

**Conneaut Lake Borough
Zoning Ordinance**

2011

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Conneaut Lake Borough Zoning Ordinance Article 1 – General Provisions

101 Title: The official title of this Ordinance is the “Conneaut Lake Borough Zoning Ordinance, Crawford County, Pennsylvania.”

102 Effective Date: This Ordinance shall become effective ten (10) days after final passage by the Borough Council.

103 Compliance: No structure shall be located, erected, constructed, reconstructed, moved, converted, or enlarged; nor shall any structure or land be used or be designed to be used, except in full compliance with all the provisions of this Ordinance and after the lawful issuance of all permits and certificates required by this Ordinance.

104 Severability: The provisions of this Ordinance shall be severable, and, if any of its provisions shall be unconstitutional, the decision so holding shall not be construed to affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as the legislative intent that this Ordinance would have been adopted had such unconstitutional provisions not been included therein.

105 Repeal: All ordinances or part thereof conflicting herewith be and the same are hereby repealed. Specifically repealed are Ordinance 145 of February 7, 1983, and all amendments thereto.

106 Authority: This Ordinance is adopted pursuant to the powers granted to the Borough by Article VI and Section 601 of the Pennsylvania Municipalities Planning Code.

107 Purpose and Provisions: The purpose and provisions of this Ordinance are those as set forth by Sections 603, 603.1, and 604 of the Pennsylvania Municipalities Planning Code.

108 Statement of Community Development Objectives: To implement the Central Crawford Region Multi-Municipal Comprehensive Plan.

- a. Create a corridor approach for economic and land development, centered around the Route 322/6/19 highway complex (i.e., Conneaut Corridor).
- b. Minimize or eliminate competition between communities for new development.
- c. Establish a role for each community that will allow tax base sustainability. (This goal infers economic initiatives will be selective.)
- d. As far as practicable, create uniform terminology and standards for new development within the four municipalities.
- e. Begin an evolution from passive land use regulation to active and cooperative land use management.

Article 2 District Regulations

201 Zoning Map: A map entitled "Official Zoning Map, Conneaut Lake Borough, Crawford County, Pennsylvania," is hereby adopted as part of this Ordinance. The Zoning Map shall be kept on file, available for examination at the Borough Office. Copies of the Zoning Map, together with the Zoning Ordinance, shall be made available to the general public by the Borough at a reasonable fee to be determined by resolution of the Borough Council.

202 District Boundaries: District boundaries that are shown, along with property lines, when within the lines of streets, streams, and transportation right-of-ways shall be deemed to follow the center lines. The vacation of streets shall not affect the location of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such center lines, by the scale or dimensions stated on the Zoning Map, or by the fact that it clearly coincides with a property line, he shall refuse action, and the Zoning Hearing Board, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purpose set forth in all relevant provisions of this Ordinance.

203 District Purposes and Use Schedules*: The Borough is divided into the following districts:

- R-1 Single-Family Residential District
- R-2 General Residential District
- C-1 Commercial Business District
- C-2 General Commercial District

Special Note: Conneaut Lake Borough was a participant in, and adopted, the Central Crawford Region Multi-Municipal Comprehensive Plan. In addition, they are a participant in the Land Use Sharing Agreement resulting from said Plan and dated 2010. As a result of this agreement, certain land uses may be found in the zoning ordinances of other participating municipalities.

203.1 R-1 Single-Family Residential District: This district is primarily intended to provide a stable environment for single-family homes and those uses which are typically found in such neighborhoods. It is designed for both existing and possible future residential development in the Borough. In R-1 districts, dwellings, buildings, and yards shall be maintained.

R-1 Single-Family Residential District

Permitted Uses	Conditional Uses
Single-Family Dwellings	Bed and Breakfast Inns (206.1)
Public Parks and Playgrounds	Cemeteries (206.2)
Schools and Churches (206.13)	Boarding/Rooming Houses (206.3)
Family Daycare Homes (206.7)	Municipal Buildings (206.4)
Essential Services	Home Occupations (206.5)
Accessory Uses and Structures	Public Utility Substations (206.6)
Forestry (205.c)	
No-Impact Home-Based Business	

203.2 R-2 General Residential District: This district is intended to accommodate single-family dwellings, two-family homes, multi-family residences, plus a variety of complementary uses than are found in the R-1 District. In R-2 districts, dwellings, buildings, and yards shall be maintained.

R-2 General Residential District

Permitted Uses	Conditional Uses
Single-Family Dwellings	Bed and Breakfast Inns (206.1)
Two-Family Dwellings	Cemeteries (206.2)
Public Parks and Playgrounds	Boarding/Rooming Houses (206.3)
Schools, Churches, and Nursing Homes(206.13)	Group Daycare Homes (206.7)
Forestry (205.c)	Multi-Family Dwellings (206.8)
Essential Services	Municipal Buildings (206.4)
Accessory Uses and Structures	Home Occupations (206.5)
No-Impact Home-Based Business	Funeral Homes (206.10)
Family Daycare Homes (206.7)	Public Utility Substations (206.6)
Planned Residential Development (Article 9)	Adult Daycare (206.11)
	Personal Care Homes (206.11)
	Conversion Dwellings (206.9)

203.3 C-1 Commercial Business District: This is a traditional downtown business district that also allows institutional uses. Parking requirements are limited due to the built-up nature of this area. Residential use above the ground floor is encouraged.

C-1 Commercial Business District

Permitted Uses	Conditional Uses
Business Equipment Sales and Services	Convenience Stores (206.12)
Retail	Municipal Buildings (206.4)
Offices (All Types)	Motels/Hotels (206.15)
Restaurants, Clubs and Lodges	Retail Manufacturing (206.21)
Restaurants, Drive-Through	Day Care Centers (206.7)
Dwellings Above the First Floor (206.19)	
Churches and Schools (206.13)	
Personal Services	
Indoor Commercial Recreation	
Civic/Charitable Institutions	
Funeral Homes (206.10)	
Banks and Financial Institutions	
Medical and Dental Clinics	
Spa and Health Centers	
Laundromat, Dry Cleaning Pick Up and Drop Off	
Theaters	
Public Parks and Playgrounds	
Essential Services	
Accessory Uses and Structures	

203.4 C-2 General Commercial District: This district allows commercial uses along with some light industrial activities.

C-2 General Commercial District

Permitted Uses	Conditional Uses
Retail	Convenience Stores (206.12)
Offices (All Types)	Municipal Buildings (206.4)
Restaurants, Clubs and Lodges	Motels/Hotels (206.15)
Restaurants, Drive-Through	Off-Street Parking (206.22)
Dwellings Above the First Floor (206.19)	Tool and Die Shops (206.16)
Churches and Schools (206.13)	Machine Shop (206.16)
Personal Services	Woodworking Shops (206.16)
Indoor Commercial Recreation	Electric, Plumbing, and HVAC Contractors (206.16)
Retail Manufacturing (206.21)	Car Washes (206.18)
Civic/Charitable Institutions	Day Care (All Types) (206.7)
Funeral Homes (206.10)	Dry Cleaning Plants (206.20)
Banks and Financial Institutions	Half-Way Houses (206.17)
Business Equipment and Services	Day Care Centers (206.7)
Spa and Health Centers	
Medical and Dental Clinics	
Theaters	
Laundromat, Dry Cleaning Pick Up and Drop Off	
Public Parks and Playgrounds	
Essential Services	
Accessory Uses and Structures	

204 Lot and Yard Requirements

Conneaut Lake Borough Lot and Yard Standards

District	Area*	Width	Front	Side**	Rear	Height	Coverage
R-1	7,200	60 feet ¹	20 feet	20/8 feet	40 feet	3-story (35 feet)	30%
R-1 Corner	9,600	80 feet	20 feet	20/10 feet	40 feet	3-story (35 feet)	30%
R-2	7,200	60 feet	25 feet	16/7 feet	30 feet	3-story (35 feet)	35%
R-2 Corner	9,600	80 feet	25 feet	20/7 feet	30 feet	3-story (35 feet)	35%
R-2 Two-Family, Multi-Family ²	8,400	70 feet	25 feet	16/7 feet	30 feet	3-story 35 feet	35%
C-1	2,400	20 feet	Minimum 5 feet, Maximum 10 feet ³	0***	30 feet	4-story (50 feet)	50%
C-2	5,000	50 feet	Minimum 5 feet, Maximum 10 feet ³	0***	30 feet	4-story (50 feet)	50%

*Area – quoted in square feet

**Side yard quoted as total/minimum (for example, total of side yards is 20 feet, minimum yard is 8 feet)

***None required—but if one is to be provided, at least 5 feet will be required.

¹ For corner lots in R-2, the lot width for multi-family shall be at least 100 feet.

² Multi-family dwellings shall provide a lot of 8,400 square feet for the first two dwelling units, with an additional 1,000 square feet for each dwelling unit (a 10-unit development would require a lot of 8,400 square feet plus 8,000 square feet, for a total of 16,400 square feet).

³ In the C-1 and C-2 Districts, all uses shall build to within 5 to 10 feet of the front property line; however, openings for driveways will be allowed. In all instances, the minimum setback of 5 feet provides adequate space for sidewalks, which shall be at least 5 feet wide and provided to the curb line. (Note: This standard shall also apply to the side streets on corner lots.)

⁴ In the C-1 and C-2 districts, parking shall be in the rear for buildings adjacent to Water Street.

205 Special Provisions: This section is intended to comply with the requirements of Section 603(C) of the Pennsylvania Municipalities Planning Code:

- a. **Prime Agricultural Land:** The Borough is an urban place and is nearly fully developed. Provision to promote agriculture is found in Sadsbury Township, under a land use sharing agreement.
- b. **Historic Preservation:** The Borough supports the concept of historic preservation and will entertain proposals to create Historic Districts under Act 167 of 1961.
- c. **Forestry:** The practice of forestry, including timber harvesting, is declared as a permitted use in all districts. It is subject to the following conditions:
 1. Any harvesting shall present an approved erosion and sediment control plan prior to the issuance of a zoning permit, as needed.
 2. In all districts, to avoid traffic congestion and sound disturbance, all activities must start after 8:00 a.m. and end by 6:00 p.m. during the week. No Sunday work shall be permitted.

Uses in each category shall be according to the common meaning of the term or according to definitions set forth in Article 7. Only one (1) principal use per lot in the R-1 and R-2 Districts will be allowed.

206 Permitted Uses with Conditions, Conditional Uses, and Special Exceptions: The criteria for permitted uses with conditions, conditional uses, and special exceptions are listed below. In addition to these criteria, the Zoning Hearing Board, in granting special exceptions, and the Council, as advised by the Planning Commission in considering conditional uses, are charged with considering the effect that such proposed uses will have upon the immediate neighborhood. In granting a special exception or conditional use, the Zoning Hearing Board or Borough Council (as appropriate) may attach reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code and this Ordinance. Permitted uses that have conditions attached will be granted or denied by the Zoning Officer based upon the criteria set forth in this section as well as other appropriate sections of this Ordinance. However, for permitted uses with conditions, the Zoning Officer does not have the authority to attach conditions.

