVAL.**

A conditional use shall be approved only if it meets the following criteria:

- (a) Use. The proposed use conforms to the district and conditional use provisions and all pertinent supplementary regulations of this Zoning Code.
- (b) Special Standards. The proposed use meets all special standards which apply to its conditional use classification as is set forth in Chapter 1286.
- (c) Performance Standards. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons, and shall comply with the performance standards of this Zoning Code.
- (d) Relationship. The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
- (e) Environment. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
- (f) Objectives. The proposed use shall preserve the community development objectives of this Zoning Code.  
(Ord. 300-85. Passed 3-4-85.)
- (g) Standards for Communications Towers as Conditional Use.
  - (1) The applicant shall demonstrate that it is licensed by the Federal Communications Commission (FCC) to operate a communications tower, if applicable, and communications antennas.
  - (2) The applicant shall demonstrate that the proposed communications tower and communications antennas proposed to be mounted thereon comply with all applicable standards established by the FCC governing human exposure to electromagnetic radiation.



- (3) Communications towers shall comply with all applicable Federal Aviation Administration (FAA), Commonwealth Bureau of Aviation and applicable airport zoning regulations.
- (4) Any applicant proposing construction of a new communications tower shall demonstrate that a good faith effort has been made to obtain permission to mount the communications antennas on an existing building, structure or communications tower. A good faith effort shall require that all owners of potentially suitable structures within a one-quarter mile radius of the proposed communications tower site be contacted and that one or more of the following reasons for not selecting such structure apply:
  - A. The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
  - B. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
  - C. Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
  - D. The addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the FCC governing human exposure to electromagnetic radiation.
  - E. A commercially reasonable agreement could not be reached with the owners of such structures.
- (5) Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of twenty feet in width and shall be improved to a width of at least ten feet with a dust-free, all-weather surface for its entire length.
- (6) A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the zoning district.
- (7) Recording of a plat of subdivision or land development shall not be required for a lease parcel on which a communications tower is proposed to be constructed, provided the communications equipment building is unmanned.
- (8) The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.
- (9) In C-1 and I-1 Districts, the maximum height of any communications tower shall be 150 feet, provided, however, that such height may be increased to no more than 200 feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one foot for each one foot of height in excess of 150 feet.

- (10) The foundation and base of any communications tower shall be set back from a property line (not lease line) located in any Residential District at least 100 feet and shall be set back from any other property line (not lease line) at least fifty feet.
- (11) The base of a communications tower shall be landscaped so as to screen the foundation and base and communications equipment building from abutting properties.
- (12) The communications equipment building shall comply with the required yard and height requirements of the applicable zoning district for an accessory structure.
- (13) The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed communications tower will be designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association and applicable requirements of the Township's Building Code.
- (14) The applicant shall submit a copy of its current FCC license; the name, address and emergency telephone number for the operator of the communications tower; and a certificate of insurance evidencing general liability coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence and property damage coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence covering the communications tower and communications antennas.
- (15) All guy wires associated with guyed communications towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.
- (16) The site of a communications tower shall be secured by a fence with a maximum height of eight feet to limit accessibility by the general public.
- (17) No signs or lights shall be mounted on a communications tower, except as may be required by the FCC, the FAA or other governmental agency which has jurisdiction.
- (18) Communications towers shall be protected and maintained in accordance with the requirements of the Township's Building Code.
- (19) If a communications tower remains unused for a period of twelve consecutive months, the owner or operator shall dismantle and remove the communications tower within six months of the expiration of such twelve-month period.
- (20) One off-street parking space shall be provided within the fenced area.  
(Ord. 418-99. Passed 6-24-99.)

#### **1284.05 PUBLIC NOTICE.**

Public notice shall be given of the time and place of the meeting at which the Board of Township Commissioners will consider the request for a conditional use. The notice shall clearly describe the nature of the requested conditional use.

(Ord. 300-85. Passed 3-4-85.)

2000 Replacement

CHAPTER 1285  
Signs

1285.01	Definitions.	1285.08	Signs permitted in Residential Districts.
1285.02	General regulations.	1285.09	Signs, awnings and canopies permitted in Business Districts.
1285.03	Nonconforming signs.	1285.10	Signs permitted in Industrial Districts.
1285.04	Permit required; fees; display of permit number; right to revoke permit.	1285.11	Signs permitted in Conservation Districts.
1285.05	Removal of nonconforming signs.	1285.12	Billboard/commercial outdoor advertising signs.
1285.06	Exempt and prohibited signs.	1285.13	Revocation of permits.
1285.07	Temporary signs.		

CROSS REFERENCES

Tampering with signs - see GEN. OFF. 650.03  
 Street signs in subdivisions - see P. & Z. 1250.09  
 General zoning provisions and definitions - see P. & Z. Ch. 1260  
 Administration, enforcement and penalty - see P. & Z. Ch. 1262  
 Nonconforming uses - see P. & Z. 1262.02(c), Ch. 1282  
 Zoning Hearing Board - see P. & Z. Ch. 1264  
 Districts generally and Zoning Map - see P. & Z. Ch. 1266  
 Lot, height and yard requirements - see P. & Z. Ch. 1280  
 Conditional uses - see P. & Z. Ch. 1284  
 Supplementary regulations - see P. & Z. Ch. 1286

**1285.01 DEFINITIONS.**

As used in this chapter, the following words and terms shall have the meanings respectively ascribed to them:

- (a) Architectural Projection - Any projection, except a sign, which is not intended for occupancy and which extends beyond the face of an exterior wall of a building.
- (b) Background Area of Sign - The entire area of a sign or building wall on which copy can be placed, including framing, border and trim, but not including structural supports.

- (c) Building Facade - That portion of any exterior elevation of a building extending vertically from grade to the top of the parapet wall or eaves and horizontally across the entire width of the building elevation.
- (d) Copy - Any letter, number, symbol, figure, character, mark, plan, design, picture, stroke, stripe or trademark, or any combination thereof, either permanent or removable.
- (e) Copy Area of Sign - The actual area of the sign copy applied to any background. The copy area shall be computed by drawing straight lines tangent to the copy extremities encompassing individual letters, words or graphic elements.
- (f) Eaves - The lowest horizontal line of a sloping roof.
- (g) Erect - To build, construct, attach, hang, suspend, affix, alter, structurally repair, remove, relocate, demolish, renew or paint on a wall or any other background surface.
- (h) Facade - The entire building front, including the parapet, or any portion of the building sides or rear which face a public road or parking area.
- (i) Height of a Sign - The vertical distance measured from the highest point of a sign to the grade of the adjacent street.
- (j) Maintenance - The cleaning, painting, repairing, refurbishing or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, illumination or structure of the sign.
- (k) Marquee - A permanent, roofed structure attached to a building and projecting over public property or a pedestrian walkway.
- (l) Parapet - The portion of a facade or wall that is raised above the roof.
- (m) Person - Any individual, firm, partnership, association, corporation, company or organization of any kind.
- (n) Premises - A separate lot or tax parcel with individual frontage abutting the street line. A premises may include more than one occupancy, such as in an office complex or a shopping center.
- (o) Roof Line - The uppermost line of a roof of a building or, in the case of an extended facade or parapet, the uppermost height of said facade or parapet.
- (p) Sign - Any fabricated panel or outdoor display structure, including its structure, consisting of any letter, number, symbol, figure, character, mark, point, plane, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, reading matter or illuminating device, constructed, attached, erected, fastened or manufactured in any manner whatsoever so that the same shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever, and displayed in any manner out of doors for recognized advertising purposes. Types of signs are as follows:

- (1) Abandoned Sign - A sign which no longer advertises a bona fide business or activity and/or for which no legal owner can be found.
- (2) Animated/Flashing Sign - A sign which contains an intermittent or sequential flashing light source or color changes for the purpose of attracting attention. This shall include any sign which uses movement or change of lighting to depict action or to create a special effect or scene. For the purposes of this section, this definition shall not be meant to include public service signs, such as time and temperature signs, changeable copy signs, revolving and rotating signs or signs which, through reflection or other means, create an illusion of flashing or intermittent light.
- (3) Awning/Canopy - A shelter, constructed of any material, projecting from and supported by the exterior wall of a building, constructed of non-rigid and rigid materials on a supporting framework, including awnings or similar devices.
- (4) Billboard/Commercial Outdoor Advertising Sign - A permanent off- premises sign erected, maintained or used for the purpose of providing copy area for advertising messages for rent or lease.
- (5) Changeable Copy Sign - A sign on which the message can be changed through the use of attachable copy or through the use of electronic switching of lamps or other illuminated devices. This includes public service information displays, such as time and temperature, or any sign which features automatic or manual switching or changing of its message content.
- (6) Construction/Development Sign - A type of temporary sign which is intended to advertise the name of a project or development and/or the contractor, architect, engineer, financier, etc.
- (7) Directional/Informational Sign - Any on-premises sign giving directions, instructions or facility information, which may contain the name or logo/monogram of an establishment or residence, but no other advertising copy, e.g. parking or entrance and exit signs.
- (8) Facia Sign - See Wall Sign.
- (9) Free-standing Sign - A sign permanently supported by an upright or uprights which are permanently anchored into the ground.
- (10) Ground Sign - A sign supported by uprights or braces in or upon the ground surface, with not more than twelve inches clearance from the finished grade.
- (11) Illegal Sign - A sign which does not meet the requirements of this chapter and which has not received legal nonconforming status.
- (12) Illuminated Sign - A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign or a component of its structure.

- (13) Interior Sign - Any sign, except a window sign, placed within a building regardless of whether its message is visible to the exterior of the building. Except for window signs, interior signs are not regulated by the provisions of this chapter.
- (14) Marquee Sign - A sign attached to or hung from a marquee.
- (15) Nonconforming Sign - A sign which was erected legally, but which does not comply with subsequently enacted sign ordinances.
- (16) Off-premises Sign - A sign directing attention to a business, person, commodity or service not necessarily located or sold upon the premises where the sign is located, e.g. billboards and commercial outdoor advertising signs.
- (17) On-premises Sign - A sign which carries only messages strictly incidental to a lawful use of the premises on which it is located. Such signs may include, but shall not be limited to, messages indicating the business transacted, services rendered, goods sold or produced on the premises, the name of the business and the name of the person, firm or corporation occupying the premises.
- (18) Pole Sign - See Free-standing Sign.
- (19) Political Sign - A temporary sign used in connection with a local, State or national election or referendum.
- (20) Portable Sign - A type of promotional sign which is not securely anchored to the ground or to a building or structure and which obtains some or all of its structural stability, with respect to wind or other normally applied forces, by means of its geometry or character.
- (21) Projecting Sign - A display sign which is attached directly to the building wall and which extends more than fifteen inches from the face of the wall.
- (22) Promotional Sign - A type of temporary sign which is intended to promote or advertise a business or commercial event, public gathering or nonprofit or charity sponsored event.
- (23) Real Estate Sign - A temporary sign pertaining to the sale, lease or rental of the property upon which it is located.
- (24) Rotating Sign - A type of free-standing sign which rotates 360 degrees.
- (25) Roof Sign - A sign erected upon the roof or parapet of a building, the entire face of which is situated above the eaves or highest architectural point of the building to which it is attached, and which is wholly or partially supported by said building.
- (26) Temporary Sign - A sign, constructed with or without a structural frame, intended for a limited period of display, including decoration displays for holidays or public demonstrations. By definition, "temporary" applies to signs which are removed when their function is fulfilled.

