

## ARTICLE III

### GENERAL PROVISIONS

#### s.300 ACCESSORY USES AND STRUCTURES

s.300.1 **Attached Structures:** A permanent roofed accessory structure, attached to the principal building, is considered a part of the principal building for all regulatory purposes

s.300.2 **Nonattached Structures:** A permanent-roofed accessory structure, standing apart from the principal structure, is permitted in rear or side yards. For all other requirements, a nonattached structure is considered a part of the principal building.

s.300.3 **Fences and Walls:** No fence or wall (except a retaining wall or a wall of a building permitted under the terms of the Ordinance) shall be erected to a height of more than three (3) feet in a front yard area and more than six (6) feet in any other yard area in a residential zone or upon any lot used for residential purposes in any other zone. For all other uses in all CI zones, no fence may exceed six (6) feet in height in any yard area.

s.300.4 **Domiciliary Care Unit:** This shall be permitted as accessory to use as a single-family dwelling or to use as a multi-family dwelling subject to the limitations which are applicable in this Ordinance with respect to the location of single-family dwellings and multi-family dwellings.

s.300.5 **Home Occupation:** See section 603.26.

#### s.300.6 **Enclosed Storage:**

The following items must be stored in a completely enclosed structure by right in all zones excepting that if in the Commercial Industrial Zone they may be stored in an approved "junkyard".

- a. Automobiles, buses, vans, recreational vehicles and other vehicles of the type required to be registered for highway operation pursuant to the provisions of Chapter 13 of the Pennsylvania Motor Vehicle Code but not so registered.
- b. Automobiles, buses, vans, recreational vehicles and other vehicles of the type required to be registered for highway operation pursuant to the provisions of Chapter 13 of the Pennsylvania Motor Vehicle Code and so registered but not displaying a currently valid certificate of inspection and approval issued pursuant to Chapter 47 of the Pennsylvania Motor Vehicle Code.
- c. Tire stockpiles.

- d. Motor vehicle parts, appliances, appliance parts, pieces of iron, steel, cans or other such materials.
- e. Junk as defined in this Ordinance.

s.300.7

**Accessory Buildings:**

- a. New Accessory Buildings may be located within the minimum required Front Setback or Front Yard areas only if:
  - (1) There is on the property proposed as the location for the Accessory Building another Building within the required Front Setback area or Front Yard area; and
  - (2) Such Building was existing on September 1, 1984; and
  - (3) The proposed Accessory Building will not project further into the required Front Setback or Front Yard area than the other Building existing on September 1, 1984.
- b. New Accessory Buildings may be located in the existing in the Front Yard area as defined in relation to the principal Building only if:
  - (1) The provisions of subsection (a) above are applicable to permit the Accessory Building to be located within the minimum required Front Setback or Front Yard Area; or
  - (2) The proposed Accessory Building will be located in the Agricultural District; and
    - i. The Accessory Building will be located at least five hundred (500) feet from any Dwelling other than the one owned by the owner of the Accessory Building; or
    - ii. The Accessory Building will be located on a Farm containing at least fifty (50) acres;
  - (3) Accessory Buildings permitted within the existing Front Yard area by reason of the provisions of (2)(i) or (2)(ii) above may not be located in the required Front Setback.
  - (4) New Accessory Buildings may be located in the Front Yard area based on "hardship" if:
    - i. The proposed Accessory Building cannot feasibly be located in the Side or Rear Yard because:
      - (a) There is inadequate space in any Side or Rear Yard to

accommodate the proposed Accessory Building; or

(b) The space available in the Side or Rear Yard cannot feasibly be used as a location for the Accessory Building because:

- i. The topographic features of such space are such that the proposed Accessory Building cannot feasibly be located in that space; or
  - ii. The proposed Accessory Building is a garage and the available space in the Side of Rear yard cannot be by motor vehicles; and
- ii. The proposed Accessory Building will not project further into the Front Yard Area than is reasonably necessary.

s.301 SIGNS

s.301.1 **General Regulations Applying to All Signs:**

- a. Existing Signs- Any sign which lawfully existed and was maintained at the effective date of this Ordinance may be continued, provided such sign is constructed of durable materials and is kept in good condition and repair.
- b. Determination of Size-
  - (1) The size of the sign shall refer to the area of the sign facing, including any border framing or decorative attachments. In the case of open signs made up of letters, figures and designs, the space between such letters, figures and designs shall be included. When such signs consists only of letters, designs or figures engraved, painted, projected or in any manner affixed on a wall, the total area of which such sign consists shall be considered the area of said sign.
  - (2) Structural members and supports required by building codes and not bearing advertising matter shall be excluded from the sign area.
  - (3) The part of a canopy which does not contain any advertising or promotional material shall not be included in the area of the sign.
- c. Location/Projection of Signs-
  - (1) Signs must be located so that they do not interfere with any clear sight triangle as defined by this Ordinance.
  - (2) For all uses, an advertising sign and a business sign must be at least sixty (60) feet apart. No sign exceeding thirty (30) square feet in area may be located within seventy five (75) feet of a Residential zone.