206.1 Bed and Breakfast Inns: Such uses are intended to provide overnight or short-term [not more than two (2) weeks] accommodations for transient guests in a home-like atmosphere. They must meet the following regulations:

- a. All signs shall conform to this Ordinance.
- b. No more than five (5) guest rooms will be permitted.
- c. One (1) off-street parking space for each guest room shall be required. Parking shall be on-lot.
- d. The only meal served shall be breakfast and that shall only be provided to guests.
- e. The facility shall comply with state law regarding such facilities.

206.2 Cemeteries: Cemeteries are subject to the following standards and criteria:

- a. A minimum site of five (5) acres shall be required.
- b. A drainage plan shall be submitted with the application for approval to show existing and proposed runoff characteristics.
- c. Ingress, egress, and internal circulation shall be designed to ensure safety and minimize impact on local roads. Access shall be on a paved road with a minimum cartway of twenty (20) feet.
- d. All property lines adjoining residential uses shall be screened as defined by this Ordinance.

206.3 Rooming/Boarding Home

- a. Must meet all health and safety code requirements.
- b. May not house more than four (4) roomers/boarders.
- c. Shall not adversely affect the character of the surrounding neighborhood.
- d. A parking space for each roomer/boarder shall be provided.

206.4 Municipal Buildings: The following standards shall apply to municipal buildings:

- a. Municipal buildings that are only office in nature can be located in any zoning district provided they meet all yard requirements and provide for at least six (6) off-street parking spaces on lot.
- b. Municipal buildings used for equipment maintenance, storage, repair, and outside storage shall be allowed in the C-2 District only. Any parking or storage area shall be in the rear of the lot and buffered from any residential district or use by screen planting, as defined by this Ordinance.

206.5 Home Occupations:

- a. A home occupation shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes. *Note: See also No-Impact Home-Based Business.* The following conditions for home occupations shall be observed:
 1. The occupation is carried on by a member of the family residing in the dwelling unit, with no more than two (2) employees who are not resident members of the family
 2. There shall be no exterior display, no exterior sign other than permitted by this Ordinance, 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 offensive odor and no vibration, smoke, dust, heat, or glare shall be produced.
 4. The occupation shall occupy no more than thirty-five percent (35%) of the principal structure.
 5. No heavy (semi-truck) deliveries shall be allowed.

- b. Home occupations may include, but are not limited to, art studios; dressmaking; tailors, professional offices of physicians, dentists, lawyers, engineers, architects or accountants; real estate offices; insurance offices; barbershops and beauty parlors [limited to one (1) chair at a time]; or teaching or tutoring [one (1) student at a time]. However, a home occupation shall not be interpreted to include auto or internal combustion motor repair/service, woodworking, small motor repair, kennels, or restaurants.

206.6 Public Utility Substations/Facilities: Such uses are permitted, with condition, to allow public utilities to adequately service the Borough. They shall include small structures and aboveground facilities, such as vent pipes.

- a. Such uses shall be landscaped to present a minimum intrusion upon the neighborhood along side and rear yards.
- b. May be enclosed by a security fence of no more than eight (8) feet, notwithstanding any other section of this Ordinance.
- c. No outdoor storage shall be permitted of equipment or vehicles.
- d. Such uses shall be exempt from lot and yard requirements and land development requirements.

206.7 Day Care Facilities, All Types: The purpose of this section is to set forth standards for the three types of day care covered by this Ordinance (see Definition section also).

a. Family Daycare Homes

- 1. Such operations must obtain any permit/certificates required by the state.
- 2. Hours of operation shall not begin before 6:00 a.m. nor extend beyond 8:00 p.m. (prevailing time).

b. Group Daycare Homes

- 1. Such operations must obtain any permits/certificates as required by the State of Pennsylvania (Department of Welfare).
- 2. Hours of operation shall not begin before 6:00 a.m. nor extend beyond 8:00 p.m. (prevailing time).
- 3. Outdoor play areas shall be effectively screened from nearby residential uses through fencing or screened planting.
- 4. At least one (1) additional parking place shall be required.
- 5. The operator shall demonstrate how children shall be dropped off and picked up considering their safety and the safety of other pedestrian and vehicular traffic in the area.

c. Child Day Care Center

- 1. Any outdoor play area shall be effectively screened from abutting properties.

2. For all new construction, and where feasible for existing structures, circular driveways shall be provided to deliver and pick up children off public streets. These facilities are intended for the safety of the children and the protection of the neighborhood. In any event, the developer shall demonstrate how pick up and delivery shall occur in a safe manner.
3. One (1) parking space for each employee shall be required.
4. Such facilities must be licensed by the Pennsylvania Department of Public Welfare.

206.8 Multi-Family Dwellings:

- a. Density: Residential density shall not exceed twelve (12) units per gross acre of land within the development. Buildable acres shall be determined by determining total acreage less all lands within the rights-of-way of planned or existing public streets or highways, or within the rights-of-way of existing or proposed overhead utility lines, all land in designated floodplain floodway, and all land in designated wetlands or open water, and all land containing slopes greater than twenty-five percent (25%) (as determined by the USGS 1:24000 series of topographic maps) will not be regarded as buildable.
- b. Lot and Structure Requirements
 1. Lot Size: Minimum lot size is one-half (½) acre. Every dwelling unit shall have access to a public street, court, walk or other area dedicated to public use. No structure or group of structures shall be erected within twenty (20) feet of any other structure or group of structures within the development.
 2. Setback: All structures on the perimeter of the development must be set back twenty-five (25) feet from property boundaries and fifty (50) feet from existing road centerlines.
 3. Height: Shall not exceed thirty-five (35) feet
 4. Location of Structures: The proposed location and arrangement of structures shall not be detrimental to existing or prospective adjacent structures or to existing or prospective development of the neighborhood.
 5. It shall be the responsibility of the developer and the Borough, after receiving recommendations from the Planning Commission, to take into consideration the health, safety and welfare of the residents when determining the building location, length, width and height of the proposed buildings.
 6. Configuration of Structures Containing More Than One Dwelling Unit: Every building in a development containing more than one dwelling unit shall have direct first floor access to an outdoor area for each unit. No multiple story structure may have a dwelling unit located exclusively on a second floor or higher. Buildings housing more than one dwelling unit may be of a single story or of a townhouse configuration, provided that all second story or higher areas are integral parts of a dwelling unit with primary access on the first floor. Common stairways, garden apartments, and upper story "flats" are specifically prohibited. No building containing more than one dwelling unit shall contain more than four (4) dwelling units per buildings, except that Townhouse units may occur in blocks of no more than six (6) units per building.

7. Lot coverage shall be consistent with requirements in the zoning district.

c. Open Space

1. **Area Limitations for Various Uses:** Within the development, the following percentages of the total gross land area shall be devoted to specified uses as indicated herewith:

(a) A maximum of seventy percent (70%) of gross acreage for residential use. Land devoted to residential use shall be deemed to include those streets, alleys, parking areas, private open spaces and courts which abut and service the residences.

(b) A minimum of thirty percent (30%) of the gross acreage shall be reserved for open space uses. The open space shall be landscaped with a landscape plan presented to and approved by the Borough.

206.9 Conversion Dwelling Units: The purpose of this use is to allow older, larger homes that are in existence at the time this Ordinance was adopted to divide the building into not more than three (3) apartments, subject to the following criteria:

- a. The floor area of the original structure shall be at least one thousand six hundred (1,600) square feet, exclusive of basement areas.
- b. Each unit shall contain at least five hundred (500) square feet, excluding common areas.
- c. All buildings and safety codes shall be met.
- d. There shall be at least four (4) parking spaces provided on-lot.

206.10 Funeral Homes: Funeral homes shall meet the following criteria:

- a. A lot size of at least twenty thousand (20,000) square feet shall be required.
- b. At least twenty (20), paved, on-lot parking spaces shall be provided with an additional five (5) spaces for each additional viewing parlor after the first two (2).
- c. The driveway system shall be arranged so the hearse and funeral cortege formation will be completed on the lot and not on a public street.

206.11 Personal Care Boarding Homes for Adults and Adult Day Care: The purpose of such homes is to provide residences for individuals in a home-like setting. Consequently, it is essential to maintain an exterior appearance that is in harmony with surrounding residences. In addition, such uses shall meet the following conditions:

- a. Signs or exterior display indicating the name of the home or its use shall not exceed that allowed by this Ordinance.
- b. At least one (1) additional on-lot parking space shall be provided for each two (2) guests for facilities offering overnight or long-term accommodations.
- c. No home shall have more than six (6) guests/clients at any one time.

- d. The applicant shall identify the type of home, and present any required county and/or state certifications or licenses.

206.12 Convenience Store:

- a. Any fuel pumps shall be at least thirty (30) feet from the front lot line and thirty (30) feet from each side lot line.
- b. No vehicle will be parked or stored along the front lot line except on a short-term basis [less than twelve (12) hours].
- c. Any lot line abutting a residential use or district shall provide appropriate screening. Such screening shall be at least six (6) feet wide.
- d. Canopy structures shielding gasoline pumps shall be no closer than twenty (20) feet from the front lot line or may follow the average setback of the structures adjacent on each side and twenty (20) feet from each side lot line.

Canopy height shall not exceed seventeen (17) feet overall, and canopy clearance measured from finish grade to the lowest point on the canopy fascia shall not exceed thirteen (13) feet nine (9) inches.

206.13 Schools, Hospitals, Churches, and Nursing Homes:

- a. Shall provide all parking and loading/unloading requirements as required by this Ordinance.
- b. Shall be located on a public street with a minimum twenty- (20) foot paved cartway.
- c. All parking and recreation/play areas, which abut residential uses, shall be screened.
- d. Any outdoor lighting shall use fully shielded fixtures.
- f. All necessary licenses or permits issued by county, state, or federal agencies shall be presented and these required licenses, certificates, or permits shall be a condition for final approval.

206.14 Reserved

206.15 Hotels/Motels: Such uses shall:

- a. Present proof that all plans for the construction/development of the facilities have been approved by the Pennsylvania Department of Labor and Industry.
- b. Are constructed in accordance with the Borough building codes.
- c. Have a lot of at least two (2) acres.
- d. All rear and side property lines shall be screened as defined by this Ordinance.
- e. Present evidence that water and sanitary sewer facilities have been approved and are adequately sized.

206.16 Tool and Die Shops, Machine Shops, Woodworking and Electrical Shops, and Light Manufacturing: The purpose of this category is to allow such uses in the Borough while preserving existing development.