- (27) Time and Temperature Sign - A display containing illuminated or reflective numerals switching alternately to show the time and temperature.
- (28) Vehicular Sign - A sign which is affixed to and/or painted on a vehicle in such a manner that the carrying of such a sign or signs is no longer incidental to the vehicle's primary purpose. Such signs shall be subject to the regulations for temporary signs set forth in this chapter. This definition does not apply to signs on vehicles when in motion and vehicles with a valid license. Vehicles of any kind upon which a sign has been painted will be subject to the restrictions regarding temporary and portable signs as they apply to the location of the vehicles when parked on a business's own premises.
- (29) Wall Sign - A sign which is painted on or attached directly to a fence or on the surface of approved building walls, and which extends not more than fifteen inches (381 mm) from the face of the fence or wall.
- (30) Window Sign - A sign affixed to or within twelve inches of the interior surface of a window, with its message visible to the outside of said window surface.  
(Ord. 392-97. Passed 11-25-97.)

#### **1285.02 GENERAL REGULATIONS.**

(a) Location of Signs. In no case, except for official traffic and street signs, shall any sign be erected so that it:

- (1) Is closer than ten feet to a street shoulder or curb and lies within or projects over the right-of-way of a street;
- (2) Obscures a motorist's view of traffic signals, stop signs or other warning devices;
- (3) Obscures a motorist's view of the roadway, intersections or driveways and egress;
- (4) Limits a pedestrian's view of vehicular traffic;
- (5) Lies within a distance of two feet from a side yard property line;
- (6) Lies within a parking space or fire lane;
- (7) Blocks the movement of pedestrians; or
- (8) Blocks or obstructs any exit or entrance.

(b) Area of Signs.

- (1) The area of a sign shall include any perimeter framework and/or trim.
- (2) In the computation of the square foot area of a double-faced or multiple-faced sign, only the side with the most square feet will be considered. If the interior angle formed by the faces of a sign is ninety degrees or greater, then all sides of such sign shall be considered in calculating the sign area.

- (3) If a building has walls fronting on two or more streets, or if the property fronts on more than one street, the sign area for each building wall or property frontage shall be calculated separately.
  - (4) A sign supported by more than one means, such as a free-standing, wall, roof or projecting sign, shall have its area and height calculations determined by the type of sign which has the most restrictive standards.
- (c) Conformance of Signs to Applicable Laws and Regulations; Illumination.
- (1) Any sign hereafter erected shall conform to the provisions of this chapter, the Township Building Code and any other applicable ordinance or regulation of the Township.
  - (2) No sign shall be illuminated by other than electrical means. The electrical devices or components shall be either Underwriters' Laboratory listed or recognized. Installation shall be in compliance with the standards of the National Electrical Code (NEC) and shall be certified by an electrical inspection agency prior to use. Connections shall likewise comply with the NEC.
- (d) Maintenance.
- (1) It shall be the duty and responsibility of the owner or lessee of a sign to maintain the immediate premises occupied by the sign in a clean, sanitary and healthful condition.
  - (2) When any sign becomes insecure, is in danger of falling or is otherwise deemed unsafe by the Township, or if any sign shall be unlawfully erected in violation of any of the provisions of this chapter, the owner thereof or the person maintaining the same shall, upon written notice by the Township, forthwith in the case of immediate danger, and in any case within no more than ten days, make such sign conform to the provisions of this chapter or shall remove it. If, within ten days, the order is not complied with, the Township may remove or cause to be removed such sign at the expense of the owner or lessee. The Township shall refuse to issue a permit to any permittee or owner who has refused to pay costs assessed in connection with this subsection.
- (Ord. 392-97. Passed 11-25-97.)



**1285.03 NONCONFORMING SIGNS.**

(a) Any sign legally existing at the time of the passage of this chapter, that does not conform in use, location, height or size to the regulations of the district in which such sign is located, shall be considered a nonconforming sign.

(b) A sign on a building or structure which does not conform to this chapter, shall be removed when the building or structure is demolished or when the renovation, repair or expansion of the building amounts to over fifty percent of the market value of the building, as assessed by the Erie County Tax Assessment Board.

(c) Any nonconforming sign which is damaged by fire, flood, wind or any other act of God or man may be reconstructed and used as before, if such reconstruction is done within six months of such damage, unless the sign was damaged to the extent of more than sixty percent of its structure, in which case any repair or reconstruction shall be in conformity with the provisions of this chapter. However, if such sign is insecure or unsafe, the Township may order the owner to have the sign repaired to conform to current standards or have such sign removed within a period of ten days.

(d) A nonconforming sign must be removed within ten days or be made to conform to this chapter in every respect whenever:

- (1) It is not securely attached to the ground or some other object and can be easily removed.
- (2) It becomes deteriorated to the point that it no longer serves a useful purpose of communication and is a nuisance, as determined by the Township Zoning Administrator.

(e) If the copy of an on-premises sign is changed because of a change of use, the sign must comply with this chapter.

(f) A sign in violation of Section 1285.06(b) shall be removed within ten days of notice from the Township.

(g) Any sign that is moved to another location, on the same or any other premises, shall be considered a new sign and shall be bound by the provisions of this chapter as if erected subsequent to the effective date hereof.

(Ord. 392-97. Passed 11-25-97.)

**1285.04 PERMIT REQUIRED; FEES; DISPLAY OF PERMIT NUMBER;  
RIGHT TO REVOKE PERMIT.**

(a) A permit must be obtained from the Township for the erection of all signs erected in the Township, unless specifically exempted herein. No permit shall be issued until the applicant pays the respective fee prescribed by the Township. A permit fee schedule shall be established by resolution of the Board of Township Commissioners.

(b) Exemptions from the necessity of securing a permit, however, shall not be construed to relieve the owner or the person maintaining the sign of the responsibility for its erection in a safe manner and in accordance with all other provisions of this chapter.

(c) Before any permit is granted for the erection of a sign exceeding 300 square feet, or any sign structure, plans and specifications shall be filed with the Township showing the dimensions, materials and details of construction, anchorage and any other pertinent engineering data. All such requests for signs exceeding 300 square feet, or any sign structure, shall be referred to the Township Engineer.

(d) No sign structure shall hereafter be erected, constructed or altered, except as herein provided, until a permit has been issued by the Township.

(e) No sign shall be enlarged or relocated, except in conformity with the provisions of this chapter for new signs, nor until a proper permit has been secured. The changing of movable parts of an approved changeable copy sign that is designed for such changes, or the repainting or reposting of display matter, shall not be deemed an alteration, provided the conditions of the original approval and the requirements of this chapter are not violated.

(f) Upon the filing of an application for a permit, the Zoning Administrator may examine the site where the sign is to be erected. If the proposed site and sign are in compliance with the requirements of this chapter and other laws of Lawrence Park Township, the Zoning Administrator shall then issue the permit. If the sign has not been erected within six months after the date of issuance of a permit, said permit shall become null and void.

(g) Every sign for which a permit has been issued and hereafter erected and constructed shall be plainly marked with the Township permit number displayed in a conspicuous place. The Township will provide a label with a permit number at the time the permit is issued.

(h) All rights and privileges acquired under the provisions of this chapter or any amendment hereto are mere licenses, revocable at any time by the Township, and all such permits shall contain this provision.

(Ord. 392-97. Passed 11-25-97.)

#### **1285.05 REMOVAL OF NONCONFORMING SIGNS.**

Any nonconforming sign now or hereafter existing which no longer advertises a bona fide business conducted or product sold shall be taken down and removed by the owner within at least 120 days after such business ceases. Upon failure to comply with the time specified herein, the Township Zoning Administrator is hereby authorized and empowered to give 30 days written notice to cause the removal of such sign, and any expense incident thereto shall be paid by the owner.

(Ord. 392-97. Passed 11-25-97.)

#### **1285.06 EXEMPT AND PROHIBITED SIGNS.**

(a) Exempt Signs. The following signs are permitted in all districts and do not require a permit, provided the applicable conditions have been met:

- (1) Official highway route number signs, street name signs and directional or other traffic signs, which may be erected on public roads and highways in the interest of public safety.
- (2) Signs displaying the name and address of the occupancy of the premises, provided that the area of any such sign shall not exceed two square feet.
- (3) "No Trespassing" signs, signs indicating the prohibition or control of activities, such as fishing, hunting, etc., or signs indicating the private nature of a road, provided the area of any such sign does not exceed two square feet.
- (4) Real estate signs. No more than one real estate sign shall be placed on property held in single and separate ownership, unless the property fronts on more than one street, in which case one such sign shall be permitted along each street. All such signs shall be removed within ten days after a settlement of sale, lease or rental has been entered into.
- (5) Governmental flags or insignias.
- (6) Legal notices.
- (7) Public service and information signs advertising the availability of restrooms, telephones or similar public conveniences, and signs advertising meeting times and places of nonprofit service or charitable organizations. These signs may be erected, provided they do not advertise any commercial establishment, activity, organization, product, goods or service, except those of public utilities. No such sign shall exceed four square feet.