- (3) No sign may project over a public sidewalk area or over a public highway or street unless specifically authorized by other borough or state regulations.
- (4) No sign shall project more than thirty five (35) feet above the ground except for an attached sign which may project ten (10) feet above the roof of the building.

d. Illumination of Signs-

- (1) Flashing, rotating, and intermittent lights are not permitted.
- (2) Signs permitted in the Residential zone shall be illuminated only by indirect lighting and shall not be illuminated between the hours of 11 pm, and 6am. .
- (3) A sign may be illuminated only if the lighting is so screened that it is not directed or reflected toward any residence within one hundred (100) feet or so it does not obstruct the vision of motorists.
- (4) Signs which are illuminated in the colors red, green, or amber, either by colored bulbs or tubing, or in high reflection by the use of special preparations such as fluorescent paint or glass, may not be located within a radius of two hundred (200) feet of a highway traffic light or similar safety device or from the center of any street intersection.

e. Advertising painted upon, or displayed upon, a barn or other building or structure shall be regarded as an advertising sign board and the regulations pertaining thereto shall apply.

f. Nothing in these regulations shall be construed as prohibiting signs intended for viewing principally from within a building or signs temporarily attached to the inside face of a display window, announcing a sale or similar feature, Such signs shall be permitted in addition to any of the specific sign types designated on Chart A, which follows this section.

g. Buntings and Pennants: Buntings, pennants, and similar objects are permitted only in the Commercial Industrial zone to announce the opening of a new business or industry, or in connection with a civic event, and must be removed after thirty (30) days.

h. Construction and Maintenance: Signs must be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated.

- i. Termination of Enterprise: Upon termination or abandonment of a commercial or industrial use, all signs pertaining to the enterprise must be removed within three (3) months.
- j. Signs not provided for herein shall be permitted only by special exception and shall be in general conformance with the regulations for the zoning district in which a sign is proposed to be located.

s.301.2 **Permitted Permanent Signs:** Only the types of permanent signs listed on Chart A, which follows this section, shall be permitted throughout the borough. Permanent signs must conform to the standards set forth in Chart A, as well as satisfy the general regulations of section 301.1. Use certificates shall be required for all permanent signs. For existing nonconforming uses the sign regulations shall be the same as if the nonconforming use was in a conforming zone. Use certificate shall be required for all temporary signs.

s.301.3 **Permitted Temporary Signs:** Only the types of temporary signs listed on Chart B, which follows this section, are permitted throughout the borough. Temporary signs must conform to the standards set forth in Chart B, as well as satisfy the general regulations of section 301.1.

s.301.4 **Advertising Signs:** Advertising signs are signs whose major purpose is for directing attention to a business, commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot, such as billboards. Advertising signs shall be permitted in the Commercial Industrial zone subject to the provisions of section 301.1 and the following criteria:

- a. Only one (1) advertising sign per lot shall be permitted.
- b. No advertising sign shall exceed an overall size of seventy five (75) square feet for an industrial use or one hundred fifty (150) square feet for a commercial use, nor exceed thirty five (35) feet in height.
- c. No advertising sign shall be located within three hundred (300) feet of another advertising sign.
- d. All advertising signs shall be a minimum of fifty (50) feet from all side and rear property lines,
- e. All advertising signs shall be set back a minimum of twenty five (15) feet from any street right-of-way line.
- f. No advertising sign shall obstruct the vision of motorists or adjoining commercial or industrial uses which depend upon visibility for identification.

s.301.5 **Portable Signs:** Portable signs shall be permitted in any zone subject to the provisions of section 301.1 and the following criteria:

- a. No flashing lights are permitted.
- b. Only one (1) portable sign shall be permitted per street frontage with a minimum setback from the street right-of-way of ten (10) feet or the building face.
- c. The placement of the sign shall not be located on the lot for more than fifteen (15) consecutive days per event.
- d. The maximum height allowed shall be ten (10) feet and the maximum projection from any building shall be twelve (12) inches, but not beyond the building setback line.
- e. Removal shall occur within two (2) working days after the event.
- f. The maximum size permitted shall be thirty two (32) square feet.
- g. The placement of such sign shall not interfere with traffic or with sight distance at street intersections and accesses to the public right-of-way.

**CHART A**

**PERMITTED PERMANENT SIGNS**

SIGN TYPE	Maximum Number Permitted	Maximum Area Permitted	Minimum Setback From Right of Way	Maximum Height Attached	Maximum Height Freestand	Maximum Projection from Bldg. (att. Sign)	Zone Permitted
P-1: All signs & signals owned and operated by the Boro.	No Limit	No Limit	No Limit	No Limit	No Limit	No Limit	All
P-2: Identification and information for public & semi-public facilities: such as schools, house of worship, public utilities, clubs, hospitals, libraries, historical, etc.	1 freestanding and 1 attached	30 sq. ft. per lot	10 ft.	10 ft.+ Height of building	10 ft.	12 in.	Where use is permitted
P-3: Nameplates identifying owner or private property (excluding mailbox)	1 per dwelling unit	2 sq. ft. per sign	5 ft.	10 ft.+ Height of building	6 ft.	12 in.	All
P-4: Nameplates identifying home occupation	1 per dwelling unit	6 sq. ft. per sign	5 ft.	10 ft.+ Height of building	6 ft.	12 in.	All
P-5: Nameplates for Agriculture Operation	2 per property	20 sq. ft. per sign	5 ft.	10 ft.+ Height of building	15 ft.	12 in.	All
P-6: Signs indicate the private nature of a road, driveway, or other premises and signs controlling the use of private property, such as prohibition of hunting, fishing, or trespassing	No Limit	2 sq. ft. per sign	5 ft.	No Limit	6 ft.	12 in.	All
P-7: On-Site directional signs	2 per street frontage used as access	6 sq. ft. per sign	2 ft.	10 ft.+ Height of building	6 ft.	12 in.	All
P-8: Off-Site directional signs	1 per lot	6 sq. ft. per sign	2 ft.	10 ft.+ Height of building	3 ft.	12 in.	All with permission of landowner on which sign is placed. <b>Not on traffic or utility poles.</b>