- a. The façade of any new structure shall be designed to blend in with neighboring buildings. Plain cement block structures will not be allowed.
- b. All side and rear yards which abut residential districts or uses shall be screened, as defined in this Ordinance.
- c. No structure shall exceed five thousand (5,000) square feet in first floor area.
- d. Employment shall not exceed twenty-five (25) persons (highest shift).

206.17 Half-Way Houses: Shall be allowed, subject to the following conditions:

- a. Lot size shall be at least twenty thousand (20,000) square feet.
- b. All side and rear yards shall be increased by ten (10) feet.
- c. There shall be a professional staff on site twenty-four (24) hours a day.
- d. Such facilities must present any needed State permits or certifications.

206.18 Car Washes: Car washes are subject to the following express standards and criteria:

- a. All drainage water from car washing operations shall be contained on site, so as to not become a nuisance or hazard to adjoining properties, berms, or roadways. Compliance with appropriate water and sewer regulations shall be required.
- b. All property lines adjoining residential use or zoning classification shall be screened by a screen planting area as defined by this Ordinance which is at least ten (10) feet in depth measured from the property line.
- c. Outdoor areas for parking and queuing shall be covered with an impervious surface, off the public right-of-way, and shall be maintained free of debris and obstruction.
- d. See also Section 307.

206.19 Dwelling Above the First Floor: This is specifically designed to allow residential uses in the C-1 and C-2 Districts on upper floors. In addition to meeting other applicable regulations set forth in this Ordinance, such uses shall:

- a. Provide for two (2) separate means of ingress and egress for each dwelling unit.
- b. Provide at least five hundred (500) square feet of usable floor space per dwelling unit.
- c. Provide for off-street parking for occupants, on-lot, or within four hundred (400) feet of the proposed dwelling. Proof of adequate parking arrangements shall be presented. This proof shall consist of a lease, agreement, or certification by the property owner for parking for at least a one-(1) year term. Only one (1) parking space per unit shall be required.

206.20 Dry Cleaning Plants: These are facilities which use chemicals to provide the dry cleaning of textiles, garments, drapes, etc. All buildings shall show full compliance with UCC building code regulations and Pennsylvania Labor and Industry standards for such uses.

206.21 Retail Manufacturing: This involves such activities of small bakeries, candy making or the custom production of artisan products. Such uses shall sell at least sixty percent (60%) of all produced goods at retail on premises.

207 Uses Not Listed: Where an applicant proposes to develop a use which is not designated in this Ordinance or which cannot reasonably be interpreted as being implied or included under a type or category of use listed in this Ordinance, then such use shall not be permitted by the Zoning Officer. The proper approach is a request for an amendment to this Ordinance. The applicant, however, may request a hearing before the Zoning Hearing Board wherein a full explanation of the applicant's development proposal shall be heard by the Board and the accurate record made thereof. Depending on this decision, the applicant's proposed use may or may not be permitted. (See also Article 5.)

Article 3 Supplementary Regulations

301 Nonconforming Uses and Structures: Every structure, use, or lot which does not conform to the regulations of the district in which it is located at this time of adoption of this Ordinance or amendment thereto, shall be considered "nonconforming." The following provisions shall apply to all nonconforming uses and structures.

301.1: Any nonconforming use may be continued, but may not be extended or expanded unless to a conforming use, except as permitted by the Zoning Hearing Board in accordance with the provisions of this Ordinance. In R-1 and R-2 districts, dwellings, buildings, and yards shall be maintained.

301.2: A nonconforming structure, which has been partly or completely destroyed, other than by intent or design, may be rebuilt or repaired within one (1) year and continued. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any structure declared unsafe by any public official.

301.3: In the event that any nonconforming use voluntarily ceases, for whatever reasons, for a period of one (1) year, such nonconforming use shall not be resumed and any further use shall be in conformity with the provisions of this Ordinance. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

301.4: The nonconforming use of a building may be extended throughout those parts thereof, which were manifestly arranged or designed for such use at the time of adoption of this Ordinance. A nonconforming building or structure may, with the approval of the Zoning Hearing Board, be extended, enlarged or replaced. Such expansion shall be limited to an increase of floor area of fifty percent (50%). However, such structures must comply with the area, yard regulations, and height restrictions of the district in which the structure is located, and must meet all off-street parking and loading requirements of this Ordinance.

301.5: Nothing contained herein shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure or part thereof for which official approval and required permits have been granted prior to the effective date of this Ordinance.

301.6: Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, this Article shall also apply to any uses, which thereby become nonconforming.

301.7: Nonconforming signs may be repaired, provided that no structural alterations are made which increase the gross surface area of the sign. Nonconforming signs may not be enlarged or added to; however, the interchange of panels on nonconforming signs shall be permitted.

302 Existing Lots of Record:

302.1: Any lot of record existing at the effective date of this Ordinance, 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 lot area and width are less than the minimum required by this Ordinance. However, such lot must comply with the yard, height and coverage standards of the zoning district wherein it is located. Where two (2) or more adjacent lots of record with less than the required area and width are held by one (1) owner, on or before the date of enactment of this Ordinance, 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 Ordinance.

302.2: No provision of Article 3 of this Zoning Ordinance relating to side and rear yard requirements shall prevent the reasonable use of a lot of record. The Zoning Officer may grant a reduction in the requirement for side yard and rear yards for lots of record which lack required lot width. However, in no event may such yard dimensions be reduced by more than one-half that required by Article 2 without the approval of the Zoning Hearing Board.

303 Application of Yard Regulations:

303.1: Where a structure exists on an adjacent lot and is within one hundred (100) feet of either or both sidelines of the lot, and the existing structure has a front yard less than the minimum depth required, the minimum front yard shall be the average depth of the front yard of the existing structure on the adjacent lot and the minimum depth required for the district; where structures exist on both adjacent lots, the minimum depth of the front yard shall be the average depth of the front yards of the existing adjacent structures.

303.2: All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies or platforms above normal grade level, shall not project into any minimum front, side or rear yards, except as noted below.

Permitted Intrusions into Yard Spaces:

- Handicap ramps*
- Chimneys – 1 foot
- Cornice, eaves, bay windows – 1½ feet

*Any easements and right-of-ways to be avoided for permanent ramps.

303.3: A wall or fence under three-and-one-half (3½) feet or less in height and paved terraces without walls, roofs or other enclosures may be erected within the limits of any yard. Fences may be permitted in front yard areas provided they are no higher than three (3) feet and do not impinge on the required free sight triangle at intersections or for driveways. (See also Section 314.)

303.4: Swimming pools shall be permitted in rear yard areas, provided that the pool is located not less than ten (10) feet from lot line. (See also Section 309.)

303.5: In residential districts, small garden sheds*, storage sheds*, residential garages and/or similar accessory structure(s) may be permitted in rear yard areas, provided such structure does not lie closer than five (5) feet to side lot line or within ten (10) feet of the rear property line and does not exceed fifteen (15) feet in height.

*Garden and storage sheds shall not exceed one hundred sixty (160) square feet in size.

303.6 Attached Accessory Structures: When an accessory structure is attached to the principal building, it shall comply in all respects with the requirements of this Ordinance applicable to the principal building.

304 Temporary Structures:

304.1: Temporary structures in conjunction with construction work shall be permitted only during the period that the construction work is in progress. They shall be removed when construction is complete.

Permits for temporary structures shall be issued for a six- (6) month period. Temporary structures are subject to setback requirements.

304.2 Portable Storage Units: These units are intended for the temporary storage of household goods during moving or remodeling. Units must be off the public right-of-way. The use of trailers (semi-rigs), former house trailers, or used cargo containers is not permitted. The Borough shall issue permits for such units on a thirty- (30) day basis with up to one (1) thirty- (30) day renewal. After that time, the units will be regarded as structures and shall meet all yard requirements of this Ordinance and the building code requirements of the Borough.

305 Height Limitations: When the following conditions are met, height limits may be increased:

305.1: Structure height, in excess of the height permitted above the average ground level allowed in any district may be increased, provided all minimum front, side and rear yard depths are increased by one (1) foot for each additional foot of height; however, such increase shall be limited to no more than ten (10) additional feet.

305.2: The following structures are exempt from height regulations provided they do not constitute a hazard: church spires, elevator bulk heads, and elevated water tanks.

306 Performance Standards: No use of land or structure in any district shall involve, or cause, any condition or material that may be dangerous, injurious, or noxious to any other property or person. Furthermore, every industrial or commercial use of land or structure in any district must observe the following performance requirements.

306.1 Fire Protection: Fire protection and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive material is carried on.

306.2 Electric Disturbance: No activity shall cause electrical disturbances adversely affecting radio, television or other communication equipment in the neighboring area.

306.3 Air Pollution/Smoke: All air-borne emissions shall comply with the regulations of the Pennsylvania Department of Environmental Protection and the Environmental Protection Agency (US).

306.4 Glare: Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted. Fully shielded external lights shall be required.

306.5 Water Pollution: No permit shall be issued until all applicable wastewater, stormwater or erosion/sedimentation control permits have been obtained.

306.6 Vibration: No vibration shall be permitted which is discernible without instruments on any adjoining lot or property, except that the temporary vibration as a result of construction activity shall be permitted.

306.7 Noise: The sound pressure level shall not exceed the decibel limits in the octave bands designated in the following table:

Octave Frequency (Cycles Per Second)	Decibel Limits Along or in Residential District Boundaries	Decibel Limits Along or in Businesses or Industrial District Boundaries
0-75	72	79
75-150	67	74
150-300	59	66
300-600	52	59
600-1200	46	53
1200-2400	40	47
2400-4800	34	41
Over 4800	32	39

Sounds of short duration, as from forge hammers, punch presses, and metal shears, which cannot be measured accurately with the sound-level meter, shall be measured with the impact filter as manufactured by the General Radio Company or its equivalent in order to determine the peak value of the impact. For sounds so measured, the sound pressure level set forth in this table may be increased by six (6) decibels.

307 Off-Street Loading and Parking: Off-street loading and parking space shall be provided in accordance with the specifications in this section in all districts, whenever any new use is established or an existing one is enlarged.