- (8) Vending machine signs bearing the brand name of a product or the price of such product, when displayed on a vending machine selling such product.
- (9) Bulletin or announcement board signs, provided the area of any one side of such a sign shall not exceed sixty square feet.
- (10) Memorial or historical signs, provided such signs do not exceed four square feet.
- (11) Window signs giving store hours or the name or names of credit or charge institutions, provided the total area of any such sign or of all signs together does not exceed two square feet.
- (12) Temporary window signs.
- (13) Signs which are a permanent architectural feature of a building or structure, such as a cornerstone, or identifying letters carved into or embossed on a building, provided the letters are not made of a reflective material, nor contrast in color with the building.
- (14) Mechanics' or artisans' signs, which may be erected during the period such persons are performing work on the premises on which such signs are erected, provided that such signs shall be removed upon completion of work by the mechanic or artisan and provided that the total area for all such signs shall not exceed 32 square feet. Not more than one such sign shall be placed on any given property on which such person is performing work, unless such property fronts on more than one street, in which case one such sign shall be permitted along each street. All such signs shall be removed immediately upon completion of the work.
- (15) Bunting, pennants and similar materials.
- (16) A revolving barber shop pole sign or signal, provided that it does not exceed 24 inches in height and that it is advertising a principal barbering use.
- (17) A sign advertising a yard or household sale, not to exceed 16 square feet.
- (18) Any one sign per wall which is not more than one square foot in area.
- (19) Any sign designating the location of a transit line, a railroad station or other public carrier.
- (20) A Christmas tree or other holiday display or window display of merchandise, except as specifically prohibited by this chapter.
- (21) Any temporary sign not previously listed in this division, provided such sign meets the conditions and restrictions imposed under Section 1285.07.
- (22) Political signs.
- (23) Township welcome and information sign. The sign may not exceed 30 square feet. This type of sign shall not exceed seven feet above grade level. Copy is permitted on both sides of this type of sign. Information shall be relevant to Township statistics and its history.

- (b) Prohibited Signs. The following signs are unlawful and prohibited:
- (1) A sign that uses any method of illumination that impairs the vision of a motorist.
  - (2) Any sign that uses the words "Stop", "Look", "Danger", "Yield" or any other word or character which attempts or appears to attempt to direct the movement of traffic or which interferes with or resembles any official traffic sign, signal or device within seventy-five feet of a public right-of-way or within 200 feet of a traffic control device, whichever is greater.
  - (3) Except for traffic control signals, any sign that uses red, green or revolving beacon lights within seventy-five feet of a public right-of-way or within 200 feet of a traffic control device signal, whichever is greater.
  - (4) Any banner sign or sign of any other type across a public street or on any public property, except for such signs which are approved by the State and/or Township to be of general benefit to the Township or for public convenience, necessity or welfare.
  - (5) Any sign which does not conform to the requirements of the sign ordinance which was in effect when the sign was erected.  
(Ord. 392-97. Passed 11-25-97; Ord. 438-02. Passed 9-24-02.)

#### **1285.07 TEMPORARY SIGNS.**

- (a) No temporary sign shall exceed 32 square feet in area.
- (b) Every temporary sign shall be firmly secured to the ground or to an adjacent building.
- (c) The advertisement contained on any temporary sign shall pertain only to the business, industry or pursuit conducted on or within the premises on which such sign is erected or maintained. This provision shall not apply to signs of a civic, political or religious nature.  
(Ord. 392-97. Passed 11-25-97.)

#### **1285.08 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS.**

- (a) In General.
- (1) Temporary, portable, non-illuminated, off-premises and promotional signs are permitted. (See division (c) of this section.)
  - (2) Animated/flashing, changeable copy, billboard/commercial outdoor advertising, illuminated, rotating, roof and vehicular signs are prohibited.

(b) On-Premises Signs.

- (1) Temporary construction/development signs which have been authorized by the Township in connection with construction operations are permitted, not to exceed 32 square feet. Not more than one such sign shall be placed on property held in single and separate ownership, unless the property fronts on more than one street, in which case one such sign shall be permitted along each street. The sign shall be removed within ten days after the development, in the opinion of the Zoning Administrator, has been satisfactorily completed. This type of sign shall observe at least a ten-foot setback from the street right-of-way line.
- (2) One sign for home occupations or other nonconforming accessory uses is permitted, provided that the area of the sign does not exceed two square feet.
  - A. Signs must be affixed to the structure only.
- (3) Directional/informational signs are permitted, provided that such signs do not contain advertising copy and do not exceed an area of four square feet or a height of five feet.
- (4) Real estate signs shall not exceed nine square feet in total area per dwelling unit and shall not exceed 32 square feet in total area.
- (5) Temporary signs for the sale of household goods are permitted. Such signs shall not exceed 16 square feet and shall be removed immediately upon the end of the sale.

(c) Off-Premises Signs.

- (1) Political signs are permitted to the extent guaranteed by the Constitutions and laws of the United States of America and the Commonwealth of Pennsylvania.
- (2) Promotional signs are permitted, provided that:
  - A. They are for nonprofit or charity-sponsored events.
  - B. No such sign shall exceed 32 square feet in total area.
  - C. Signs shall not be posted earlier than 30 days before the occurrence of the event and shall be removed within five days after the termination of the event.
  - D. No permit will be issued for the erection of such signs until a deposit has been made with the Township Secretary. If such signs are not removed within five days after the termination of the event, the Township may have them removed and keep the full sum deposited to reimburse the Township for the expenses incurred.  
(Ord. 392-97. Passed 11-25-97; Ord. 441-03. Passed 3-25-03; Ord. 480-07. Passed 11-27-07.)

**1285.09 SIGNS, AWNINGS AND CANOPIES PERMITTED IN BUSINESS DISTRICTS.**(a) In General.

- (1) Free-standing signs are permitted, provided that they shall not exceed twenty feet in height from the established road grade to the uppermost portion of the sign or its supporting structure. This type of sign shall observe at least a ten-foot setback from the street right-of-way line.
- (2) Animated/flashing, rotating, roof and vehicular signs are prohibited.
- (3) Awnings and canopies are permitted provided they meet the minimum requirements of no less than seven feet from the bottom of the canopy to the sidewalk and with the maximum extension from the face of the building of four feet. Businesses on Main Street that are currently non-conforming due to a zero foot setback are permitted to install awnings or canopies within the scope of this section.

(b) On-Premises Signs.

- (1) In general. Any sign permitted in Residential Districts shall be permitted in accordance with Section 1285.08(b).
- (2) Identification signs. Identification signs, including a directory of tenants in an office building or other permitted use, shall be permitted in accordance with the following provisions: The area on one side of any free-standing sign shall not exceed thirty-two square feet, and not more than two such signs shall be erected on a premises fronting on more than one street, in which case one such sign may be erected on each street frontage. This type of sign shall observe at least a ten-foot setback from the street right-of-way line.
- (3) Wall, permanent window, awning and canopy signs. Wall, permanent window, awning and canopy signs shall be permitted in accordance with the following limitations:
  - A. There shall be no more than one wall, permanent window, awning or canopy sign per building facade, per occupancy.
  - B. Under no circumstances shall permanent window signs exceed sixteen square feet.
  - C. The copy area of an awning or canopy shall not exceed 100 square feet.
  - D. Permanent wall signs shall not exceed, in square footage, three times the linear frontage of the building or 300 square feet, whichever is less.
  - E. The length of a wall, permanent window, awning or canopy sign shall not exceed eighty percent of the length of the building frontage.

- (4) Projecting signs.
  - A. Such signs shall have a copy area no greater than eight square feet per side and a minimum clearance of ten feet from the sidewalk or natural grade and shall be mounted, as nearly as possible, perpendicular to the building face.
  - B. One such sign may be permitted for each entrance to a facility served by a canopy or other pedestrian walkway, provided that it does not exceed eight square feet in area.
- (5) Time and temperature signs.
  - A. Time and temperature signs shall be displayed only as a part of a free-standing or wall sign and shall be subject to all regulations and restrictions applying to those signs.
  - B. Any such device with alternating or moving messages shall display each message for not less than three seconds.
- (6) Changeable copy signs.
  - A. A changeable copy sign shall be displayed only as a part of a free-standing or wall sign and shall be subject to all regulations and restrictions applying to those signs.
  - B. Any device with alternating or moving messages shall display each message for not less than three seconds.
- (7) Promotional signs.
  - A. An application for a promotional sign permit must be made to the Township, accompanied by an appropriate fee per sign as a guarantee that the promotional display shall be promptly and completely removed at the end of the period authorized.
  - B. Any promotional sign which utilizes any electrical device must conform to code requirements. See Section 1285.02(c).
  - C. Promotional signs may not revolve, be animated or have flashing lights.
  - D. A maximum of one sign per frontage, per occupancy, shall be permitted.
  - E. Promotional signs which are portable shall be permitted for a period not to exceed sixty days per any one promotion for any one premises or commercial use, unless otherwise authorized by the Township. There shall be a fifteen-day interval between promotions.
- (8) Roof signs.
  - A. The area of a roof sign shall not exceed, in square footage, three times the linear frontage of the building or 300 square feet, whichever is less.
  - B. The height of a roof sign shall not exceed six feet. The length of a roof sign shall not exceed eighty percent of the length of the building frontage.
  - C. Roof signs may exist instead of, but not in addition to, wall signs on a given premises.
  - D. Where a building fronts on two or more streets, a roof sign is permitted for each frontage.



(c) Off-Premises Signs.

- (1) Signs permitted and regulated in Residential Districts shall be permitted, unless otherwise specified in this section.
- (2) Billboard/commercial outdoor advertising signs shall be permitted in Business Districts. (See Section 1285.12.)  
(Ord. 392-97. Passed 11-25-97; Ord. 430.01. Passed 4-10-01.)

**1285.10 SIGNS PERMITTED IN INDUSTRIAL DISTRICTS.**

(a) On-Premises Signs.

- (1) In general. Signs permitted in other zoning districts shall be permitted in Industrial Districts in accordance with the regulations for those districts, unless otherwise specified in this section.
- (2) Animated/flashing signs. A sign may be animated, provided that the total cycle of motion or illumination does not exceed six times per minute.
- (3) Projecting signs.
  - A. Projecting signs are permitted, provided the area of such sign does not exceed one square foot for each two linear feet of building frontage which is perpendicular to the sign. No projecting sign may be larger than fifty square feet. No projecting sign may extend in a vertical dimension above the roof line or highest architectural point of the building.
  - B. Projecting signs shall have a minimum clearance of ten feet between the bottom of the sign and the grade below.
  - C. Projecting signs may exist instead of, but not in addition to, wall signs on a given premises. Where a premises is allowed two or more wall signs, a projecting sign may be used to substitute for one or more of the wall signs.
- (4) Rotating signs. Rotating signs shall be permitted as free-standing signs, provided that they do not exceed four revolutions per minute.
- (5) Roof signs.
  - A. The area of a roof sign shall not exceed, in square footage, three times the linear frontage of the building or 300 square feet, whichever is less.
  - B. The height of a roof sign shall not exceed six feet. The length of a roof sign shall not exceed eighty percent of the length of the building frontage.
  - C. Roof signs may exist instead of, but not in addition to, wall signs on a given premises.
  - D. Where a building fronts on two or more streets, a roof sign is permitted for each frontage.