**CHART A**

**PERMITTED PERMANENT SIGNS**

SIGN TYPE	Maximum Number Permitted	Maximum Area Permitted	Minimum Setback From Right of Way	Maximum Height Attached	Maximum Height Freestand	Maximum Projection from Bldg. (att. Sign)	Zone Permitted
P-8A: Offsite Directional Sign - Multiple Business	1 per lot	15 sq. ft.; not to exceed 5 businesses per sign; not to exceed 3 sq. ft. per business	10 ft.	N/A	10 ft.	N/A	CI, VC
P-9: Identification signs for residential subdivision or multi-family developments	1 per street entrance (max of 2/dev.)	50 sq. ft.	10 ft.	10 ft. + Height of building	10 ft.	12 in.	Where use if permitted
P-10: Business signs for purpose of identification of a permitted use on the property on which the use exists excludes complexes such as shopping centers, malls, multi-use building and industrial parks.							
P-10A: Freestanding business sign, excludes individual stores or businesses in a complex	1 per street	1 sq. ft. per lineal ft. of lot frontage: not to exceed 60 sq. ft.	15 ft.	NA	25 ft.	NA	Where use is permitted
P-10B: Attached business sign, excludes individual stores or business in a complex	4 per street frontage + 4 on one non-frontage wall when a building has only 1 street frontage	6 percent of the total wall area to which the sign is attached; not to exceed 200 sq. ft. per wall, for all signs	NA	10 ft.+ Height of building	NA	12 in.	Where use is permitted
P-11: Business signs for shopping centers, malls, multi-use buildings and industrial parks( complexes).							

**CHART A**

**PERMITTED PERMANENT SIGNS**

SIGN TYPE	Maximum Number Permitted	Maximum Area Permitted	Minimum Setback From Right of Way	Maximum Height Attached	Maximum Height Freestand	Maximum Projection from Bldg. (att. Sign)	Zone Permitted
P-11A: Freestanding business sign for complex	1 per street frontage	1 sq. ft. per lineal ft. of lot frontage; not to exceed 300 sq. ft. per sign	15 ft.	NA	35 ft.	NA	CI, VC
P-11B: Attached business sign for complex	1 per street frontage of attached principal structure	1/2 sq. ft. per lineal ft. of wall onto which sign is to be affixed not to exceed 300 sq. ft.	NA	10 ft. + Height of building	NA	12 in.	CI, VC
P-11C: Attached business sign for individual stores or business within a complex	1 per outside wall	4 sq. ft. per 1 lineal ft. of wall frontage not to exceed 160 sq. ft.	NA	10 ft. + Height of building	NA	12 in.	CI, VC
P-11D: Freestanding business sign for individual businesses within an industrial park or stores within a mall or commercial complex	1 per street frontage	4 sq. ft. per 1 lineal ft. of lot frontage not to exceed 12 sq. ft.	15 ft.	NA	25 ft.	NA	CI, VC
P-12: Advertising sign (Bill Boards) (See s. 301.4 for additional regulations)	1 per lot	672 sq. ft.	25 ft.	10 ft. + Height of building	35 ft.	12 in.	CI, VC

**CHART B  
PERMITTED TEMPORARY SIGNS**

SIGN TYPE	Maximum Number Permitted	Maximum Area Permitted	Minimum Setback From Right of Way	Maximum Height Attached	Maximum Height Freestand	Maximum Projection from Bldg. (att. Sign)	Zone Permitted
T-1: Signs identifying architects, engineers, contractors, or others engaged in construction work on premises where their work is proceeding. <u>SIGN TO BE REMOVED WITHIN 15 DAYS OF COMPLETION OF WORK OR OCCUPANCY OF THE BUILDING WHICHEVER COMES FIRST.</u>	1 per each separate firm involved in work on the site	12 sq. ft. per sign	10 ft.	10 ft. + Height of building	10 ft.	12. in.	All
T-2: Real estate signs on individual properties that are for sale, rent, or lease, or which have been sold, rented or leased. <u>SIGNS TO BE REMOVED WITHIN 15 DAYS OF SALE, RENT, OR LEASE AGREEMENT.</u>	1 per street frontage	32 sq. ft. per sign	25 ft. or building face	10 ft. + Height of building	10 ft.	12 in.	All
T-3: Signs announcing proposed housing developments, apartment complexes, or commercial, industrial or other non-residential development. <u>SIGNS TO BE REMOVED UPON 75% COMPLETION OF DEVELOPMENT OR WITHIN TWO YEARS OF ERECTION OF THE SIGN WHICHEVER OCCURS FIRST.</u>	1 per street frontage	32 sq. ft. per sign	25 ft. or building face	10 ft. + Height of building	10 ft.	12 in.	Where use is permitted and development approved.
T-4: Signs advertising the TEMPORARY sale of agricultural and horticultural products raised on property from which it is being sold. <u>TO BE DISPLAYED ONLY WHEN PRODUCTS ARE ON SALE. NOT TO EXCEED 15 DAYS AFTER CESSATION OF SALES OPERATIONS.</u>	1 per lot	12. sq. ft. per sign	10 ft. or building face	10 ft. + Height of building	6 ft.	12 in.	All