Use	First Space	Second Space*
Industrial		
Manufacturing	5,000	50,000
Warehouse	10,000	50,000
Storage	10,000	50,000
Commercial		
Wholesale	20,000	50,000
Retail	20,000	40,000
Service Establishment	30,000	60,000
Restaurants	40,000	80,000
Office Building	40,000	100,000
Hotel/Motel	20,000	100,000
Institutional		
Schools	10,000	100,000
Hospitals	50,000	100,000
Nursing Homes	50,000	100,000
Public Buildings		
Auditoriums	30,000	100,000
Arenas	30,000	100,000
*An additional space required for each additional increase at this value. For example, in manufacturing, 5,000 square feet equals 1 space; 50,000 square feet equals 2 spaces; 100,000 square feet equals 3 spaces.		
<i>Note: All figures are given in gross feet of floor area (GFA) for each listed use.</i>		

307.1(a) Size and Access: Each off-street loading space shall be not less than fourteen (14) feet in uniform width and sixty (60) feet in length with fifteen (15) feet of vertical clearance. It shall be so designed so the vehicles using loading spaces are not required to back onto a public street or alley. Such spaces shall abut a public road or have an easement of access thereto. Loading spaces shall not be located in the required front yard. In the C-1 and C-2 districts, loading spaces shall not be located in the front yard of any property along Water Street.

Loading spaces for vehicles over a two- (2) ton capacity shall be located at least thirty (30) feet from any property line adjoining a residential use or zoning classification. All loading spaces located along a property line adjoining a residential use or zoning classification shall be screened by an opaque wall, fence, or hedge at least six (6) feet in height.

307.1(b) Uses Not Listed: For any use not listed, the Zoning Officer shall follow the requirement for the most similar uses.

307.2 Off-Street Parking: This section applies to all new uses and will also apply to existing uses in the C-1 and C-2 Districts when any improvements are made costing \$10,000 or more, as determined by the UCC permit. This figure will be as a constant dollar, as determined by the "inflation calculator," as found on the United States Department of Labor, Bureau of Labor Statistics' website.

- a. **Size and Access:** For all uses, each parking space shall have a uniform area of one hundred eighty (180) square feet, being at least ten (10) feet wide and eighteen (18) feet long. Parking space areas shall be exclusive of access drives or aisles, and shall be in usable shape and condition. Except in the case of single-family dwellings, no parking area shall contain less than three (3) spaces. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public roads. Where an existing lot does not abut on a public or private street, alley or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along a street (see Section 307.3).
- b. **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. If no similar uses are mentioned, the parking requirements shall be one (1) space for each two (2) proposed patrons and/or occupants of that structure. Where more than one (1) use exists on a lot, parking regulations for each use must be met, unless it can be shown that peak times will differ for the uses. In the "C" zoning districts, the parking requirements shall not apply to any use which occupies a structure in existence when this Ordinance was adopted, except residential uses.

Parking	
Use Spaces	Required Parking
Convenience Stores	1 for each 250 square feet GFA
Single-Family Dwellings and Duplex Dwellings	2.0 per dwelling unit
Multi-Family Dwellings	2.0 per dwelling unit
Mobile Home Parks	2.0 per dwelling unit*
Hotels and Motels	1 per guest room**
Funeral Homes and Mortuaries	20 for the first parlor, 5 for each additional parlor
Nursing Homes	1 per each 2 beds**
Schools	1 per each teacher and staff, 1 for each 4 classrooms plus 1 for each 4 high school students
Sports Arenas, Stadiums, Theaters, Churches,	1 per each 3 seats

Parking	
Use Spaces	Required Parking
Auditoriums, Assembly Halls	
Community Buildings, Social Halls, Dance Halls, Clubs and Lodges	1 space for each 60 square feet of public floor area
Roller Rinks	1 space for each 150 square feet GFA
Bowling Alleys	5 per alley
Banks and Offices	1 for each 300 square feet GFA
Medical Offices and Clinics for Humans	8 spaces per doctor
Dental Offices	5 spaces per doctor
Retail Stores	1 per each 300 square feet GFA
Fast Food/Drive-Through Restaurants	1 per each 2 patron seats**
Furniture Stores	1 per each 400 square feet GFA
Food Supermarkets	1 per each 250 square feet GFA
Restaurants, Taverns, and Nightclubs	1 for each 2.5 patron seats
Industrial and Manufacturing Establishments, Warehouses, Wholesale and Truck Terminals	1 space per employee, on the largest shift, plus 1 space for each 10,000 GFA for visitors
Commercial Recreation (not otherwise covered)	1 space for every 2 persons permitted in maximum occupancy
Boarding or Rooming Houses	1 for each rental room
<p>*Multi-family units devoted to the elderly shall only be required to provide 0.5 parking spaces per dwelling unit. Such uses must supply adequate proof they will be dedicated to elderly tenants and shall be required to follow normal parking standards if they revert to non-elderly use.</p> <p>**Plus 1 space per employee and staff on major shift.</p> <p><i>Note: GFA means gross floor area</i></p>	

- c. **Location and Parking:** Required parking spaces shall be located on the same lot with the principal use. The Zoning Hearing Board may permit parking spaces to be located not more than three hundred (300) feet from the lot of the principal use, and the Board finds that it is impractical to provide parking on the same lot with the principal use. The Board may require documentation, such as a long-term lease or agreement, to approve off-lot parking.
- d. **Screening and Landscaping:** Off-street parking areas for more than five (5) vehicles, and off-street loading areas, shall be effectively screened on any side which adjoins a residential district (see definition of Screening) or use. Any parking lots for more than five (5) vehicles in a residential area shall provide screen planting, as defined by this Ordinance. In the C-1 and C-2 Districts, there shall be a minimum three (3) foot wide landscaping strip abutting all rights-of-way broken only by points of vehicular or pedestrian access. Plantings shall be under three (3) feet in height (mature growth) and shall be spaced to allow good sight access into the lot. Landscaping shall not infringe upon needed driveway sight distances.
- e. **Minimum Distance and Setbacks:** No off-street loading or parking area for more than five (5) vehicles shall be closer than ten (10) feet to any adjoining property line containing a dwelling, residential district, school, hospital, or similar institution.
- f. **Surfacing:** With the exception of single-family and two-family dwellings, all parking and loading areas and access drives shall be paved, graded with positive drainage to prevent the flow of surface water onto neighboring properties. Parking areas larger than ten thousand (10,000) square feet shall submit a plan (see "h" below), including drainage provisions for approval. Lots shall be designed to provide for orderly and safe loading and parking.

- g. **Lighting:** Any lighting used to illuminate off-street parking or loading areas shall be arranged so as to reflect the light away from the adjoining premises of any residential district or use and away from roads or highways. Fully shielded fixtures are required.
- h. **Parking Lot Landscaping:** The objective of this section is to improve the appearance of parking lots and to protect and preserve the appearance, character, and value of the surrounding neighborhoods and thereby promote the general welfare by providing for the installation and maintenance of landscaping for both screening and the lot interior for lots ten thousand (10,000) square feet or more. At least five percent (5%) of the parking lot area, excluding perimeter screening, shall be landscaped. The landscaping plan shall use plant species suited for high traffic areas and for this geographic area. Landscaping shall be regularly maintained. Landscaping along public roads shall be maintained in low growing [under three (3) feet] shrubs and/or deciduous trees to allow adequate sight distance.
- i. **Stacking Requirements for Drive-In, Drive-Through Facilities:** This section provides vehicle standards for drive-in, drive-through facilities. These may include such uses as banks, fast-food restaurants and car washes. The purpose of these standards is to provide minimal stacking capacity for various uses so vehicles will not use public streets while queuing in line for service. All references to stacking capacity relates to typical automobiles. A length of twenty (20) feet per auto will be used to accommodate one (1) vehicle and minimal head space. Minimal stacking lane width is nine (9) feet.

Use	Stacking Capacity Per Drive-In Window
Restaurant	8* per drive-in window
Bank	5 per drive-in window 3 per ATM
Car Wash	4 per wash bay
*To be measured to the order box	

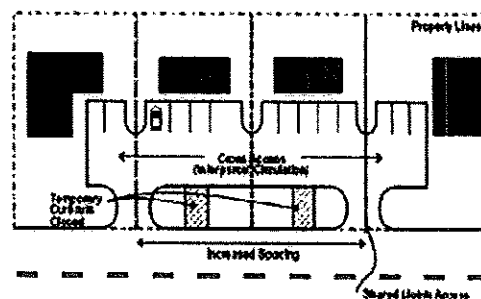
For other uses, guidelines from the Institute of Transportation Engineers may be used or the written recommendations of a professional traffic engineer.

Note: Stacking capacity is to be measured from the lot line to the service window and is not to include any area of the public right-of-way.

j. **Joint Driveway and Cross Parking Lot Access, "C" Districts:**

1. The Borough may require a joint driveway in order to facilitate parking in the Downtown area.
2. Adjacent non-residential properties shall provide a joint or cross-access driveway to allow circulation between sites wherever feasible along Route 6. The following shall apply to joint and cross-access driveways:

Joint Driveways and Cross Access



Source: TRB Access Management Manual, 2003.

- (a) The driveway shall have a design speed of 10 mph and have sufficient width the largest vehicle expected to frequently access the properties.
- (b) A circulation plan that may include coordinated or shared parking shall be required. (A legible drawing to scale may suffice.)
- (c) Features shall be included in the design to make it visually obvious that abutting properties shall be tied in to provide cross access.

3. The property owners along a joint or cross-access driveway shall:

- (a) Record an easement with the deed allowing cross access to and from other properties served by the driveway.
- (b) Record a joint agreement with the deed defining the maintenance responsibilities of each of the property owners located along the driveway.

307.3 Driveways:

a. Minimum Use Driveways: Please Note: These standards are to apply on both streets and alleys.

- 1. Location: A driveway will not be any closer than:
 - 25 feet to any road intersection.
 - 25 feet to any other driveway on this same side of the road.
 - If a driveway exists on the opposite side of the road, and is within twenty (20) feet of the proposed driveway, then the proposed driveway shall be aligned with the existing driveway if site conditions allow.
- 2. Width: Minimum use driveways shall be ten (10) feet to twelve (12) feet in width with a reasonable radius flare where it connects the roadway.
- 3. Number of Driveways per Property: For most properties, only one (1) driveway on the same street or alley will be allowed. Where the lot is at least one hundred (100) feet in width, a second driveway may be approved if it meets all criteria of this Ordinance and there is at least thirty (30) feet in distance from the other property driveway.
- 4. Sight Distance: Driveways shall provide a safe sight distance for those using the driveway. Locations on vertical or horizontal curves which limit sight distances will be avoided. Plantings more than three (3) feet shall not be allowed, as they would hinder safe sight distances.
- 5. When the physical circumstances of any lot makes the application of these standards infeasible, the Borough may grant minimal relief after consultation with the Borough Engineer.

b. Other Driveways: Driveways on state roads shall obtain a highway occupancy permit from the Pennsylvania Department of Transportation and provide evidence of same. Driveways other than

minimum use driveways, on local streets, shall adhere to PennDOT guidelines. See Pennsylvania Code 67, Chapter 441, especially 441.7, 441.8, and 441.9.