(b) Off-Premises Signs.

- (1) Signs permitted in Residential and Business Districts shall be permitted in Industrial Districts in accordance with regulations for those districts, unless otherwise specified in this section.

- (2) Billboard/commercial outdoor advertising signs shall be permitted in Industrial Districts. (See Section 1285.12.)  
(Ord. 392-97. Passed 11-25-97.)

#### **1285.11 SIGNS PERMITTED IN CONSERVATION DISTRICTS.**

(a) In General.

- (1) Temporary, portable, non-illuminated, directional/informational, illuminated and promotional signs are permitted.
- (2) Animated/flashing, changeable copy, billboard/commercial outdoor advertising, off-premises, rotating, roof and vehicular signs are prohibited, except as allowed in divisions (c) and (d) of this section.

(b) On-Premises Signs.

- (1) Temporary construction/development signs which have been authorized by the Township in connection with construction operations are permitted, not to exceed thirty-two square feet. Not more than one such sign shall be placed on property held in single and separate ownership, unless the property fronts on more than one street, in which case one such sign shall be permitted along each street. The sign shall be removed within ten days after the development, in the opinion of the Zoning Administrator, has been satisfactorily completed. This type of sign shall observe at least a ten-foot setback from the street right-of-way line.
- (2) Promotional signs are permitted, provided that:
  - A. They are for non-profit or charity-sponsored events.
  - B. No such sign shall exceed thirty-two square feet in total area.
  - C. Signs shall not be posted earlier than thirty days before the occurrence of the event and shall be removed within five days after the termination of the event.
- (3) Directional/informational signs are permitted, provided that such signs do not contain advertising copy and do not exceed an area of four square feet or a height of five feet.
- (4) Projecting signs are permitted, provided that:
  - A. Such signs shall have a copy area no greater than eight square feet per side and a minimum clearance of ten feet from the sidewalk or natural grade and shall be mounted, as nearly as possible, perpendicular to the building face.
  - B. One such sign may be permitted for each entrance to a facility served by a canopy or other pedestrian walkway, provided that it does not exceed eight square feet in area.
- (5) Real estate signs are permitted and shall not exceed thirty-two square feet in total area.

(c) Changeable Copy Signs. Permanent changeable copy or promotional signs shall be permitted if the sign and lot meet all of the following requirements:

- (1) Lots must be not less than one and one-half acres.
- (2) Lot must have not less than 350 feet of frontage on a state road or highway.
- (3) Signs shall not exceed, in square footage, sixty square feet per face and shall not have more than two faces which are back to back.
- (4) The sign shall be not more than ten feet in height nor more than fifteen feet in length.
- (5) Any sign with alternating messages shall display each message for not less than three seconds. Animated or moving message signs shall not be permitted.
- (6) The sign may only display messages related to non-profit, school or municipal activities and event and may not contain any commercial advertisements or endorsements.
- (7) The sign is located not closer than fifteen feet from the road right-of-way and 100 feet from any property line.
- (8) The top of the sign shall not be more than fifteen feet above grade level.

(d) Requirements for permitted signs. Off-premises signs and on-premises signs shall be permitted, provided they meet all of the following requirements:

- (1) Signs may only be affixed to fences, buildings or other similar structures erected at athletic facilities for athletic purposes and not structures erected or constructed for the purpose of placement of signs.
- (2) Signs shall be affixed so as to be principally viewed by participants and spectators at the facility's athletic events.
- (3) The signs, or the contributions or fees derived from the signs, must be utilized solely for the benefit of programs available to the youth and adults of Lawrence Park Township and the Iroquois School District.
- (4) Each sign shall be no larger than thirty two square feet.
- (5) Signs shall not be erected within 100 feet of any road right-of-way.
- (6) Signs as permitted under this subsection shall require a permit. An application, on a form to be provided by the Township, shall be submitted, setting forth the location, size and number of signs; the name of the organization erecting the signs; the name, address and phone number of the individual responsible for the erection and removal of the signs and compliance with the terms of this section. The application form must be signed by the responsible individual and the property owner or an authorized agent or representative of the property owner.
- (7) The application fee, if any, for signs authorized by this subsection, shall be established by Resolution of the Board of Commissioners.
- (8) Signs shall be removed within ten days of the conclusion of the athletic season conducted at the facility.

(Ord. 392-97. Passed 11-25-97; Ord. 432-01. Passed 8-14-01; Ord. 495-2009. Passed 5-12-09.)

**1285.12 BILLBOARD/COMMERCIAL OUTDOOR ADVERTISING SIGNS.**

(a) Billboard/commercial outdoor advertising signs shall be limited to Business and Industrial Districts.

(b) Only one billboard/commercial outdoor advertising sign may be erected per premises fronting onto a public right-of-way, provided that:

- (1) No billboard/commercial outdoor advertising sign or any part thereof shall be erected in front of the building line.
- (2) No billboard/commercial outdoor advertising sign or any part thereof shall be erected within ten feet of any side or rear property line. On parcels bordering a Residential District, no billboard/commercial outdoor advertising sign shall be erected within fifty feet of such District.
- (3) No such sign shall be erected within 500 feet of any other such sign.
- (4) The general area adjacent to a billboard/commercial outdoor advertising sign must be kept free and clear of sign materials, weeds, debris, trash and other refuse.
- (5) No billboard/commercial outdoor advertising sign shall be permitted to exceed an area of 700 square feet per side, including borders and trim, but excluding supports. A sign having two sides back-to-back, or a V-shaped sign with a horizontal angle not greater than ninety degrees, is permitted, one on each side.
- (6) No billboard/commercial outdoor advertising sign shall exceed thirty-five feet in height from the established road grade to the uppermost portion of the sign or its supporting structure.

(Ord. 392-97. Passed 11-25-97.)

(c) Along the corridor designated as the Seaway Trail, which includes East Lake Road (PA 5), from the City of Erie municipal boundary to the Harborcreek Township municipal boundary, no outdoor advertising device, as defined, may be erected by any owner, person responsible or other person:

- (1) Within 660 feet of the nearest edge of the right-of-way; or
- (2) More than 660 feet from the nearest edge of the right-of-way if the sign is visible from the main-traveled way and the purpose of the sign is that its message be read from the main-traveled way, except as follows:
  - A. The official signs and notices which are required or authorized by law and which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. ' 131 (relating to control of outdoor advertising);
  - B. Outdoor advertising devices advertising the sale or lease of the real property upon which they are located;

- C. Outdoor advertising devices advertising activities conducted on the property on which they are located, including devices which display a message that may be changed at reasonable intervals by electronic process or remote control; and
- D. Directional signs, including but not limited to, signs pertaining to natural wonders, scenic and historical attractions and other points of interest to the traveling public which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. ' 131.

(d) All outdoor advertising devices constructed and existing on the effective date of this chapter, which would be prohibited under this section, shall be permitted except that if the device shall not be used for advertising for a period of one year or shall become dilapidated, the device shall be removed.

(e) If the Seaway Trail corridor is designated a Byway by the Commonwealth of Pennsylvania, Department of Transportation, the Township shall enforce the prohibitions set forth in this section and shall not revise this section without the prior written approval of the Department. Failure to do so may result in revocation of the Byway designation.  
(Ord. 443-03. Passed 6-24-03.)

#### **1285.13 REVOCATION OF PERMITS.**

The Township Zoning Administrator is hereby authorized and empowered to revoke any permit issued by him or her pursuant to this chapter upon failure of the holder of such a permit to comply with its provisions.  
(Ord. 392-97. Passed 11-25-97.)



APPENDIX I

96S

SIGN ORDINANCE MATRIX

SIGN TYPE	SECTION	P	T	R-1	R-2	C-1	B-1	I-1	DIMENSIONS	REMARKS
									Square Feet	
									(Maximum)	
Awning/Canopy	1285.09(b)(3)	X		NA	NA	NA	A,P	A,P	100	
Billboard/Commercial Outdoor Advertising/ Free-standing	1285.12(a)	X	X	NA	NA	NA	A,P	A,P	700	
	1285.12(b)	X	X	NA	NA	NA	A,P	A,P	700	
Business	1285.09(a)	X	X	NA	NA	NA	A,P	A,P	Various	
	1285.09(b)	X	X	NA	NA	NA	A,P	A,P	Various	
	1285.09(c)	X	X	NA	NA	NA	A,P	A,P	Various	
Construction/Develop- ment	1285.06(a)(14)		X	A	A	NA	A	A	32	
	1285.08(b)(1)		X	A	A	NA	A	A	32	
Direction/ Informational	1285.06(a)(1)	X	X	A	A	A	A	A		
	1285.06(a)(7)	X	X	A	A	A	A	A	4	
	1285.06(a)(9)	X	X	A	A	A	A	A	60	
	1285.06(a)(19)	X	X	A	A	A	A	A		
	1285.06(b)(4)	X	X	A	A	A	A	A	4	

1998 Replacement

## APPENDIX I (CONT.)

SIGN TYPE	SECTION	P	T	R-1	R-2	C-1	B-1	I-1	DIMENSIONS	REMARKS
									Square Feet	
									(Maximum)	
Facia (Wall)/Marquee		X		NA	NA	A	A	A	9	
	1285.09(b)(3)	X		NA	A	A	A	A	300	
	1285.10(a)(3)C	X		NA	A	A	A	A		
Fund Raising	1285.07(a)		X	A	A	A	A	A	32	
	1285.08©(2)		X	A	A	A	A	A	32	
Garage/Yard Sale	1285.06(a)(17)		X	A	A	--	--	--	16	
	1285.08(b)(5)		X	A	A	--	--	--	16	
Illuminated/Animated/ Flashing	1285.02(c)(2)	X	X	NA	NA	A	A,P	A,P		
	1285.06(b)(1)	X	X	NA	NA	A	A,P	A,P		
	1285.08(a)(2)	X	X	NA	NA	A	A,P	A,P		
	1285.09(a)(2)	X	X	NA	NA	A	A,P	A,P		
	1285.09(B)(7)B	X	X	NA	NA	A	A,P	A,P		



APPENDIX I (CONT.)