**CHART B  
PERMITTED TEMPORARY SIGNS**

SIGN TYPE	Maximum Number Permitted	Maximum Area Permitted	Minimum Setback From Right of Way	Maximum Height Attached	Maximum Height Freestand	Maximum Projection from Bldg. (att. Sign)	Zone Permitted
T-5: Temporary Directional signs. <u>NOT TO EXCEED ONE WEEK OF PLACEMENT</u>	No limit	2 sq. ft. per sign	3 ft.	10 ft. + Height of building	3 ft.	12 in.	All, with permission of landowner on which sign is placed on traffic or utility poles.
T-6: Signs announcing grand openings, new ownership, change of use, etc., on site of the permitted use. <u>SIGNS SHALL BE REMOVED AFTER 7 DAYS.</u>	1 per lot (attached or freestanding)	20 sq. ft. per sign	30 ft. or building face	10 ft. + Height of building	10 ft.	12 in.	Where use is permitted.
T-7: Temporary signs announcing a special civic event not normally associated with a location or location's use. (does not include yard/garage sales or special business promotion sales.)							
T-7A: On the site of the event. <u>NOT TO EXCEED 30 DAYS AND SIGN SHALL BE REMOVED WITHIN 15 DAYS FOLLOWING THE CONCLUSION OF THE EVENT.</u>	1 per frontage	20 sq. ft. per sign	10 ft. or building face	10 ft. + Height of building	10 ft.	12 in.	All
T-7B: On location away from the site of the event. <u>NOT TO EXCEED 90 DAYS PLACEMENT AND MUST BE REMOVED IMMEDIATELY FOLLOWING THE EVENT.</u>	No limit	6 sq. ft. per sign	10 ft. or building face	10 ft. + Height of building	10 ft.	12 in.	All, with the permission of landowner on which sign is placed.
T-8: Signs for a political election. <u>SIGNS SHALL BE REMOVED BY THE POLITICAL PARTY OR CANDIDATE WITHIN 15 DAYS FOLLOWING THE PRIMARY OR GENERAL ELECTION TO WHICH THEY REFER.</u>	No limit	16 sq. ft.	10 ft. or building face	10 ft. + Height of building	10 ft.	12 in.	All, with the permission of the landowner on which the sign is placed. <b>Not on traffic or utility poles.</b>

s.302 **OFF-STREET PARKING REQUIREMENTS**

s.302.1 **Required Off-Street Parking Spaces:** Any building or other structure erected, altered or used and any lot used or occupied for any of the following purposes shall be provided with minimum off-street parking spaces as set forth below, or in Article VI, together with adequate access ways, driveways or other means of circulation and access to and from a public street.

s.302.2 **Agriculture Parking Spaces:** None required unless associated with a commercial or industrial facility in which case spaces shall be provided as required by appropriate sections of this Article.

s.302.3 **Residential Parking Spaces:** For the purpose of this Ordinance, in residential zones when one (1) or (2) parking spaces are required for dwellings, an attached or unattached garage or carport on the premises and that portion of the driveway off the public right-of-way may be considered as parking space.

- a. Single family dwellings, mobile homes, mobile home parks, two family dwellings, multi-family dwellings - two (2) spaces per dwelling unit.
- a. Group quarters, rooming houses, boarding houses, motels, hotels and recreation and vacation lodges or other similar uses - one (1) parking space for each guest room plus one (1) additional space for each two (2) full-time employees. If a restaurant in connection with the above is open to the public, the off-street parking facilities shall not be less than those required for restaurants in addition to those required for guest rooms or as required by section s,302.5 (b).

s.302.4 **Institutional Parking Spaces:**

- b. Convalescent homes, hospitals or other similar uses, at least one (1) parking space for every three (3) beds plus one (1) space for every full-time employee on the largest shift plus one (1) space for each staff doctor.
- c. Places of assembly - for Houses of Worship, theaters, mortuaries, cultural facilities, community centers, assembly or meeting rooms or other similar places of public or private assembly, at least one (1) parking space for every four (4) seats provided for public assembly or one (1) space per seven hundred fifty (750) square feet of gross floor area when no seats are provided plus one (1) space for each full-time non-resident employee.
- d. Private club or lodge, golf course, public or private recreational facility, campground - one (1) parking space for each five (5) persons of total capacity; for recreational vehicle parks, one (1) space for each recreational vehicle stand.
- e. Schools kindergarten, day nursery, elementary school and junior high school, one (1) parking space per two (2) classrooms and offices. For senior high school,

college or trade or professional school, one (1) parking space per faculty member and employee plus one (1) space per ten (10) students of projected building capacity.