307.4 Parking, Major Recreational Equipment: The outdoor storage of major recreational equipment including, but not limited to, travel trailers, motor homes, tent trailers, pickup campers (designed to be mounted on automobile vehicles), boats and boat trailers as a “not-for-profit” activity shall be permitted in residential districts subject to the following requirements:

a. Such equipment shall be stored in compliance with the following yard or setback requirements:

Front Yard – 25 feet

Side Yard – 6 feet

Rear Yard – 5 feet

On a corner lot (reverse frontage lot), the front yard requirement of 25 feet shall be applicable on two lot faces.

Storage of such equipment in front yards shall be limited to 3 months per year.

b. Such equipment may be used on a temporary basis for sleeping purposes but not for housekeeping purposes. In order to use said equipment for sleeping purposes, the applicant shall obtain a zoning permit which shall specifically allow sleeping arrangements for a period of up to seven (7) days. Said permit for sleeping arrangements shall be renewable upon the discretion of the Zoning Officer. The Zoning Officer shall be guided in issuing permits under this subsection based on his ascertaining that this use of the property shall not be detrimental to the public health, safety, and welfare, nor will it substantially impair adequate supply of light and air to adjacent properties.

c. In cases where these regulations severely limit the ability of one to park such equipment on a particular lot, the aggrieved party may seek a variance.

308 Fencing: Any fence, hedge or enclosure shall not exceed a height of six (6) feet. All fences, if located within five (5) feet of a driveway where the driveway intersects a property line, or are located within fifteen (15) feet from a point where two (2) front property lines intersect, shall require a permit and shall not exceed a height of thirty-six (36) inches above road grade.

Where other regulations contradict this ordinance with regard to fencing requirements or limitations (e.g. swimming pools), such regulations shall take precedence.

309 Water Recreation and Storage Areas: Any facility for water recreation such as private swimming pools, and swimming clubs, or any other water storage facility such as reservoirs shall comply with the following regulations:

309.1: The facility must meet the setback requirements of the district.

309.2: The facility, if operated to attract visitors, must comply with parking requirements established in this Ordinance.

309.3: Before a permit shall be issued to the operator or owner of the facility, a plan must be submitted to the Planning Commission showing the size of the facility, its proposed use, parking arrangements, the use of buildings on the site, surrounding properties and their usage and any other pertinent information.

309.4: Outdoor swimming pools, spas, and hot tubs shall be located at least ten (10) feet from any property line and shall comply with appropriate UCC regulations.

310 Reserved

311 Individual Mobile Homes: Individual mobile homes shall be permitted on individual lots only if they meet the following conditions:

- a. The proposed lot shall meet all area and yard requirements of the district.
- b. The mobile home shall comply with building code standards, as applicable.
- c. The unit shall be permanently installed with a permanent foundation.
- d. The long side of the unit shall face the street.

312 Lighting: Lighting shall meet the following standards:

- a. All lighting fixtures shall be full "cut off."
- b. No lighting fixture shall be mounted higher than twenty (20) feet above grade.
- c. All lighting shall be aimed away from residential uses or districts.
- d. All lighting shall be turned off or put at reduced levels [thirty percent (30%) of fixtures lit] after the business closes for the night. All night operations shall reduce lighting by one half (½) after midnight.

313 Residential Wind Turbines: These are devices used to convert wind energy for individual residential usage. Such devices are allowed in all districts. They must be behind the principal structure and observe all yard setbacks.

314 Clear Site Distance At Corner Lots: At all street or alley intersections, no obstruction to vision (other than existing buildings, posts, trees, etc.) exceeding thirty-six (36) inches in height above curb level shall be placed on any portion of the lot within the triangle formed by the street or alley right-of-way lines abutting the lot and a line drawn between points along such right-of-way lines fifteen (15) feet distant from their point of intersection. To the extent possible, all driveways shall also provide clear site distance, as specified in this section.

Article 4
Administration and Enforcement

401 Zoning Officer: The Zoning Officer*, who shall be appointed by the Borough Council, shall:

401.1: Administer literally and enforce the provisions of this Ordinance. (See also Section 403.)

401.2: Issue zoning permits.

401.3: Maintain a permanent file on all zoning permits and applications as public records.

401.4: Take in and review applications and issue such other permits, do inspections and have such other duties as assigned.

401.5: Receive all applications for appeals, special exceptions, and conditional uses and refer same to the proper bodies.

In addition, the Zoning Officer shall review all applications for completeness and reject, in writing with cause given, any incomplete or incorrect application.

*See also section 614 of the Pennsylvania Municipalities Planning Code for further information relative to the duties and qualifications of the Zoning Officer.

402 Zoning Permits: A zoning permit application shall be obtained at least thirty (30) days prior to the start of the project.

402.1: A zoning permit shall be obtained before any person may:

- a. Occupy or use any vacant land;
- b. Occupy or use any structure hereafter constructed, reconstructed, moved or enlarged;
- c. Change the use of a structure or land to a different use; or
- d. Change a nonconforming use.

402.2: Applications for a zoning permit shall be accompanied by an application provided by the Borough and such other information as the Zoning Officer may require for administration of this Ordinance, together with a filing fee as periodically established by the Borough.

402.3: All permits and certificates which are granted by the Zoning Officer or those granted as special exceptions, on appeal to the Board or as a conditional use shall be exercised promptly. If the use and/or the work so authorized are not initiated within one (1) year from the date of permit or certificate, then such certificate or permit shall be null and void.

403 Violations and Penalties:

Enforcement Notice: When it appears to the Zoning Officer that a violation has occurred, the Zoning Officer shall send an enforcement notice. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive

enforcement notices regarding the parcel, and to any other person requested in writing by the owner of record. The enforcement notice shall state the following:

- a. The name of the owner of record and any other person against whom the Borough intends to take action.
- b. The location of the property in violation by address and tax parcel number(s).
- c. The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Ordinance.
- d. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- e. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within thirty (30) days.
- f. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions. These sanctions shall include a filing for additional fines (see Enforcement Remedies below) and a refusal to issue any other permits on this subject property.

Causes of Action: In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained, not maintained, or used in violation of this Ordinance, the Borough, the Zoning Officer of the Borough, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Borough at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Borough Council of the Borough of Conneaut Lake. No such action may be maintained until such notice has been given.

Enforcement Remedies: Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Borough, pay a judgment of not more than five hundred dollars (\$500) plus all court costs, including reasonable attorney fees incurred by the Borough 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 Borough 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, partnership or corporation violating this Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation continues shall constitute a separate violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the Borough. Nothing contained in this section shall be construed or interpreted to grant any person or entity other than the Borough and its Zoning Officer the right to commence any action for enforcement pursuant to this Section.

404 Method of Appeal: Any person or Borough official aggrieved or affected by any decision of the Zoning Officer may appeal to the Board within thirty (30) days, as provided by the Pennsylvania Municipalities Planning Code and by the rules of the Board, by filing a notice of appeal specifying the ground thereof.

Article 5 Amendments and Certain Notices

501 General: The Borough Council may introduce and/or consider amendments to this Ordinance and to the Zoning Map, as proposed by a member of the Council, the Planning Commission, or by a petition of a person or persons residing or owning property within the Borough.

502 Petitions: Petitions for amendments shall be filed with the Zoning Officer; and the petitioners, upon such filing, shall pay an advertising deposit and a filing fee, in accordance with a fee schedule fixed by the Council's resolution.

503 Referral: Any proposed amendment presented to the Borough Council without written findings and recommendations from the Borough of Conneaut Lake Planning Commission and the Crawford County Planning Commission shall be referred to these agencies for their review and recommendations prior to the public hearing by the Council. The Council shall not hold a public hearing upon such amendments until required reviews and recommendations are received or the expiration of thirty (30) days from the date that such proposed amendments were submitted to the Borough of Conneaut Lake and the Crawford County Planning Commission.

504 Action: Before acting upon a proposed amendment, the Borough Council shall, as required by law, hold a public hearing thereon. Public notice of such hearing is required and shall contain a brief summary of the proposed amendment and reference to the place where copies of the same be examined, and shall be published in accordance with the provisions of the Pennsylvania Municipalities Planning Code. If the proposed amendment involves a change to the Zoning Map, notice of the public hearing shall be posted at the affected tract in accordance with Section 609 of the Planning Code at least one (1) week prior to the date of the hearing.

In addition to the requirements that notice be posted where the proposed amendment involves a Zoning Map change, notice of the public hearing shall be mailed by the Borough at least thirty (30) days prior to the date of the hearing by first class mail to the addresses to which real estate tax bills are sent for all property located within the area being re-zoning, as evidenced by tax records within the possession of the Borough. Notice shall include the location, date, and time of the public hearing. A good faith effort and substantial compliance shall satisfy the requirements of this subsection. Prior to the adoption of an amendment to this Ordinance, a notice under Section 610 is required.

Special Note: This Ordinance is subject to a Land Use Sharing Agreement which may require additional procedures during the amendment process.

505 Curative Amendments: A landowner who desires to challenge on substantive grounds the validity of this Zoning Ordinance or Zoning Map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest, may submit a Curative Amendment to the Borough Council with a written request that his challenge and proposed amendment be heard and decided as provided in Section 916 of the Pennsylvania Municipalities Planning Code (Act 247), as amended. The Borough Council shall commence a hearing thereon within sixty (60) days. As with other proposed amendments, the Curative Amendment shall be referred to the Borough of Conneaut Lake Planning Commission and the Crawford County Planning Commission at least thirty (30) days before the hearing is conducted by the Council. Public notice shall be given in accordance with applicable provision of the Planning Code. The hearings shall be conducted in accordance with instructions as set forth by Section 916.1 of the Planning Code. The findings, actions, and considerations of the Council shall be in accordance with Section 609.1 of the Planning Code.

The Borough may institute may institute a municipal Curative Amendment in accordance with Section 609.2 of the Municipalities Planning Code.

506 Provision for Optional Notices: In accordance with the provisions of Act 39 of 2008 and Section 108 of the Pennsylvania Municipalities Planning Code, the Borough of Conneaut Lake may publish a notice of municipal action. This notice shall include amendments to this Ordinance or certain decisions that have been entered under this Ordinance. Typically, these would be the approval of conditional uses or special exceptions. Such notices shall include, among other items, any amendments to this Ordinance or the Zoning Map, decisions concerning conditional uses and special exceptions or any other decision as defined by Section 107 and 108 of the Pennsylvania Municipalities Planning Code. Such notices are intended to set limits on the time for certain challenges.

506.1 Content of a Notice of Municipal Action Relating to This Ordinance

- a. Municipal ordinance number, name, and brief statement of the content of the ordinance.
- b. Address of the Borough building and time when the ordinance can be read or viewed by the public.

506.2 Content of a Notice of a Decision Entered Under This Ordinance: Said notice shall contain:

- a. The name of the applicant or owner of the subject property.
- b. Street address; location of property.
- c. The type of decision and the file or docket number of the decision.
- d. A brief description of the nature of the decision.
- e. The date of the decision.
- f. Address and business hours of the Borough building where the decision can be read by the public.