SIGN TYPE	SECTION	P	T	R-1	R-2	C-1	B-1	I-1	DIMENSIONS	REMARKS
									Square Feet	
									(Maximum)	
Memorial	1285.06(a)(10)	X	X	NA	NA	A	NA	NA	4	
Moving (Rotating)	1285.06(a)(16)	X	X	NA	NA	NA	A,P	A,P		
	1285.10(a)(4)	X	X	NA	NA	NA	A,P	A,P		
Off-Premises	1285.08(c)	X	X	NA	NA	NA	A,P	A,P		
	1285.09(c)	X	X	NA	NA	NA	A,P	A,P		
	1285.10(b)	X	X	NA	NA	NA	A,P	A,P		
On-Premises	1285.08(b)	X	X	A	A	A	A,P	A,P		
	1285.09(b)	X	X	A	A	A	A,P	A,P		
	1285.10(a)	X	X	A	A	A	A,P	A,P		
Pole		X	X	NA	NA	NA	A,P	A,P		See Billboard/Commercial Outdoor Advertising/Free Standing
Political	1285.06(a)(22)		X	A,P	A,P	NA	A,P	A,P	4	
	1285.08(c)(1)		X	A,P	A,P	NA	A,P	A,P	6	

1998 Replacement

## APPENDIX I (CONT.)

SIGN TYPE	SECTION	P	T	R-1	R-2	C-1	B-1	I-1	DIMENSIONS	REMARKS
									Square Feet	
									(Maximum)	
Portable	1285.08(a)(1)		X	A,P	A,P	A,P	A,P	A,P	32	Typically 3 ft. x 5 ft. and illuminated
Precautionary		X	X							
Projecting	1285.09(b)(4)	X		NA	NA	A,P	A,P	A	8	
	1285.10(a)(3)	X		NA	NA	A,P	A,P	A,P	50	
Promotional	1285.08(a)(1)		X	A	A	A	A	A		
	1285.08(c)(2)		X	A	A	A	A	A	32	
	1285.09(b)(7)		X	A	A	A	A	A	32	
Public Building		X		--	--	A	--	--		
Real Estate	1285.06(a)(4)		X	A	A	--	A	A		
	1286.04(b)(4)		X	A	A	--	A	A	9	

APPENDIX I (CONT.)

SIGN TYPE	SECTION	P	T	R-1	R-2	C-1	B-1	I-1	DIMENSIONS	REMARKS
									Square Feet	
									(Maximum)	
Roof	1285.09(b)(8)	X		NA	NA	NA	A,P	A,P	300	
	1285.10(a)(5)	X		NA	NA	NA	A,P	A,P	300	
School/Church		X		--	--	A	--	--		
Seasonal/Decorative	1285.06(a)(20)		X	A	A	A	A	A		
Snipe			X	A	A	--	A	A		
Street		X		A	A	A	A	A		See local code
Temporary	1285.06(a)(12)		X	A	A	A	A	A		
	1285.06(a)(2)		X	A	A	A	A	A		
	1285.07		X	A	A	A	A	A	32	
	1285.08(b)(5)		X	A	A	A	A	A	16	
Time and Temperature	1285.09(b)(5)	X		NA	NA	A	A,P	A,P		

APPENDIX I (CONT.)

SIGN TYPE	SECTION	P	T	R-1	R-2	C-1	B-1	I-1	DIMENSIONS	REMARKS
									Square Feet	
									(Maximum)	
Traffic	1285.06(a)(1)	X		--	--	A	A	A		Complies with State and local codes
Vehicular	1285.09(a)(2)		X	NA	NA	NA	NA	NA		
Window	1285.06(a)(11)	X	X	A	A	A	X	NA		
	1285.06(a)(12)	X	X	A	A	A	X	NA		
	1285.09(b)(3)	X	X	A	A	A	X	NA	16	
Wall	1285.06(a)(18)	X	X	A	A	--	X	X	1	
		X	X	A	A	--	X	X	9	
	1285.09(b)(3)	X	X	A	A	--	X	X	300	
Key										
T = Temporary	[By definition temporary means when the sign has fulfilled its function.]									
P = Permanent										
NA = Not Allowed										
A = Allowed										
P = Permit Required										

(Ord. 392-97. Passed 11-25-97.)

CHAPTER 1286  
Supplementary Regulations

1286.01	Temporary structures.	1286.14	Drive-in establishments.
1286.02	Off-street loading and parking.	1286.15	Mobile home parks.
1286.03	Water recreation and water storage areas.	1286.16	Automobile salvage yards, junk yards and storage yards.
1286.035	Private swimming pools.	1286.17	Industrial performance standards.
1286.04	Signs. (Repealed)	1286.18	Renewable energy sources.
1286.05	Fences and walls.	1286.19	Natural gas production.
1286.06	Apartment buildings, condominiums and townhouses.	1286.20	Community residential facilities.
1286.07	Apartment conversions.	1286.21	Family day care homes.
1286.08	Residential uses within Business District.	1286.22	Group day care homes.
1286.09	Multiple-family dwellings.	1286.23	Child day care use centers.
1286.10	Home occupations generally; bed and breakfast establishments.	1286.24	Bottle clubs.
1286.11	Automotive service establishments.	1286.25	Storage yards; special exception permits for vehicles.
1286.12	Automotive dealer establishments.	1286.26	Parking of commercial equipment in Residential Districts.
1286.13	Car washes.	1286.27	Antennas and communications equipment buildings.
		1286.99	Penalty.

CROSS REFERENCES

General provisions and definitions - see P. & Z. Ch. 1260  
Administration, enforcement and penalty - see P. & Z. Ch. 1262  
Zoning Hearing Board - see P. & Z. Ch. 1264  
Districts generally and Zoning Map - see P. & Z. Ch. 1266  
Lot, height and yard requirements - see P. & Z. Ch. 1280  
Nonconforming uses - see P. & Z. Ch. 1282  
Conditional uses - see P. & Z. Ch. 1284  
Signs - see P. & Z. Ch. 1285

**1286.01 TEMPORARY STRUCTURES.**

Temporary structures used in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a six-month period. Residing in the basement or foundation of a temporary structure before completion of the total structure shall not be permitted. Temporary displays and structures not meeting the conditions of this section shall be permitted for a period not to exceed six months, as determined by the Board of Township Commissioners, as a conditional use.

(Ord. 356-93. Passed 9-14-93.)

**1286.02 OFF-STREET LOADING AND PARKING.**

Off-street loading and parking spaces shall be provided in accordance with the specifications in this section, in all districts, whenever any new use is established or an existing use is enlarged.

(a) Off-Street Loading. Every building which requires the receipt or distribution by vehicles of materials or merchandise shall provide off-street loading berths in accordance with the following table:

Off-Street Loading Space Requirements

Uses	Square Feet of Floor Area	Required Off-Street Loading Space
Schools	15,000 or more	1
Hotels and offices	10,000 or more	1
Commercial	10,000 to 25,000	1
Wholesale	25,000 to 40,000	2
Manufacturing	40,000 to 60,000	3
Storage	60,000 to 100,000	4
	For each additional 50,000 or major fraction thereof	1 additional
Hospitals (in addition to space for ambulance)	10,000 to 300,000	1
	For each additional 300,000 or major fraction thereof	1 additional

Each loading space shall not be less than fourteen feet in width, fifty-five feet in length, and fourteen feet in height.

- (b) Off-Street Parking. Each off-street parking space shall have an area of not less than 200 square feet, exclusive of access drives or aisles, and shall be not less than ten by twenty feet. Except in the case of dwellings, no parking area shall contain less than three spaces and the following provisions must be met. There shall be adequate ingress and egress to all parking spaces. Parking areas shall be designed to provide sufficient turn-around area so that vehicles are not required to back into roads. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Such access drive shall not be less than fifteen feet wide for one-way drives. For two-way drives, such access drives shall not be less than twenty feet wide. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along the length of a street or alley. All parking areas and access drives shall be improved by all-weather surfacing, as defined in Section 1260.08(51).
- (c) Number of Parking Spaces Required. The number of off-street parking spaces required is set forth below. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply.

#### Off-Street Parking Space Requirements

<u>Uses</u>	<u>Required Parking Spaces</u>
Automobile sales and service garages	1 for each 400 sq. ft. of floor area
Banks or professional offices	1 for each 100 sq. ft. of floor area
Bowling alleys	7.5 for each alley
Car wash	5 for each wash line
Churches or schools	1 for each 3.5 seats in an auditorium or 1 for each 17 classroom seats, whichever is greater
Community buildings and social halls	1 for each 500 sq. ft. of floor area
Driving ranges and miniature golf	1 for each tee
Dwellings including garage or carport	2 for each family or dwelling unit,
Elderly/handicapped housing	1 for each 2 dwelling units within the complex
Food supermarkets	1 for each 100 sq. ft. of floor area
Funeral homes, mortuaries parlor	10 for first parlor, 5 for each additional
Furniture or appliance stores	1 for each 100 sq. ft. of floor area
Hospitals	1 for each 2 beds

<u>Uses</u>	<u>Required Parking Spaces</u>
Nursing or convalescent Homes	1 for each 3 beds
Hotels and motels	1 for each living or sleeping unit
Manufacturing plants, research or testing laboratories	1 for each 500 sq. ft. of floor area
Medical or dental Offices	10 for each doctor or dentist
Restaurants, taverns and night clubs	1 for each 2.5 seats
Retail stores and shops	1 for each 100 sq. ft. of floor area
Rooming, housing and dormitories	1 for each bedroom
Service stations	4 for each service bay
Sports arenas, auditoriums, theaters, assembly halls	1 for each 3.5 seats
Trailer or monument sales	1 for each 2,500 sq. ft. of lot area
Wholesale establishments	1 for each 2 employees on maximum shift. The total parking area shall not be less than 25 percent of the building floor area.

- (d) Location of Parking Areas. Required parking spaces shall be located on the same lot with the principal use. Parking spaces may be located not more than a distance of 400 feet from the lot of the principal use if located in the same zoning district as the principal use, and it is impractical to provide parking on the same lot with principal use.
- (e) Screening and Landscaping. Off-street parking areas for more than five vehicles, and off-street loading areas, shall be effectively screened on each side which adjoins or faces any residential use.
- (f) Minimum Distances and Setback. No off-street loading or parking area for more than five vehicles shall be closer than twenty feet to any adjoining property containing a dwelling, school, hospital or similar institution.
- (g) Surfacing. All parking areas and access drives shall be constructed with all-weather surfacing, graded and drained to dispose of all surface water, have means of dust control provided, and be designed to provide for orderly and safe loading and parking.  
(Ord. 300-85. Passed 3-4-85; Ord. 316B-88. Passed 6-14-88; Ord. 356-93. Passed 9-14-93.)