s.302.5 **Commercial Parking Spaces:**

- a. Vehicle facilities - one (1) parking space for each three hundred (300) square feet of gross floor area devoted to service facilities or two (2) spaces for each service bay, whichever is larger, plus one (1) space for each one hundred (100) square feet of gross floor area devoted to sales facilities or usage plus one (1) space for each full-time employee.
- b. Home occupation or profession - one (1) parking space in addition to the requirement for the dwelling unit plus one (1) additional space for every full-time employee. In those instances where a physician's office is located in the home, three (3) spaces in addition to the requirement for the dwelling unit plus one (1) space for every full-time employee shall be required.
- c. Offices - one (1) parking space for every two hundred (200) square feet of ground floor area plus one (1) space for every four hundred (400) square feet of floor area above the ground floor.
- d. Open areas used for commercial purposes - at least one (1) parking space for each one thousand five hundred (1,500) square feet of gross area or portion thereof.
- e. Public entertainment facilities - one (1) parking space for each fifty (50) square feet of floor area for public use or one (1) space for every four (4) seats, whichever is greater, plus one (1) space for every employee on the largest shift.
- f. Restaurants
  - (1) Quick-service restaurant - one (1) parking space for each fifty (50) square feet of floor area for public use or one (1) space for every four (4) seats, whichever is greater, plus one (1) space for every employee on the largest shift.
  - (2) Sit-down restaurant - one (1) parking space for every four (4) seats or one (1) space for every one hundred (100) square feet of gross floor area, whichever is greater, plus one (1) additional space for every employee.
- g. Retail or personal service store or shop - one (1) parking space for every two hundred (200) square feet of retail floor space plus one (1) additional space for each full-time employee.

- h. drive-in produce stand OR commercial nursery - a sufficient number of off- street parking spaces to accommodate the maximum number of vehicles stopping at any one time but in no case fewer than three (3) such spaces.

s.302.6 **Transportation and Utility Parking Spaces:**

- a. Fire station - four (4) spaces for each fire truck where no community room is a part of the building. Where a community room is provided, two (2) spaces for each fire truck plus one (1) space for each one hundred (100) square feet of gross floor area.
- b. Transportation terminal - as required by the Council.
- c. Utility or communication facilities - one (1) parking space for each vehicle normally required to service such facility.

s.302.7 **Industrial Parking Spaces:** For all industrial uses, one (1) space for each employee per maximum shift.

s.302.8 **Parking Spaces not Specified:** When the parking requirements are not specified herein for a use for which an application for a permit has been filed, the Council shall require as part of their Land Development Plan that adequate off-street parking spaces be provided to serve the needs of the use proposed.

s.303 **OFF-STREET PARKING MANAGEMENT REQUIREMENTS**

s.303.1 **Existing Parking:** Structures and uses in existence at the date of adoption of this Ordinance shall not be subject to the requirements of this Article so long as the kind or extent of use is not changed, provided any parking facility now serving such structures or uses shall not in the future be reduced below such requirements.

s.303.2 **Change in Requirements:** Whenever there is an alteration of a structure or a change or extension of a use which increases the parking requirements according to the standards of Section 302, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of that section.

s.303.3 **Conflict with other Uses:** No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.

s.303.4 **Continuing Obligation:**

- a. All required parking facilities shall be provided and maintained so long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provisions, except upon approval of special exception by the Zoning Hearing Board and then only after proof that, by

reason of diminution in floor area, seating area, the number of employees or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this Article. Reasonable precautions are to be taken by the owner or sponsor of particular uses to assure the availability of required facilities for the employees or other persons whom the facilities are designed to serve.

- b. Parking lots shall at no time constitute a nuisance, hazard or unreasonable impediment to traffic and shall at all times be kept clean and free from rubbish and debris.

s.303.5 **Joint Use:** Two (2) or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually. However, the number of spaces required in a common parking facility may be reduced below this total as a special exception under Article VIII of the Zoning Ordinance if it can be demonstrated to the Zoning Hearing Board that the hours or days of peak parking needed for the uses are so different that a lower total will provide adequately for all uses served by the facility.

s.303.6 **Fractional Spaces:** Where the computation of required parking spaces results in a fractional number, any fraction equal to or exceeding one-half (1/2) space shall be counted as one (1); any fraction less than one-half (1/2) space may be dropped.

s.303.7 **Location of Spaces:**

- a. In Conservation, Agricultural, and Residential Zones, required off-street parking spaces shall be on the same lot or premises with the use served.
- b. In Commercial Industrial Zones, required off-street parking spaces may be on the same lot or premises with the use served or on a lot separated there from but within two hundred (200) feet. Where provision of required parking involve a lot separated from the use served, the applicant for a use or building permit shall submit, with the application, an instrument duly executed and acknowledged which subjects such parcels of land to parking uses in connection with the principal use to which it is accessory. Upon issuance of a permit, the Zoning Officer shall cause such instrument to be recorded in the office of the Recorder of Deeds.

s.303.8 **Waiver of Requirements:** The minimum off-street parking provisions of Article 303 may be waived by the Zoning Hearing Board, provided:

- a. The land development plan shows all required spaces, including required buffer strips and access ways.
- b. The land development plan shows specifically which spaces are to be waived.
- c. Satisfactory documentation is submitted attesting to the reduced need for off-street parking.