506.3 Statement of Purpose: Notices provided under this section shall contain the following statement:

The publication of this announcement is intended to provide notification of the adoption of an ordinance or entering a decision and that any person claiming a right to challenge the validity of the procedures or the process of adoption of enactment of the ordinance or decision must bring a legal action within thirty (30) days of the publication of the second notice on this matter.

506.4 Notice: This notice shall be published in a newspaper of general publication once each week for two successive weeks. The dates of publication shall be included in the notice.

506.5 Proof of Publication: The Borough shall obtain and keep its records a proof of publication of the notice.

Article 6 The Zoning Hearing Board and Conditional Uses

601 Creation: There is hereby created a Zoning Hearing Board, herein referred to as the "Board," consisting of three (3) residents of the Borough appointed by the Council pursuant to the Pennsylvania Municipalities Planning Code, as amended. Said Board shall perform all the duties, and exercise all powers prescribed by said Code and as herein further provided.

602 Appointment: The terms of office of the Board shall be three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. The Board shall promptly notify the Borough Council of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other elected or appointed office in the Borough, nor be a member of the Planning Commission. The Borough Council shall also appoint up to three (3) alternate member(s) of the Board.

603 Removal of Members: Any Board member may be removed for malfeasance, misfeasance, or nonfeasance in office, or for other just cause, by a majority vote of the Borough Council, taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

604 Organization of Board: The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing or the taking of any action, a quorum shall be not less than the majority of all the members of the Board, but when any member is disqualified to act in a particular matter, an alternate member shall be seated. The Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Board as provided in Section 908 of the Planning Code. The Board may make, alter and rescind rules and forms for its procedure, consistent with Borough ordinances and laws of the Commonwealth. The Board shall keep full public records of its business and shall submit a report of its activities to the Council annually.

605 Expenditures for Services: Within the limits of funds appropriated by the Council, the Board may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services.

606 Legal Counsel: Where legal counsel is desired, an attorney, other than the Borough Solicitor, shall be used.

607 Hearings: The Board shall conduct hearings and make decisions in accordance with Article IX of the Planning Code and the following requirements.

- a. Notice of hearings shall be given to the public by public notice as set forth in the Planning Code in a newspaper of general circulation in the County. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. Written notice shall be given to the applicant, the Zoning Officer, and to any person who has made timely request for the same. Written notices shall be prescribed by rules of the Board. In addition to the notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing.

- b. The Borough Council may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation for the Secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural, or other technical consultants or expert witness costs.
- c. The first hearing shall be held within sixty (60) days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing shall be held within forty-five (45) days of the prior hearing unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his case-in-chief within one hundred (100) days of the first hearing. Upon the request of the applicant, the Board or Hearing Officer shall assure that the applicant receives at least seven (7) hours of hearings within the one hundred (100) days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within one hundred (100) days of the first hearing held after the completion of the applicant's case-in-chief. An applicant may, upon request, be granted additional hearings to complete his case-in-chief provided the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the application may, upon the written consent or consent on the record by the applicant and Borough, be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings for rebuttal.
- d. The hearings shall be conducted by the Board or the Board may appoint any member or an independent attorney as a Hearing Officer. The decision, or, where no decision is called for, the findings shall be made by the Board, but the parties may waive decision or findings by the Board and accept the decision or findings of the Hearing Officer as final.
- e. The parties to the hearing shall be the Borough, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
- f. The Chairman or Acting Chairman of the Board or the Hearing Officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- g. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- h. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
- i. The Board or the Hearing Officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or Hearing Officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the

person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.

- j. The Board or the Hearing Officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, except that advice from the Board's Solicitor is exempt from this restriction; shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.
- k. The Board or the Hearing Officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board or Hearing Officer. Where application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of this Ordinance or the Planning Code, or any rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a Hearing Officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within forty-five (45) days, and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the Hearing Officer. Except for challenges filed under 916.1 of the Planning Code, where the Board fails to render the decision within the period required by this Ordinance or the Planning Code, or fails to commence, conduct, or complete the required hearing as required by Article IX of the Planning Code, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein above provided, the Board shall give public notice of said decision within ten (10) days in the same manner as provided in Subsection 607(1) of the Pennsylvania Municipalities Planning Code. Nothing in this subsection shall prejudice the right of any party to appeal the decision to a court of competent jurisdiction.
- l. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board no later than the last day of the hearing, the Board shall provide by mail or otherwise, a brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

608 Board's Functions and Jurisdiction

- a. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to Sections 609.1 and 916.1(a)(2) of the Planning Code.
- b. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of said ordinance (see also Section 506). Where the ordinance appealed from is the initial zoning ordinance of the Borough and a zoning hearing board has not been previously established, the appeal raising procedural questions shall be taken directly to court.

- c. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
- d. Appeals from a determination by the Borough Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
- e. Applications for variances from the terms of the Zoning Ordinance and flood hazard ordinance or such provisions within a land use ordinance, pursuant to Section 910.2 of the Planning Code and Section 508(9) of this Ordinance.
- f. Applications for special exceptions under this Ordinance or the floodplain ordinance.
- g. Appeals from the Zoning Officer's determination under Section 916.2 of the Planning Code.
- h. Appeals from the determination of the Zoning Officer or Borough Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving Article V or VII applications of the Planning Code.
- i. Variances: The Board shall hear requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance provided that all of the following findings are made where relevant in a given case:
 1. That 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 Ordinance in the neighborhood or district in which the property is located;
 2. That 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 Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
 3. That such unnecessary hardship has not been created by the applicant;
 4. That 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; and
 5. That 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.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Ordinance.

- j. **Special Exceptions:** The Board shall hear and decide requests for such special exceptions in accordance with the standards and criteria of this Ordinance. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of the Planning Code and the Zoning Ordinance.

When this Ordinance requires certificates, licenses, permits or similar documents, and when, in the Board's opinion, such documents will be issued in a matter of time, the Board may issue a conditional approval based upon the final issuance of such documents.

609 Parties Appellant Before Board: Appeals under Section 608 and proceedings to challenge the Ordinance under Section 608 may be filed with the Board, in writing, by the landowner affected, any officer or agency of the Borough, or any person aggrieved. Requests for a variance under Section 608 may be filed with the Board by any landowner or any tenant with the permission of such landowner.

610 Time Limitations; Persons Aggrieved: No person shall be allowed to file any proceeding with the Board later than thirty (30) days after an application for development, preliminary or final, has been approved by an appropriate Borough officer, agency, or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. See also Section 914.1 of the Planning Code.

611 Stay of Proceedings: Upon filing of any proceeding referred to in Section 913.3 of the Pennsylvania Municipalities Planning Code and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action thereunder shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. See also Section 915.1 of the Planning Code.

612 Conditional Uses: Certain uses, as specified by this Ordinance, are conditional uses to be granted or denied by the Borough Council. The Planning Commission is to advise the Council relative to conditional uses. In general, the Borough Council is to be governed by the specific criteria set forth by this Ordinance, the general intent of the Ordinance, the welfare of the community and the recommendations of the Planning Commission in rendering its decision. The Borough Council may attach reasonable conditions to its decision. Specific procedures for action follow:

- a. Where the Borough Council, in the zoning ordinances, has stated conditional uses to be granted or denied by the Borough Council pursuant to express standards and criteria, the Borough Council shall hold hearings on and decide requests for such conditional uses in accordance with such standards and criteria. The hearing shall be conducted by the Borough Council or the Council may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Borough Council. However, the appellant or the applicant, as the case may be, in addition to the Borough, may, prior to the decision of the hearing, waive decision or findings by the Council prior to the decision of the hearing waive the decision or findings by the Council, and accept the decision or findings of the Hearing Officer as final. In granting a conditional use, the Borough may attach such reasonable

conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purposes of this act in the Zoning Ordinance.

b.

1. The Borough Council shall render a written decision or, when no decision is called for make written findings on the conditional use application within forty-five (45) days after the last hearing before the Borough Council. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons thereof. Conclusions based on any provisions of the Planning Code or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.
2. Where the Borough Council fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing, as provided in Section 908 (1.2) of the Pennsylvania Municipalities Planning Code, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Borough Council to meet or render a decision as herein above provided, the Borough Council shall give public notice of the decision within ten (10) days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this act. If the Borough shall fail to provide such notice, the applicant may do so.
3. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him no later than the day following its date.

Article 7 Signs

The following sign regulations shall be observed in all districts. It is not the purpose of this section to abridge commercial or non-commercial free speech. The purpose of these regulations is to ensure that the time, place, and manner of sign emplacement within the Borough is conducted with regard to the safety of motorists and pedestrians (especially in avoiding distractions or confusion in high traffic areas), access to light and air by neighboring properties, and avoidance of negative impact upon neighboring properties, including unnecessary glare.

700 Exempt Signs: The following types of signs are permitted in all zoning districts, and exempt from permitting requirements, but not from performance standards relative to traffic safety, or overall sign limitations of any specific sign type or district.

**Table 700
Exempt Signs**

(See the following for details)

Type of Sign	Section
Auction/Garage/Yard Sales	700.7
Directory	700.8
Flags	700.5
For Sale/Rent	700.6
House Number, Name, Professional Activity	700.13
Memorial and Tablets	700.14
No Trespassing	700.12
Not Visible Outside	700.10
Political	700.3
Public Convenience, Directional	700.11
Public Purpose/Facilities	700.16
Religious/Holiday	700.4
Temporary	700.1, 700.2, 700.9
Traffic/Regulatory	700.17
Warning/Hazards	700.15

700.1 Temporary signs announcing a campaign, drive, or event of a civic, philanthropic, educational, or religious organization, provided such sign shall not exceed sixteen (16) square feet in area and shall be removed immediately upon the completion of the campaign, drive, or event. Portable signs shall be allowed for this use.

700.2 Temporary signs erected in connection with the development or proposed development of the premises or property provided that the area of any such sign shall not exceed sixteen (16) square feet. Not more than one (1) such sign shall be placed on property held in single and separate ownership unless the property fronts on more than one (1) street, in which case, one (1) such sign shall be permitted on each separate street frontage. Such signs shall be removed within ten (10) days after the development has been completed and/or the last structure occupied. No such sign may be erected until all zoning, subdivision and land development approvals have been obtained.

700.3 Political signs announcing candidates seeking public office, a referendum, or similar political speech purposes.

700.4 Religious or holiday displays or messages with no commercial content.

700.5 The flag of the United States, Commonwealth of Pennsylvania, or any state or nation.

700.6 Signs offering the sale or rental of the premises upon which the sign is erected, provided that the area of any such sign shall not exceed ten (10) square feet and nor more than one (1) such sign shall be placed on the property unless such property fronts on more than one (1) street, in which case one (1) sign may be erected on each street frontage.