### **1286.03 WATER RECREATION AND WATER STORAGE AREAS.**

Any facility for water recreation, such as swimming clubs or any other water storage facility, such as reservoirs, fish hatcheries, sewage lagoons and stormwater retention facilities, may be allowed as a conditional use, provided the following requirements are met:



- (a) The facility must meet the setback requirements of the district.
- (b) The facility must be enclosed by a fence not less than four feet above ground level to prevent uncontrolled access by small children for safety reasons.
- (c) The facility, if operated to attract visitors, must provide ample parking space as will be established by the Board of Township Commissioners.
- (d) Before a permit shall be issued to the operator or owner of the facility, other than a private swimming pool, a plan shall be submitted according to Section 1284.02(b). For private swimming pools, see Section 1286.035.  
(Ord. 356-93. Passed 9-14-93.)

#### **1286.035 PRIVATE SWIMMING POOLS.**

Where permitted, swimming pools, as defined by the most current edition of the International Residential Code (IRC), shall comply with the following conditions and requirements:

- (a) The swimming pool is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- (b) The swimming pool may be located only in the rear yard or side yard of the property on which it is an accessory use.
- (c) The swimming pool, including any above-ground decking, shall not be closer than five feet to any property line of the property on which the swimming pool is located.
- (d) The swimming pool area or the entire rear and/or side of the property on which it is located shall be so walled or fenced or otherwise protected as to prevent uncontrolled access by children from the street or from adjacent properties. Such barrier shall not be less than four feet nor more than six feet in height and shall be maintained in good condition. When a fence is used, it shall not have any openings greater than two inches in width, except for necessary gates, which shall have appropriate catches or locks so as to control access. When such fence is formed of metal or wire, such metal or wire shall be not less than number six gauge.
- (e) In addition to the zoning permit for the construction of a swimming pool, a building permit must also be obtained, which shall require compliance with all applicable codes, including the then current edition of the International Residential Code (IRC). The requirements of the IRC are more stringent than the requirements set forth in this section.  
(Ord. 356-93. Passed 9-14-93; Ord. 490-2008. Passed 12-9-08.)

#### **1286.04 SIGNS. (REPEALED)**

(EDITOR'S NOTE: Section 1286.04 was repealed by implication by Ordinance 392-97, passed November 25, 1997. See Chapter 1285.)

**1286.05 FENCES AND WALLS.**

(a) Generally. Subject enclosures shall not exceed a height of six feet in any Residential District, except when located along a rear lot line not fronting a public right of way, in which case the height shall not exceed ten feet, or whenever any multiple-family structure abuts a single-family dwelling (see Section 1286.06(c)). Within the B-1 Business District, the height of such enclosures shall not exceed eight feet and within the I-1 Industrial District, the height may be increased to twelve feet. A six-foot high fence, either visually solid or a cyclone-type fence with hedge plantings, shall be required along all portions of the B-1 Business District and the I-1 Industrial District which abut an R-1 Residential District, R-2 Residential District or C-1 Conservation District that does not abut street, alley or railroad rights of way. The distance of height shall be determined from the ground level below the enclosure. No enclosure shall project beyond the front setback line of any structure, other than corner lots. There are no setback minimum distances established for side or rear yards, other than corner lots, unless such yards should abut a public right-of-way.

(b) Corner Fencing.

- (1) Privacy or visually solid fencing. Privacy or visually solid fencing is permitted on corner lots parallel to the non-address side of the dwelling, starting at the rear corner of the dwelling and extending to the rear lot line. This fence shall not exceed four feet in height as measured from ground level at the fence site. Privacy fencing may be used to replace existing fencing, not to exceed four feet in height as measured from ground level at the fence site.
- (2) Decorative fencing. Decorative corner lot fencing may be allowed on residential corner lots, provided that the fencing is only on the portion of the property which is parallel to a public right-of-way and is not less than seven feet from the curb line or one foot back from the sidewalk, where applicable. This will be exclusive of front yard setbacks. Fencing shall also be allowed along the paved walkway which leads from the public sidewalk to the front entrance. This portion of fencing does not have to comply with the "one foot back from the sidewalk" stipulation. None of the fencing mentioned in this division shall exceed three feet in height (to the top of the post), be visually solid or project into the public right-of-way. No provision of this division shall be deemed to conflict with any provision of division (a) of this section.

(c) Other lots. Decorative fencing may be allowed on residential lots, provided that the fencing is only on the portion of the property which is parallel to the public right-of-way which abuts the property line and is not less than seven feet from the curb line or one foot back from the sidewalk, where applicable. This will be exclusive of front yard setbacks. Decorative fencing shall also be allowed along the paved walkway which leads

from the public sidewalk to the front entrance. This portion of fencing does not have to comply with the "one foot back from the sidewalk" stipulation. None of the fencing mentioned in this division shall exceed three feet in height (to the top of the post), be visually solid or project into the public right-of-way. The length of the fencing shall not exceed the width of the lot.

(Ord. 356-93. Passed 9-14-93; Ord. 438-02. Passed 9-24-02.)

#### **1286.06 APARTMENT BUILDINGS, CONDOMINIUMS AND TOWNHOUSES.**

Apartment buildings, condominiums and townhouses may be allowed as a special exception use, provided the following requirements are met.

- (a) Apartment buildings, condominiums and townhouses are considered multi-unit building(s), regardless of ownership, rental or lease status, and the standards governing development of each within the R-2 District shall be the same as are prescribed for multiple-family units in Section 1280.01.
- (b) Prior to the approval of a condominium, the Township shall be provided with an approval copy of the Declaration Plan required via the Pennsylvania Unit Property Act of 1963. Any other requirements that may be applicable to condominiums, apartments and townhouses, such as Pennsylvania Department of Labor and Industry regulations, must also be complied with, and any permit required by the Commonwealth must be provided to the Township.  
(Ord. 300-85. Passed 3-4-85.)
- (c) Whenever any multiple-family structure, as provided herein, abuts a single-family dwelling, the owner of the multiple-family structure shall be required to construct a fence or barrier not less than five nor more than seven feet high in all yards abutting a single-family dwelling.  
(Ord. 356-93. Passed 9-14-93.)

#### **1286.07 APARTMENT CONVERSIONS.**

A dwelling within an R-2 District existing on the effective date of this Zoning Code (Ordinance 300-85, passed March 4, 1985) may be converted into additional dwelling units as a special exception use, provided the following requirements are met.

- (a) All district requirements (Sections 1280.01 and 1280.02) shall be met, as well as any other pertinent supplementary regulations of this Zoning Code.
- (b) Structural additions to the building shall be limited to an amount not to exceed 25% of the interior living space of the building as it exists before conversion. A minimum interior living space of 700 square feet per unit must also be met for each apartment created. Firewalls cannot be altered or tampered. A basement is not considered part of interior living area. See Section 1260.08(4).  
(Ord. 300-85. Passed 3-4-85.)

- (c) Adequate emergency fire access for ingress and egress, as determined by the Commissioner responsible for public safety, must be provided for each conversion dwelling created.
- (d) Plans for all conversions must be prepared by a registered architect. Such plans must clearly indicate that adequate light, ventilation and fireproofing are provided for, that each dwelling shall have separate kitchen and bath facilities, and that each unit shall be functional, convenient and private.  
(Ord. 356-93. Passed 9-14-93.)

#### **1286.08 RESIDENTIAL USES WITHIN BUSINESS DISTRICT.**

Residential occupancy within the B-1 District may be allowed as a special exception use, provided the following requirements are met.

- (a) The ground floor of the principal structure shall be devoted to the commercial activities as permitted in the B-1 District.
- (b) The minimum interior square feet of each unit must be at least 600 square feet.
- (c) All other basic standards of Sections 1280.01 and 1280.02 shall be met for new developments.
- (d) A minimum of two means of entrance and exit shall be maintained for each floor on which a residential unit or units are located, and the requirements of the Pennsylvania Department of Labor and Industry shall be met.  
(Ord. 300-85. Passed 3-4-85.)

#### **1286.09 MULTIPLE-FAMILY DWELLINGS.**

A multiple-family dwelling is defined as a building which houses a group of persons, for either a temporary or permanent duration, and is not in conformance with the definition of family of this Zoning Code. Examples of such buildings include, but are not necessarily limited to, the following: boarding, rooming, tourist and fraternity houses. Due to the fact that such structures are residential in nature and contain a higher concentration of persons residing in a common structure, they may be allowed as a special exception use provided the following requirements are met.

- (a) The building must meet the respective minimum lot size of the R-2 District and the minimum enclosed living area requirement (900 square feet) for the first four unrelated persons or the first family if one should exist.
- (b) For each additional person residing over the amount specified in the family definition, an additional 300 square feet of heated living area must be provided.
- (c) Two off-street parking spaces shall be provided for the first family or first four unrelated individuals, and an additional space for each bedroom thereafter. The size of space and access shall be in accordance with Section 1286.02(b).
- (d) The building must receive approval from the Commonwealth of Pennsylvania's Department of Labor and Industry as instructed in Act 299, the Fire and Panic Law, as amended.

- (e) If the multiple-family building abuts an R-1 District or an adjacent single-family dwelling unit, a buffer area composed of acceptable fence, structure or vegetation is required within five feet of the property line on the side and rear yards comprised of the following:
- (1) Fences, solid type, neat and properly maintained on both sides, between five and seven feet high. Examples of acceptable fencing include basketweave type, vertical board type, horizontal board type, cyclone type with opaque inserts or stockyard type.
  - (2) Walls of concrete between five and seven feet in height.
  - (3) Walls of evergreen vegetation, such as spruce or pine, no less than three feet at planting, and maintained and/or replaced as necessary to provide a continuous and perpetual visibility shield.
- (f) All other applicable requirements of the R-2 District must be met as are listed in Sections 1280.01 and 1280.02.  
(Ord. 300-85. Passed 3-4-85.)

#### **1286.10 HOME OCCUPATIONS GENERALLY; BED AND BREAKFAST ESTABLISHMENTS.**

(a) No-impact Home-based Business. A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. A no-impact home-based business is a permitted use and shall not require a home occupation permit. The business or commercial activity must satisfy the following requirements:

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

(b) Home occupations may be allowed as a special exception use, provided the following requirements are met, and shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes. All home occupations, as defined in Section 1260.08, require permits.

- (1) The area devoted to the home occupation, whether carried out in the principal structure or in an accessory structure, shall not exceed thirty percent of the floor area of the principal structure.
- (2) There shall be no exterior display, no exterior sign other than permitted under Section 1286.04(c), no exterior storage of materials and no exterior indication of the home occupation or variation from the residential character of the principal structure.
- (3) No noise, vibration, smoke, dust, odors, heat, excessive traffic or glare shall be produced other than permitted under Section 1286.17(d)(1) through (11).
- (4) A home occupation shall not be interpreted to include barber shops, kennels, motor vehicle or auto body shops, restaurants or medical and dental clinics or the equivalent.
- (5) Not more than one employee not residing on the premises or in the house shall be employed in said occupation.
- (6) The parking need generated by the conduct of a home occupation shall be met off the street and not within the required front yard.  
(Ord. 300-85. Passed 3-4-85; Adopting Ordinance; Ord. 393-97. Passed 11-25-97.)