- d. The developer enters into an agreement and executes a performance bond to construct the waived spaces if, in the opinion of the Council, such additional parking is deemed necessary. The performance bond and agreement shall terminate after five (5) years.

s.303.9 **Lighting:**

- a. All public parking areas shall be adequately lighted during after-dark operating hours. All light standards shall be located on the raised parking islands and not on the parking surface.
- b. Loading areas shall be provided with adequate lighting if the loading area is to be used at night. Such lighting shall be arranged so as not to reflect or glare on adjoining properties or streets.
- c. All lighting shall meet the requirement of section 310 of this ordinance.

s.303.10 **Handicap Parking:** Per Federal and State requirements.

s.304 **OFF-STREET PARKING DESIGN STANDARDS**

s.304.1 **General Layout:** The layout of every parking lot shall be such as to permit safe and efficient internal circulation in accordance with accepted traffic engineering principles and standards.

- a. All dead-end parking lots shall be designed to provide sufficient back-up area for the end stalls of the parking lot.
- b. Parking lots shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle, and without backing onto any public street.

s.304.2 **On-Street Parking:** At no time shall angle or perpendicular parking be permitted along public streets. All parking lots and bays permitting parking other than parallel shall be physically separated from the street and confined by curbing or other suitable separating device..

s.304.3 **Dimensions of Stalls and Aisles:** Parking lot dimensions shall be no less than those listed in the following table.

<u>Parking</u>	<u>Width</u>	<u>Angle of Length</u>	<u>Space</u>	
			<u>One-Way</u>	<u>Two-Way</u>
90°	10'	20'	24'	24'
60°	10'	22'	18'	20'
45°	10'	21'	15'	20'
30°	10'	19'	12'	20'
Parallel	8'	22'	12'	20'

s.304.4      **Screening:** Parking lots for six (6) or more vehicles, accessory to any institutional, commercial, industrial or utility/transportation use and located in or immediately adjacent to a Residential Zone or residential use shall be screened in accordance with Article 703 on each side which faces a residential use or zone.

s.304.5      **Drainage, Surfacing, and Maintenance:**

a.            For parking areas of three (3) or more vehicles, the area not landscaped and so maintained, including driveways, shall be graded, surfaced with asphalt or other suitable material and drained to the satisfaction of the Borough Engineer to the extent necessary to prevent dust, erosion or excessive water flow across streets or adjoining property. All off-street parking spaces shall be marked so as to indicate their location.

b.            Storm water run-off from any parking area shall be computed in accordance with Urban Hydrology For Small Watersheds, Technical Release Number 55, prepared by the United States Department of Agriculture, January 1975, or as may otherwise be acceptable to the Borough. The design concept where run-off may affect downstream properties should be as follows:

(1) The release rate from storms up to ten (10) years in recurrence frequency shall be limited to the predevelopment flow rate from a two (2) year storm.

(2) The release rate from storms from up to one hundred (100) years in recurrence frequency shall be limited to the predevelopment flow rate from a ten (10) year storm.

(3) Retention facilities shall be designed to retain the differences in flow rates per above.

(4) The emergency spillways from such facilities shall be designed based on a one hundred (100) year storm.

(5) Unless other ordinances are adopted by Fawn Grove Borough; if so, those ordinances will take preference.

s.304.6      **Curb Radius:** No less than five (5) foot radius of curvature shall be permitted for all curb lines in all parking lots.

s.305      **OFF-STREET LOADING REQUIREMENTS**

s.305.1      **Spaces Required:** Any building erected, converted or enlarged for any non-residential use shall provide adequate off-street areas for loading and unloading of vehicles. Such areas shall be provided in addition to, and independent of, any parking area requirements.

Off-street loading spaces must be provided in accordance with the following schedule:

<u>Type of Use</u>	<u>Number of Loading Spaces</u>
Commercial	One (1) space for a gross floor area of five thousand (5,000) to twenty - five thousand (25,000) square feet and one (1) additional space for each forty thousand (40,000) square feet of gross floor area in excess of the first twenty- five thousand (25,000) square feet.
office, financial institution, Theater, auditorium, hotel, hospital, or other institution, bowling alley, or other indoor recreation establishment.	One (1) space for a gross floor area of ten thousand (10,000) to one hundred thousand (100,000) square feet and one (1) additional space for each one hundred thousand (100,000) square feet in excess of the first one hundred thousand (100,000) square feet.
Industry or manufacturing	One (1) space for a gross floor area of two thousand (2,000) to twenty-five thousand (25,000) square feet and one (1) additional space for each twenty thousand (20,000) square feet of gross floor area in excess of the first twenty-five thousand (25,000) square feet
Wholesale, storage or Warehousing (excludes Mini-space for which no loading spaces are required)	One (1) space per establishment and one (1) additional for each forty thousand (40,000) square feet in excess of the first ten thousand (10,000) square feet

s.305.2 **Size:** The following table lists required minimum loading space sizes:

<u>Use</u>	<u>Length</u>	<u>Width</u>	<u>Height if covered or obstructed</u>
Industrial wholesale and storage uses	60 feet	12 feet	15 feet
All other uses	40 feet	12 feet	15 feet

s.305.3 **Surfacing:** All loading areas must be surfaced with a bituminous or concrete paving material

s.305.4 **Location:** The loading area must be arranged so that there will be no need for vehicles to back over public rights-of-way or cause the stacking of vehicles upon a public street. No loading area shall be located between the front wall of a principal building and the street line. Wherever possible, off-street loading facilities shall be located on the side of the building not facing adjoining land in a Residential or Agricultural Zone.

s.305.5 **Drainage:** All loading areas shall be drained so as to prevent damage to other properties or public streets. All loading spaces shall be designed to prevent the collection of standing water on any portion of the loading area surface.