700.7 Auction, garage, or yard sale signs provided that they do not exceed four (4) square feet and are removed as soon as the event or activity has occurred.

700.8 Directory signs which list all the occupants of a multi-tenant or multiple-family building, or buildings in a multi-building development, provided that the area of such signs does not exceed one-half ($\frac{1}{2}$) square foot per tenant or two (2) square feet per individual building.

700.9 Temporary signs of contractors, developers, architects, engineers, builders, and artisans, erected and maintained on the premises where the work is being performed, provided that the area of such sign shall not exceed sixteen (16) square feet in any residential district, and thirty-two (32) square feet in all other districts, provided that such sign shall be removed upon completion of the work.

700.10 Any signs not visible from outside a lot or building.

700.11 Restroom, exit, public telephone, handicapped parking or access, and similar directional or informational signs emplaced for the benefit of the public or building tenants.

700.12 No trespassing signs, signs indicating the private nature of a road, driveway or premises, signs controlling fishing on the premises, provided that the area of such sign shall not exceed two (2) square feet.

700.13 House and address numbers, home occupation or nameplate sign displaying the name and address of the occupant or the profession or activity of the occupant of a dwelling unit, provided that not more than one (1) such sign shall be erected for each permitted use, and provided that the area of each such sign shall not exceed four (4) square feet and may not be illuminated.

700.14 Memorial signs or tablets denoting the date of erection of a building.

700.15 Any sign warning of a hazard that contains no other information or commercial content.

700.16 Signs erected by the Borough or an authorized entity that serve to provide directions and explanations for public recreational purposes and facilities, for dedication/memorial purposes, and to mark and explain historical events, persons, or structures. Such signs shall not exceed sixteen (16) square feet in area.

700.17 Traffic signs and similar regulatory notices placed by a duly constituted governmental body.

701 Performance Standards: Except where specifically noted, all signs shall adhere to all performance standards.

701.1 Unless specifically exempted by Section 700 of this Ordinance, a permit must be obtained from the Borough for the erection or alteration all signs. Exemptions from the necessity of securing a permit,

however, shall not be construed to relieve the owner of the sign involved from responsibility for its erection and maintenance in a safe manner and in a manner in accord with all the other provisions of this ordinance and other codes.

701.2 No signs shall be permitted within public rights-of-way, except PennDOT- or Borough-approved traffic signs and devices; signs and banners specially approved by the Borough Council for decoration or promotion of community events and activities; signs not exceeding nine (9) square feet placed temporarily to provide notice of or direction to a civic philanthropic, political, educational, or religious event or activity; or other signs specifically permitted under Section 703.7 of this Ordinance (projecting business signs). The Borough Council may require proof of insurance for any sign within a Borough right-of-way.

701.3 No person shall construct, erect, place, use or permit the use of any permanent or temporary sign or sign structure on private or public property except for the property owner or tenant, or a person with the express written consent of the property owner.

701.4 Construction and Maintenance: All signs shall be constructed in a workmanlike fashion using durable materials. Signs shall be designed and constructed to withstand wind forces and in accordance with appropriate mechanical or electrical standards. The owners of signs shall keep them in safe and good repair. Signs which become deteriorated or otherwise present a public hazard shall be removed or repaired by the sign's owner. If the owner of a sign cannot be found or identified, the owner of the property whereon the sign is located shall be responsible for its repair or removal (see also the Uniform Construction Code).

701.5 No sign structure may block a vehicular line of sight for a driveway, access lane, or public street, or be placed at any location where by its position, shape, or color it may interfere with or obstruct the view of or be confused with any authorized traffic sign, signal or device. Sign structures erected directly upon the ground within fifteen (15) feet of any vehicular driveway, or street intersection shall have at least four (4) feet of clear space between such sign and the ground; however, necessary supports may extend through such open space.

701.6 No signs shall be permitted which are posted, stapled or otherwise attached to public utility poles or trees.

701.8 Nonconforming signs, once removed, shall be replaced only with conforming signs. Nonconforming signs may be repainted or repaired, providing such repainting or repairing does not exceed the dimensions of the existing sign.

701.9 Illumination

- a. Except as specifically provided for electronic signs by conditional use, no sign shall employ intermittent light, electronic or movable text, strobes or other animations that may serve to distract motorists, or abutting homeowners.
- b. Lighting for signs shall not create a hazardous glare for pedestrians or vehicles either in a public street or on any private premises.
- c. Except as specifically provided for electronic signs by conditional use, or the use of diffused neon, the light source, whether internal to the sign or external, shall be shielded from view.

- d. Sign illumination for externally illuminated signs shall utilize focused light fixtures that do not allow light or glare to shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property.
- e. All electrical connections shall be shielded by underground or overhead electrical wires which meet all relevant codes. No temporary signs shall be illuminated by direct means.

701.10 Sign Permit Application: All applications for signs as required under this section shall be submitted to the Zoning Officer. The application shall contain:

- a. Type, area and number of signs proposed.
- b. Type of illumination proposed (if permitted), including the luminance proposed and direction of lighting. This shall also be depicted upon a map that illustrates the distance to any R-1 or R-2 zoning district.
- c. For freestanding signs, a sketch showing the placement of the sign in relation to all driveways, vehicular rights-of-way, and cartways. The developer shall submit current sight distances, before and after erection of the sign with sufficient information to show that sight distances shall not be reduced.
- d. An elevation sketch showing the relationship of the sign to the building, grade, all driveways, vehicular rights-of-way, and cartways.
- e. A photograph or graphic rendition of the proposed sign copy, including all symbols, letter, and graphic elements shown to scale and all structural elements intended to anchor the sign.
- f. The Borough Council must specifically approve signs within public rights-of-way. In such cases, the Zoning Officer shall refer the application to Borough Council, who may refer the application for advice to the Planning Commission or any similar advisory committee.

702 Signs Permitted in the R-1 Single-Family Residential and General Residential Districts

702.1 Signs identifying apartment, development, or condominium complexes, provided that the area of any such sign shall not exceed sixteen (16) square feet, and further provided that one (1) such sign shall be permitted for each separate street and/or separate building frontage occupied by the subdivision, apartment, or condominium complex and/or for each means of entrance to or exit from the subdivision, apartment, or condominium complex.

702.2 Signs for permitted non-residential or permitted institutional uses provided that the area of any such sign shall not exceed twenty (20) square feet, and further provided that one (1) such sign shall be permitted for each separate street and/or separate building frontage occupied by the permitted use, and for each means of entrance to or exit from the permitted use. Such signs may not be illuminated.

702.3 Institutional uses may have one (1) changeable copy sign of no greater than twenty (20) square feet, either permanently attached to a building or as a freestanding sign. Illumination of any such non-electronic changeable copy sign shall be from external sources only, and shielded to prevent unnecessary glare to neighboring properties.

702.4 No freestanding signs within these districts may be erected within ten feet of a side or rear lot line.

702.5 No freestanding signs within these districts may exceed five (5) feet in height.

703 Signs Permitted in the C-1 and C-2 Commercial Districts

703.1 All signs permitted in the R-1 and R-2 Districts.

703.2 Unless otherwise regulated by conditional use, only one (1) sign shall be permitted per property street frontage.

Buildings or properties with multiple businesses may have one additional sign per each additional business located within the building or property. However, all signs must remain within any dimensional limits of Table 703.3

703.3 The dimensions of signs shall be consistent with the following table:

**Table 703.3
Permitted Sign Dimensions, Height, and Setbacks**

Sign Type	Freestanding		Projecting		Facade/Wall	Roof	
	Maximum Area	Maximum Height	Maximum Area	Maximum Height	Maximum Area	Maximum Area	Maximum Height
C-1	32 square feet	15 feet	9 square feet	15 feet	15% of one surface per street frontage	Not permitted	Not permitted
C-2	64 square feet	25 feet	12 square feet	15 feet	20% of one surface per street frontage	Not permitted	Not permitted

703.4 Signs in the C-1 and C-2 area may be illuminated by direct or indirect means. Illumination of the sign face shall not exceed one hundred (100) luxes (10 foot-candles) measured at a distance of 10 feet from the sign, unless any portion of the illuminated sign face is within one hundred (100) feet of an R-1 or R-2 Residential District and visible from an occupied dwelling said district. In such cases, illumination shall be reduced to ten (10) luxes (1 foot candle) measured at a distance of ten (10) feet from the sign.

703.5 Temporary Signs: Temporary signs shall be permitted in building windows, and shall not require a permit. Temporary sandwich board signs of up to four (4) square feet in area are permitted on sidewalks during the hours the business is open, provided they do not block more than one half of the sidewalk.

703.6 Permanent Window Signs: Permanent window signs are permitted in the C-1 and C-2 Districts by right without a permit provided no more than fifty percent (50%) of each window surface and twenty-five percent (25%) of all building windows include such a signs. Such permanent window signs do not count toward the allowed number of signs per district.

703.7 Projection of Permanent Signs into Rights-of-Way

- a. Within the C-1 and C-2 District, a sign attached to a building, otherwise lawful, may project into the public right-of-way up to six (6) feet, provided:
 - 1. No structural support or portion of the signs is within nine (9) feet of grade as measured vertically from the right-of-way line for a pedestrian right-of-way, and fourteen (14) feet of grade for a vehicular right-of-way.
 - 2. Under no circumstances shall any portion of such projecting signs be placed nearer than two (2) feet from a vehicular cartway, loading zone, or on-street parking lane.

- b. Awning and canopy signs may project into rights-of-way in areas served by sidewalks, but shall be subject to the following regulations.
1. No portion of an awning or canopy shall be less than eight (8) feet above the level of the public sidewalk.
 2. No awning or canopy shall be permitted to extend beyond a point four (4) feet from the curb.
 3. Awnings and canopies shall be constructed of canvas, vinyl or similar flexible, cloth-like material. Backlit or metal awnings or canopies are prohibited for signs within rights-of-way.
 4. Awnings and canopies shall be securely attached to the building. All frames and supports shall be made of metal or other rigid material.
 5. The name of the business or logo may be printed on the portion of the awning or canopy above the valance shall be limited to one (1) awning or canopy only, except in the case of corner lot where on awning or canopy with printing above each valance shall be permitted on each street frontage, such name or logo printed above the valance shall be limited as follows:
 - (a) Lettering shall be limited to twenty-five percent (25%) of the awning or canopy, as measured from the point of attachment to the building to the bottom of the fully extended awning or canopy excluding the valance. Letters shall be limited to fifty percent (50%) of the width of the awning or canopy.
 - (b) A logo shall be limited to fifty percent (50%) of the height of the awning or canopy, as measured from the point of the attachment to the building to the bottom of the fully extended awing or canopy.
 6. Proof of liability insurance, satisfactory to the Borough, shall be provided.