(c) Bed and breakfast establishments shall meet the following additional requirements:

- (1) To insure compliance with these regulations, a zoning permit and certificate of occupancy shall be secured as provided for in Section 1262.03 prior to the use of any dwelling as a bed and breakfast establishment.
- (2) Sleeping accommodations shall be located only within the dwelling and shall be limited to two rooms with bath, if provided, with a total size not to exceed thirty percent of the dwelling.
- (3) The length of stay per guest shall be limited to seven days per thirty-day period.
- (4) One off-street parking space shall be provided for guests of each room of the bed and breakfast establishment, provided that in no case shall the total number of guest parking spaces exceed two.
- (5) Meals for compensation shall be provided only to guests of the bed and breakfast establishment and shall be limited to breakfast.
- (6) No more than one bed and breakfast establishment is permitted per lot.
- (7) The building must receive approval from the Commonwealth of Pennsylvania's Department of Labor and Industry as instructed in Act 299, the Fire and Panic Law, as amended.  
(Ord. 406-98. Passed 6-23-98; Ord. 480-2007. Passed 11-27-07.)

**1286.11 AUTOMOTIVE SERVICE ESTABLISHMENTS.**

Automotive service establishments, including gasoline service station repair garages, may be allowed as a special exception use, provided the following requirements are met.

- (a) Any such use or vehicular access thereto shall not be located within 200 feet of any school, playground or church.
- (b) Means of ingress and egress shall be located no closer than fifty feet from the intersecting right-of-way lines of street intersections, nor shall any such ingress or egress be located within fifty feet of any Residential District.
- (c) Access drives shall not exceed twenty feet in width within ten feet of the street right-of-way line.
- (d) Access drives shall not exceed two per lot on any one street frontage.
- (e) No equipment, such as gas or oil pumps, or vehicular parking shall be within fifteen feet of the street right of way.

(Ord. 300-85. Passed 3-4-85.)

**1286.12 AUTOMOTIVE DEALER ESTABLISHMENTS.**

Automotive dealer establishments may be allowed as a special exception use, provided the following requirements are met.

- (a) Any such use must comply with the requirements set forth in Section 1286.11 for automotive service establishments.
- (b) All equipment and parts shall be stored within the building.
- (c) The repair shop shall be to the rear of the sales room.
- (d) The area of the lot used for the display and sale of vehicles shall be kept dust-free and well-drained.

(Ord. 300-85. Passed 3-4-85.)

**1286.13 CAR WASHES.**

Car washes may be allowed as a special exception use, provided the following requirements are met.

- (a) The site shall have a minimum frontage of 100 feet.
- (b) Any such use or vehicular access thereto shall not be located within 100 feet of any Residential District, nor any school, playground or church.
- (c) Separate entrance and exit driveways shall be provided, and these shall be limited to a maximum of one of each on each abutting street. The entrance and exit driveways shall not be less than thirty feet apart at the street right of way.
- (d) Entrance and exit driveways shall be located no closer than fifty feet from the intersecting right-of-way lines of street intersections, and these access driveways shall not exceed twenty feet in width nor be less than ten feet in width within ten feet of the street right of way.

- (e) They shall 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.
- (f) The owner shall provide a site plan of the proposed operation, showing the location of entrances and exits, the building housing the equipment, the parking areas, the distance to nearest street intersection, property lines and setbacks. (Ord. 300-85. Passed 3-4-85.)

**1286.14 DRIVE-IN ESTABLISHMENTS.**

Drive-in establishments may be allowed as a special exception use and are subject to the requirements set forth in Section 1286.13(a),(b),(c),(d) and (f). (Ord. 300-85. Passed 3-4-85.)

**1286.15 MOBILE HOME PARKS.**

Mobile home parks may be allowed as a special exception use, provided the following requirements are met.

- (a) No park shall have an area of less than ten acres.
- (b) Each mobile home site within the park shall have an area of at least 3,000 square feet, with a minimum width of forty feet.
- (c) No portion of a mobile home may be closer than eight feet from an adjacent lot line. An exception to this standard shall be provided for porches, canopies, steps and other attachments, which may project to six feet from an adjacent lot line.



- (d) No mobile home shall be closer than forty feet to an adjacent property line.
- (e) Not less than ten percent of the gross area of the park shall be improved for recreational activities of the residents of the park.
- (f) The park shall be appropriately landscaped and screened from adjacent properties.
- (g) All mobile homes within the park shall be connected to public water and sewer systems.
- (h) A permit must be secured for each mobile home moved into or removed from the mobile home park.
- (i) The park developer must provide garbage and trash removal for all mobile homes and shall install fire hydrants at his or her expense, as specified by the Chief of the Lawrence Park Fire Department.
- (j) The park developer and/or owner must provide and maintain at his or her own expense adequate cartway and lighting for the safety and welfare of the park residents. (Ord. 300-85. Passed 3-4-85.)

#### **1286.16 AUTOMOBILE SALVAGE YARDS, JUNK YARDS AND STORAGE YARDS.**

Automobile salvage yards, junk yards and storage yards may be allowed as a special exception use, provided the following requirements are met. Such use shall be completely screened on all sides with a visually solid fence or wall at least eight feet in height and not more than twelve feet in height. All fencing or walls shall be maintained in sound condition. All junk shall be stored or arranged so as to permit access by firefighting equipment and to prevent the accumulation of water, and with no junk piled at a height above the level of the fence or wall. No oil, grease, tires, gasoline, interiors of vehicles or other similar material shall be burned at any time. Any junkyard shall be maintained in such a manner as to cause no public or private nuisance, nor to cause any offensive or noxious sounds or odors, nor to cause the breeding or harboring of rats or other vectors. (Ord. 300-85. Passed 3-4-85.)

#### **1286.17 INDUSTRIAL PERFORMANCE STANDARDS.**

The purpose of the industrial performance standards is to protect the health, safety and well being of adjacent residential and commercial property owners and the community as a whole by regulating the potential objectionable, nuisance or hazardous effects of industrial operations such as noise, vibration, odor, glare, heat, explosive materials and electrical disturbance.

(a) The Zoning Administrator may require the applicant to submit further information and evidence as needed to make a final determination, including, but not limited to, any of the following:

- (1) Plans of the proposed construction and development.
  - (2) A description of the proposed machinery manufacturing process, raw materials products and by-products.
  - (3) Specifications for the techniques proposed to be used in restricting the emission of any of the hazardous or objectionable elements controlled by the performance standards.
  - (4) Measurements of the amount or rate of emission of hazardous or objectionable elements controlled by the performance standards.
  - (5) Evidence of compliance with applicable State and Federal laws covering air and water pollution, and solid and hazardous waste disposal, including a description of type and amount of liquid, solid and hazardous wastes generated and plans for their safe disposal.
- (b) The Township may require the applicant to retain an expert consultant to study and report as to compliance or noncompliance with the performance standards, and to advise how a proposed use can be brought into compliance with the standards. The consultant or consultants shall be persons or firms mutually agreeable to the Township and the applicant. In the event of inability to select a mutually agreeable consultant, the Township shall select the consultant. The cost of the consultant's services shall be borne by the applicant.
- (c) The Zoning Administrator shall investigate any purported violation of the industrial performance standards, relying on the resources and enforcement authority of State and Federal regulatory agencies if applicable. In extreme cases or cases over which the Township has sole authority, the Zoning Administrator may retain the services of expert consultant or certified environmental testing laboratories. The service of any consultants retained in the Zoning Administrator's investigation shall be paid by the violator if the violation is established, otherwise by the Township. If the Zoning Administrator finds that a violation has occurred or exists, a copy of his or her findings shall be sent to the industrial owner or operator, with instructions to correct the violation within a specified time period. If after the conclusion of the time granted for compliance with the performance standards, the Zoning Administrator finds the violation is still in existence, any permits previously issued shall be void and the operator shall be required to cease operation until the violation is remedied.
- (d) The following performance standards shall be met and maintained by all industrial and home occupation uses after the effective date of this Zoning Code (Ordinance 300-85, passed March 4, 1985):
- (1) Noise. At no point on the boundary of the industrial property line or beyond shall the sound pressure level of any individual industrial operation or plant exceed the decibel levels in the designated octave bands shown in the following table:

<u>Octave Band</u> (Frequency in cycles per second)	<u>Sound Level (Decibels)</u> At or beyond industrial property line
0 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1,200	46
1,200 to 2,400	40
2,400 to 4,800	34
4,800 to 10,000	32

(2) Vibration. At no point at the boundary of the industrial property or beyond shall any vibration emanating from an individual industrial operation or plant be discernible without the use of instruments.

(3) Odor. At no point at the boundary of the industrial property or beyond shall any odor emanating from an individual operation or plant exceed the odor threshold. (The odor threshold is the concentration in the air of a gas or vapor which is considered objectionable to the average person's olfactory system.)

(4) Glare. Any industrial operation or activity producing glare shall be performed within a completely enclosed building and be conducted so that direct and indirect illumination from the source of light on the lot shall not cause illumination in excess of one-half foot candle, when measured at a Residential or Business District line. Exposed sources of light shall be shielded, and flickering or intense sources of light shall be controlled so as not to cause illumination in excess of one-half foot candle when measured at a Residential or Business District Line.

(5) Heat. Any operation producing intense heat shall be performed within a completely enclosed building in such a manner as not to create a public nuisance or hazard at or beyond the lot line of the property.

(6) Electrical disturbance. The proposed use shall not cause any electrical disturbance that would create visual or audible interference in radio or television reception off the premises.

(7) Fire protection. Fire protection and fighting equipment acceptable to the American Insurance Association shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.

- (8) Air and water pollution. The applicant shall demonstrate compliance with all applicable standards and regulations of the U.S. Environmental Protection Agency and the Pennsylvania Department of Environmental Resources and the Pennsylvania Bureau of Labor and Industry concerning allowable air emissions, disposal of wastewater and solid waste, and control and safe disposal of hazardous materials. In monitoring the applicant's compliance with these standards, the Township will rely on the Pennsylvania Department of Environmental Resources to investigate potential violations and take enforcement action, if necessary.
- (9) Radioactivity. Applicable Federal regulations will be enforced.
- (10) Dust control. Dust and other airborne particulate pollution from such sources as storage areas, yards, roads, construction sites or industrial operations shall be minimized at all times through landscaping, paving, oiling, fencing or other effective means.
- (11) Screening. The Township reserves the right to require screening by solid fencing and/or walls or other means at appropriate heights and distances should there be a need for aesthetic or functional screening from adjacent properties.  
(Ord. 300-85. Passed 3-4-85.)