s.305.6        **Lighting:** Adequate lighting shall be provided if the loading area is to be used at night. Such lighting shall be arranged so as to meet the requirements of section 310 of this ordinance.

s.306        **ACCESS TO LOTS (DRIVEWAY)**

s.306.1        **Requirements:** No building shall hereafter be erected or altered unless there is direct access to the main building or structure through an open space on the same lot. Such open space shall be at least ten (10) feet in width and shall extend from the main building or structure to a public right-of-way or private street when approved by a sub-division plan signed by the Council.

s.306.2        **Design Standards:** Whenever required and/or provided under the provisions of the Ordinance, all driveways shall be designed according to the following standards:

- a.        Except in the case of single and two-family dwellings fronting on local streets, the general layout shall be such that there will be no need for motorists to back onto public rights-of-way.
- b.        Width of Access - The maximum width of driveways and sidewalks openings measured at the street lot line shall be thirty-five (35) feet; the minimum width shall be twenty (20) feet for two-way use and ten (10) feet for one-way use.
- c.        Number of Access Points - The number of driveways shall not exceed two (2) per lot on any one street frontage. The Council, as part of a Land Development review, may grant permission for additional access drives where required to meet exceptional circumstances and where frontage of unusual length exists.
- d.        Location - Driveways shall not cross the street right- of-way line:
  - (1) Within forty (40) feet of the street right-of-way line of an intersecting street and in no case less than ten (10) feet from the point of tangency when the intersecting street lines are joined by a curve: notwithstanding the above and when deemed reasonably necessary for safety by the Zoning Hearing Board this dimension shall be increased for driveways to shopping centers, other commercial, industrial, public or institutional uses. Such driveways shall be located on major streets where practical in a manner to permit safe ingress and egress.
  - (2) Within five (5) feet of a fire hydrant, catch basin, or drain inlet.
  - (3) Within forty (40) feet of a driveway on the same lot, excepting in the case of where dual driveways are deemed necessary to permit safe ingress and egress, this dimension may be reduced to not less than six (6) feet between two (2) driveways.

- e. Safety - Access to other public highway or street shall be controlled in the interest of public safety. The off-street parking, loading, and service areas on all properties used for any purpose other than single-family residences required by this Article shall be physically separated from the highway or street by a curb, pipe rail, or fence and a planting strip.
- f. Site Distance - Driveways shall be located in safe relationship to site distance and barriers to vision and shall not exceed a slope of five percent (5%) within twenty-five (25) feet of the street right-of-way line unless specifically approved by the Borough Engineer after a site review at the cost of the property owner in which case increased slopes not exceeding ten percent (10%) may be permitted.
- g. Submission of Plans - A scaled drawing of proposed off-street parking and loading areas, driveways, and walks, shall be submitted as part of any required Land Development Plan. Any plan requiring access onto a state highway shall be approved by the Pennsylvania Department of Transportation in addition to Borough approval.
- h. Piping - Where needed, pipes must be sized to handle the flow of water. The minimum pipe size shall be twelve (12) inches. Pipe end sections will be required on both ends of the pipe to control erosion. In some cases, approval may be required from the Borough Engineer, if deemed necessary by the Zoning Officer.

s.307 **SWIMMING POOLS (PRIVATE)**

s.307.1 **Location:** The pool may not be located closer than twenty (20) feet to any property line of the parcel upon which it is located; however, the required fence enclosure may be located in one of the required side or rear yards, or setbacks.

s.307.2 **Accessory structures:** Private swimming pools are to be considered accessory structures, permitted in side and rear yards only.

s.308 **HARDSHIP PERMIT**

The Zoning Officer may grant a hardship permit to place a mobile home or other residential unit on a lot where the same would not otherwise be permitted by the terms of this Ordinance to house a member of the family of the owner of the tract on which the mobile home or other residential unit is to be placed. Family to include only ancestors and direct descendants of the owner and provided further, that on the tract of land where the mobile home or other residential unit is proposed to be located, all residential units are occupied by either the property owner or a member of his family and provided further, that no rent or consideration is received for the use of the mobile home or other residential unit, or the space which the same occupies; such hardship permit to be issued for such periods of time as the Council deem appropriate and as the conditions warranting the permit continue. Such permit shall be issued only upon the finding that there is a genuine physical or medical hardship involved to either occupant of the mobile home or other residential unit for which the permit is issued,

must live in close proximity with the owner of the parcel of land on which the mobile home or other residential unit is to be placed and that there is no reasonable way in which the requirements of the ordinance can be satisfied. No additional electric service may be used. The unit must be removed ninety (90) days after the hardship ceases to exist.

s.309 **DRAINAGE**

s.309.1 **Lot Drainage:** Lots shall be laid out and graded to provide positive drainage away from proposed and existing buildings and on-site sewage disposal facilities and to prevent the collection of storm water in pools. Top soil shall be preserved and redistributed as cover and shall be suitable planted with perennial grasses or ground cover.

s.309.2 **Nearby Existing Facilities:** Where adequate existing storm sewers are readily accessible, the developer must connect his storm water facilities to these existing storm sewers.

s.309.3 **Open Drainage Ways:** When open drainage ways are used for the disposal of storm water, the Borough Engineer shall review the design of such open drainage ways in relation to the following:

- a. Safety- Steep banks and deep pools shall be avoided.
- b. Erosion- Adequate measures shall be taken, such as seeding, sodding, paving, or other measures as necessary to prevent the erosion of banks and the scouring of the channel.
- c. Stagnation- Design of open drainage ways shall not create stagnant pools. Whenever the evidence available to the Borough indicates that natural surface drainage is inadequate, the developer shall install storm sewers, culverts and related facilities as necessary to:
  - (1) Permit the unimpeded flow of natural watercourses.
  - (2) Ensure the drainage of all low points along the line of streets.
  - (3) Intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained.
  - (4) Provide adequate drainage away from on-site sewage disposal facilities,

s.309.4 **Drainage Upon Adjacent Properties:** In the design of storm drainage facilities, consideration must be given to preventing excess runoff onto adjacent developed or undeveloped properties. In no case may a change be made in the existing topography which would result in:

- a. Increasing any portion of the slope steeper than one (1) foot of vertical measurement for four (4) feet of horizontal measurement for fills, or one (1) foot vertical measurement for four (4) feet of horizontal measurement for cuts, within a distance of twenty (20) feet from the property line unless an adequate retaining wall or other structure is provided, or
- b. A slope which exceeds the normal angle of slippage of the material involved. All slopes must be protected against erosion.

s.309.5 **Drainage Onto Streets:** In order to minimize improper surface water drainage upon streets, each building erected, structurally altered, or relocated, and its driveway or access drive must be at a grade in satisfactory relationship with the established street grade or with the existing street grade where none is established.

s.309.6 **Obstruction to Drainage Prohibited:** The damming, filling, or otherwise interfering with the natural flow of a surface water course is not permitted without approval of the Council and the Pennsylvania Department of Environmental Protection.

s.309.7 **Drainage Facilities:** Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. Plans shall be subject to the review and approval of the Council upon recommendation of the Borough Engineer. Drainage plans shall be consistent with local and regional drainage plans.

s.309.8 **Roof Drain Seepage Pits:** All dwellings, roofed accessory building, or structure in excess of eight hundred (800) square feet floor area, must utilize roof drain seepage pits for storm water. Farm buildings or structures are exempt. Such pits shall be constructed in accordance with the detail of Chart C, which follows this section, and the following criteria:

- a. Seepage pits must provide a volume of one (1) cubic foot for every two (2) square feet of roof surface.
- b. AASHTO #1 (Penn DOT #4) stone must be used in the seepage pit,
- c. A filter cloth liner must be used on the sides, top and bottom of the seepage pit.
- d. Seepage pits must be located a minimum of ten (10) feet from the wall of a dwelling.
- e. The inlet pipe for the seepage pit must be no less than four (4) inches in diameter and shall have an above- ground overflow tee with a cap and weep hole.
- f. A seepage pit shall have a capped, perforated clean-out pipe a minimum size of twelve (12) inches for access to the pit.

- g. Prior to installation of a seepage pit, a soil percolation test by the Zoning Officer may be required.

s.310

**LIGHTING** - All lighting fixtures shall be arranged to prevent objectionable glare on adjoining properties and roadways and shall comply with the following:

- a. In all zones, the maximum illumination off-site shall be one (1) foot candle at grade level except at driveways or access drives connecting to a street where the illumination shall not exceed five (5) foot candles.
- b. Prior to approval of all Commercial and Industrial uses the applicant must submit an accurate and fully legible photometric plan drawn to scale by a professional engineer or otherwise experienced and qualified lighting professional as part of the subdivision/land development plan for that use. The photometric plan shall show on-site illumination levels along with off-site illumination within fifty (50) feet of the property lines.
- c. Uses within the Commercial and Industrial Districts and for Commercial and Industrial uses where ever located with the exception of uses that include dispensing of vehicle fuel, the intensity of illumination is limited to five (5) foot candles at all areas of the site. For uses that include the dispensing of vehicle fuel, the intensity of illumination for all areas of the site is limited to eight (8) foot candles at all areas of the site. Under-canopy lighting, for such applications as a gas/service station, hotel/theater marquee, fast food/bank/drug store drive through, shall be accomplished using flat-lens full cutoff fixtures aimed straight down and shielded in such a manner that the lowest opaque edge of the fixture shall be below the light source. The average illumination intensity in the areas directly below the canopy shall not exceed sixty (60) foot candles.
- d. Parking facility, vehicular, and pedestrian way lighting (except for safety and Security applications and all-night business operations), for commercial, industrial and institutional uses shall be automatically extinguished no later than one-half hour after the close of business or facility operation. When safety or security lighting is proposed for after hours illumination, it shall not be in excess of twenty-five (25) percent of the number of fixtures or illumination level required or permitted for illumination during regular business hours.
- e. An applicant for a change of a Commercial or Industrial use which involves a change of previously approved lighting must submit a photometric plan or a modification to an existing photometric plan. The photometric plan shall show onsite illumination levels along with off-site illumination within fifty (50) feet of the property lines.
- f. All lighting facilities (including street lights owned by private entities) shall be Maintained in good working order in a manner consistent with the originally approved lighting plan.

- g. If the approved lighting is found through field measurements by the Borough to be failing to perform in accordance with the levels of illumination predicted within the photometric plan, or, if there is no plan, not performing in accordance with the requirements of this section (s. 310) of the ordinance, then the lighting shall be field adjusted to be brought into compliance. All field adjustments of lighting shall be reviewed and approved by the Borough.