#### **1286.18 RENEWABLE ENERGY SOURCES.**

Renewable energy sources may be allowed as a special exception use, provided the following requirements are met. Within Residential Districts, the proposed renewable energy source must be compatible with the residential character of the immediate neighborhood. (Ord. 300-85. Passed 3-4-85.)

#### **1286.19 NATURAL GAS PRODUCTION.**

Production operations for the extraction of natural gas or oil from the ground shall be considered a temporary use, and may be allowed as a conditional use, provided the following minimum requirements and any other measures that the Board of Township Commissioners might specify to protect the public interest are met, and a permit shall be required for each property. No permit shall be issued before proof of compliance with the Pennsylvania Oil and Gas Act (Act 223 of 1984) is presented.



- (b) In order to qualify for assignment to a community residential facility, mentally ill persons shall be certified by the Erie County Mental Health and Retardation authorities as capable of residing in such a facility and receiving services from a local community mental health program. No persons receiving treatment under Article III (Involuntary Examination and Treatment) or Article IV (Determinations Affecting Those Charged With Crime or Under Sentence - but not including those serving probation) of the Mental Health Procedures Act of July 9, 1976, as amended, shall be eligible for such facility.
- (c) All provisions of the R-2 District shall be complied with concerning community residential facilities, including, but not limited to, family size, setback restrictions and minimum lot size.
- (d) No community residential facility shall be located within 1,000 feet of any other such facility.
- (e) Each community residential facility shall register its exact location, capacity and agent with the Township. The agent shall be responsible for maintaining the facility to ensure that it is compatible in appearance and condition to the other private residences in the area.  
(Ord. 300-85. Passed 3-4-85.)

#### **1286.21 FAMILY DAY CARE HOMES.**

A family day care home or baby sitting service involving four to six unrelated children being cared for in an existing residence in the R-1, R-2 and B-1 Districts may be allowed as a home occupation and is subject to the requirements set forth in Section 1286.10, provided the following requirements are met.

- (a) Proof of registration and a certificate from the Pennsylvania Department of Public Welfare (DPW) for the facility shall be obtained.
- (b) Any outdoor play or instruction areas shall be enclosed with a minimum four foot fence or wall which complies with Section 1286.05.
- (c) If necessary for children to traverse to an off-site play lot or area, an official route must be submitted to the Police Chief for approval and a responsible adult must supervise the children at all times.
- (d) Any applicable State and Municipal building and fire safety code requirements must be met.  
(Ord. 301-85. Passed 7-9-85.)

#### **1286.22 GROUP DAY CARE HOMES.**

Group day care homes involving seven to twelve unrelated children being cared for in an existing residence in the B-1 District may be allowed as a home occupation and are subject to the requirements set forth in Section 1286.10, provided the following requirements are met.

- (a) Proof of registration and a certificate from the Pennsylvania Department of Public Welfare (DPW) for the facility shall be obtained.
- (b) Any outdoor play or instruction areas shall be enclosed with a minimum four foot fence or wall which complies with Section 1286.05.
- (c) If necessary for children to traverse to an off-site play lot or area, an official route must be submitted to the Police Chief for approval and a responsible adult must supervise the children at all times.
- (d) Any applicable State and Municipal building and fire safety code requirements must be met.  
(Ord. 301-85. Passed 7-9-85; Ord. 480-2007. Passed 11-27-07.)

### **1286.23 CHILD DAY CARE USE CENTERS.**

Any children's care of more than six unrelated children conducted in a structure which is not an existing residence shall be considered a day care center or private nursery/kindergarten and/or as defined by Pennsylvania Department of Public Welfare (DPW) regulations.

A day care center and/or private nursery/kindergarten may be allowed in the B-1, C-1 and I-1 Districts as a permitted use, provided the following requirements are met:

- (a) Proof of inspection by the Department of Labor and Industry prior to the grant of licenses for either a day care center or a nursery/kindergarten.
- (b) Fencing as may be required by the Department of Public Welfare.
- (c) Proof of registration and a certificate from the DPW for the operation of a day care center.
- (d) Proof of registration and a certificate from the Pennsylvania Department of Education (PDE), State Board of Private Academic Schools, for the operation of a private nursery/kindergarten.
- (e) If necessary for children to traverse to an off-site play lot or area, an official route must be submitted to the Police Chief for approval and a responsible adult must supervise the children at all times.
- (f) Any applicable State and Municipal building and fire safety code requirements must be met.  
(Ord. 301-85. Passed 7-9-85.)

### **1286.24 BOTTLE CLUBS.**

A bottle club (where permitted under the Zoning Code) shall be located at least 1,000 feet from the nearest property line of any other bottle club, church, school or other institution of learning or education, hospital, library, park or playground, shall be located at least 300 feet from the nearest property line of any land zoned residential and shall be located at least 300 feet from the nearest property line of any single or multiple-family building.

(Ord. 305-85. Passed 7-9-85.)

**1286.25 STORAGE YARDS; SPECIAL EXCEPTION PERMITS FOR VEHICLES.**

(a) No person, partnership or corporation shall establish or maintain or permit to exist in the Township of Lawrence Park any storage yard or other place used for the storage of goods, materials, machinery, equipment, things or vehicles (whether operable or inoperable) except in accordance with the provisions of this Zoning Code.

(b) As used herein, the term "storage" means the placing and keeping of goods, materials, machinery, equipment, things or vehicles within a specific area, without movement outside that area for forty-eight hours or more. As applied to vehicles, this section shall mean without movement for one week or more.

Storage must meet all requirements of the Vehicle Code of Pennsylvania, including licensing and required inspections, and any vehicles used for storage must be roadworthy unless they are vehicles for which a special storage permit has been issued by the office of the Zoning Administrator. Rules and regulations of storage shall be set by resolution of the Board of Commissioners.

If the vehicle is not licensed, it must be stored inside a garage or completely enclosed permanent structure.

(c) The maintenance of a storage yard for the collection of or storage of goods, materials, machinery, equipment, things or vehicles shall be prohibited by this Zoning Code.

(d) All storage yards shall be enclosed by a web-type metal fence not less than six feet in height, securely anchored to the ground and provided with a gate and locking device which shall be securely fastened during times when such yard is unattended or not in use.

(e) All storage of goods, materials, machinery, equipment, things or vehicles shall be established and maintained in accordance with the Fire Prevention Code.

(f) The Zoning Administrator shall give thirty days written notice to any person, partnership or corporation found to be operating a storage yard or other place used in a manner not complying with this Zoning Code and it shall be the duty of the person, firm or corporation to bring such yard or place into compliance within thirty days of the receipt of said notice.

(g) In the event any land is or is proposed to be used in violation of this section, the Board of Commissioners of the Township of Lawrence Park may, in addition to other remedies, institute in the name of said Township any appropriate action or proceeding to prevent, restrain, correct or abate such illegal storage, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.  
(Ord. 310-86. Passed 9-17-86; Ord. 331-90. Passed 3-13-90.)



(h) A special permit for the storage of vehicles may be issued by the Board of Commissioners to a resident for a period up to 45 days, provided that the following conditions are met:

- (1) The resident is making an effort to repair the vehicle and agrees to remove the vehicle from the property within the 45 day period. If, upon inspection, at any time during the 45 day period, the Zoning Administrator finds that an effort to repair the vehicle is not being met, the permit shall become null and void.
- (2) The vehicle constitutes a piece of equipment necessary for the upkeep and/or maintenance of a business and the vehicle does not constitute a hazard to the safety and welfare of the area residents. If the vehicle is found to constitute such a hazard after a special permit has been issued, such permit shall become null and void.
- (3) The resident is ill and/or suffering a hardship which prohibits the resident from moving the vehicle.

The special permit application fee shall be twenty-five dollars (\$25.00) for each vehicle.

(Res. 1989-17. Passed 8-22-89; Res. 1998-18. Passed 4-28-98; Ord. 465-06. Passed 1-10-06.)

#### **1286.26 PARKING OF COMMERCIAL EQUIPMENT IN RESIDENTIAL DISTRICTS.**

Commercial equipment shall not, under any circumstances, be stored or parked overnight in any Residential District, except in a fully enclosed structure. This does not include equipment or vehicles being used on the premises of an active job site.

(Ord. 416-99. Passed 5-25-99.)

#### **1286.27 ANTENNAS AND COMMUNICATIONS EQUIPMENT BUILDINGS.**

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

(b) Building-mounted communications antennas shall be permitted to exceed the height limitations of the applicable zoning district by no more than twenty feet.

(c) Omnidirectional or whip communications antennas shall not exceed twenty feet in height and seven inches in diameter.

(d) Directional or panel communications antennas shall not exceed five feet in height and three feet in width.

(e) Any applicant proposing communications antennas to be mounted on a building or other structure shall submit evidence from a Pennsylvania registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the building or other structure, considering wind and other loads associated with the antenna location.

(f) Any applicant proposing communications antennas to be mounted on a building or other structure shall submit detailed construction and elevation drawings indicating how the antennas will be mounted on the structure for review for compliance with the Township's Building Code and other applicable law.

(g) Any applicant proposing communications antennas to be mounted on a building or other structure shall submit evidence of agreements and/or easements necessary to provide access to the building or structure on which the antennas are to be mounted so that installation and maintenance of the antennas and communications equipment building can be accomplished.

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

(i) Communications antennas shall not cause radio frequency interference with other communications facilities located in the Township.

(j) A communications equipment building shall be subject to the height and setback requirements of the applicable zoning district for an accessory structure.

(k) The owner or operator of communications antennas shall be licensed by the FCC to operate such antennas.  
(Ord. 418-99. Passed 6-24-99.)

**1286.99 PENALTY.**

Any person, partnership or corporation who or which shall violate the provisions of Section 1286.25 shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than three hundred dollars (\$300.00). In default of payment of the fine, such person, the members of such partnership, or the officers of such corporation, shall be liable to imprisonment for not more than thirty days. Each day that a violation is continued shall constitute a separate offense.

(Ord. 310-86. Passed 9-17-86.)

APPENDIX I  
Lawrence Park Township Zoning District Map

See Zoning Administrator for Map

(Ord. 300-85. Passed 3-4-85.)

## MAP CHANGES NOT ON THE MAP

864 Silliman Ave. is now B-1

Bliley on Bell St. (garage)

Now B-1 not on map.