703.8 Electronic Signs: Signs with video, LED displays, or similar electronic changeable copy messages are permitted as a conditional use in the C-1 and C-2 Districts. The inherent characteristic of electronic signs is their flexibility. This creates the potential for such signs to create an undue distraction to motorists if poorly programmed.

The developer of the sign shall clearly describe the type of electronic sign proposed as it meets the appropriate definition of electronic signs by sub-type under the definitions in this Ordinance. The developer shall submit a programming plan that shows any proposed use of animations, length of exposure for any message, and transition time or proposed effects between individual messages. This shall include estimated motorist reaction time to proposed messages and symbols, based upon the United States Sign Council's *On-Premise Signs Guideline Standards*, 2003 edition. For planning purposes, the developer should assume all driving environments in the Borough are complex as defined in the guideline standards. The Borough Council may establish limits upon use of any special effects, transitions, or length of message exposure as a reasonable additional condition and safeguard to the conditional use.

- a. In the C-1 District, all such signs shall be a façade or wall sign type. Freestanding or projecting electronic signs shall be prohibited. In the C-2 District, electronic signs may be freestanding,

projecting, or a façade or wall sign type. Such signs shall meet all size, area, and setback limitations for the district in which it is proposed. The size of an electronic sign shall be calculated based upon the surface dimensions that have the ability to display a symbol or message.

- b. Additional Setback from Residential Districts: All portions of the sign structure must be a minimum distance of fifty (50) feet from an abutting R-1 or R-2 Residential District boundary.
- c. ~~Setback from other electronic changeable copy, electronic graphic display or video display signs.~~ Electronic signs must be separated from other electronic signs by at least thirty-five (35) feet, except on a corner lot or building with multiple street frontage. No more than one (1) electronic sign is permitted per each street frontage, regardless of how many tenants occupy that lot.
- d. Orientation: When located within fifty (50) feet of a residentially used lot in an R-1 or R-2 residential zone, all parts of the electronic changeable copy sign must be oriented so that no portion of the sign face is visible from an existing or permitted principal structure on that lot.
- e. Audio or Pyrotechnics: Audio speakers or any form of pyrotechnics are prohibited in association with an electronic sign.
- f. The Borough Council may limit the hours of illumination or operation of electronic signs within one hundred (100) feet of any occupied dwelling in an R-1 or R-2 Residential District if a dwelling within the residential district is within view of the proposed sign.
- g. All multi-vision signs shall have a transition time between sign faces of no more than two (2) seconds.
- h. The developer shall show the ability to meet illumination standards under Section 703.4 of this Ordinance. Developer shall present material detailing any differences in proposed LED light, as compared to standard light measurement.

704. Reserved.

705 Prohibited Signs: The following signs are prohibited.

- a. Any signs not permitted are prohibited.
- b. Snipe Signs: Any sign affixed to utility poles, or in the public right-of-way, unless otherwise permitted by this Ordinance.
- c. Temporary advertising signs, usually made of paper, plastic, canvas, or similar material and affixed to structures or windows (excluding those signs permitted by this Ordinance) are prohibited.

Article 8 Definitions

801 Interpretation: For the purpose of this Ordinance, words used in the present tense shall include the future. The singular number shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter. The word "shall" is always mandatory. The word "building" includes "structure" and shall be construed as if followed by the words "or any part thereof." The phrase "used for" includes "arranged for," "person" includes an individual, corporation, partnership, incorporated association, or any other legal entity. The word "includes" or "including" shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character. Except as defined within this Ordinance or the Pennsylvania Municipalities Planning Code, all words and phrases shall have their normal meanings and usage.

802 Specific Terms: The following words and phrases shall have the meaning given in this section:

Accessory Building – A subordinate building, incidental to and located on the same lot as a principal building, and used for any accessory use such as a garage, shed, or swimming pool.

Accessory Use – A use clearly incidental and subordinate to and located on the same lot occupied by the principal use to which it relates.

Adult Daycare – Out-of-home care, for part of a twenty-four (24) hour day, for three (3) or more persons aged eighteen (18) or older, who are not related to the operator.

Agricultural Operation – An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry. (MPC)

Agriculture – Any agricultural use, including farming, dairying, pasturage, agriculture, aquaculture, horticulture, floriculture, viticulture, horse keeping, animal and poultry husbandry, and forestry (including the harvesting of timber), but excluding confined animal operations or dog kennels as defined by this Ordinance. Agriculture also includes the home sale of fruits, meats, vegetables and similar agricultural produce.

Agricultural Services – Businesses selling goods or services to a substantially agricultural clientele, including: feed mills, seed sales, feed grinding services, and agricultural implement dealers.

Amendment – A change to this Ordinance, either the text or the zoning map, completed in accordance with Article 5 of this Ordinance.

Assisted Living Facility – Residences for the frail or elderly that provide rooms, meals, personal care, and supervision of self-administered medication. They may provide other services such as recreational activities, financial services, and transportation. They are distinguished from personal care boarding homes by their larger size and additional ancillary services.

Bed and Breakfast – A single-family residence offering, for pay, overnight or short-term lodging and breakfast for transient guests.

Billboard – A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

Board – The Zoning Hearing Board of Conneaut Lake Borough.

Boarding House – See definition of Rooming/Boarding House.

Bottle Club – An establishment operated for profit or pecuniary gain, which has a capacity for the assemblage of twenty (20) or more persons and in which alcoholic liquors, alcohol or malt or brewed beverages are not legally sold but where alcoholic liquors, alcohol or malt or brewed beverages are either provided by the operator or agents or employees of the operator for consumption on the premises or are brought into or kept at the establishment by the patrons or persons assembling there for use and consumption. The term shall not include a licensee under the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, or any organization as set forth in Section 6 of the act of December 19, 1990 (P.L. 1200, No. 202), known as the Solicitation of Funds for Charitable Purposes Act.

Borough – The Borough of Conneaut Lake, Crawford County, Pennsylvania.

Building – A roofed structure, whether or not enclosed by walls, to be used for the shelter, enclosure or protection of persons, goods, materials, or animals.

Building Line – A line parallel to the street right-of-way line touching that part of a building closest to the street. (*Note: The building line shall be consistent with this Ordinance.*)

Business Service – Any business activity that renders service to other commercial or industrial enterprises. Such businesses include copying and printing, computer and communications sales and repair, including such retail services as office suppliers.

Car Wash – An area of land and/or a structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

Cemetery – Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Clubs and Lodges – Buildings and related facilities owned and operated by an association or group of individuals established for fraternal, social, educational, conservation, recreational or civic benefit of members, and not-primarily for profit. Full access to facilities is typically restricted to members and their guests. Facilities may include a clubhouse, dining facilities, golf courses, swimming, tennis, non-commercial shooting ranges, primitive camping, or cabins. For the purposes of this Ordinance, this definition does not include miniature golf, golf driving ranges, paintball, commercial hunting, commercial motor sports, or other uses defined by this Ordinance as various forms of commercial recreation.

Commercial Dog Kennel – Any facilities identified and licensed as a kennel by the laws or regulations of Pennsylvania.

Commercial Recreation, Indoor – A facility that offers various indoor recreational opportunities for its patrons including such games as: pool, billiards, bowling, video games, and similar pursuits.

Commercial Recreation, Outdoor – A facility which offers outdoor recreational opportunities for its patrons including such games as: golf driving ranges, miniature golf, paintball, archery, tennis, team sports such as soccer or baseball, camps and clinics for sport instruction, and similar pursuits. This category does not include recreation fields, accessory to schools, churches, or community-based non-profit organizations.

Conditional Use – A use identified as such by this Ordinance, subject to the specific criteria set forth by this Ordinance to be permitted or denied by Borough Council with advice of the Planning Commission. (See also Article 6 of this Ordinance.)

Convenience Store – A small store, selling a limited variety of food and nonfood products, including prepared food but with limited or no patron seating, typically with extended hours of operation. Convenience stores may also sell gasoline or other motor vehicle fuels.

Conversion Dwelling Unit – The conversion of a single-family dwelling unit, in existence at the time this Ordinance was adopted into apartments consistent with the requirements of this Ordinance.

Council – The Borough Council of Conneaut Lake Borough.

County – The County of Crawford, Pennsylvania.

Contractor's Office, Garage or Storage Yard – The place of business for a carpenter, mason, plumber, electrician, or similar tradesman. The key aspects of this business are that most of the services rendered are completed on a site other than the business location.

Daycare Services for Children (Daycare) – Provides out-of-home care for part of a twenty-four (24) hour day to children under sixteen (16) years of age, excluding care provided by relatives and excluding day care furnished in places of worship during religious services. This Ordinance identifies three levels of Daycare Services for Children, consistent with Pennsylvania Department of Welfare definitions:

- a. Family Day Care Homes – Facilities in which child day care is provided at any one time to four (4), five (5), or six (6) children who are not relatives of the caregiver.
- b. Group Day Care – Daycare homes providing for care of a larger number of than a family daycare home, and meeting the definitions of Group Daycare, as defined and licensed by the Pennsylvania Department of Welfare.
- c. Daycare Centers – Facilities in which care is provided for children, at any time, where the childcare areas are not used as a family residence.

Childcare for less than four (4) children will not be considered as day care services. Daycare for adults shall be considered substantially the same use, and shall be classified based upon the number of persons for whom care is provided.

Dwelling – A building arranged, intended, designed or used as the living quarters for one (1) or more families living independently of each other upon the premises. The term “dwelling” shall not be deemed to include “hotel” or “motel.”

- a. Single-Family Dwelling – A building containing only one (1) dwelling unit with yards on all four (4) sides.
- b. Two-Family Dwelling – A building containing two (2) dwelling units, collectively defined under this Ordinance as a duplex, regardless of configuration.
- c. Multi-Family Dwelling – A building containing three (3) or more dwelling units, including apartment houses, townhouses, flats, and garden apartments.

Essential Services – The erection, construction, alteration, or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health and safety or general welfare, but not including buildings.

Forestry – The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development. (MPC)

Gasoline Service Station – An area of land, together with any structure thereon used for the retail sale of motor fuel and lubricants and incidental services, such as lubrication and washing of motor vehicles, and the sale, installation or minor repairs of tires, batteries or other automobile accessories (see also Repair and Service Business).

Gross Floor Area (GFA) – The total floor area for which the tenant pays rent and that is designed for the tenant's occupancy and exclusive use.

Halfway House – A facility which allows people to begin re-integration with society while providing monitoring and support services. Such facilities must have licensing, certification, or official recognition by the Commonwealth of Pennsylvania.

Heavy Industry – The manufacture, storage, processing, and treatment of materials which are potentially hazardous, or processes which produce significant amounts of smoke, noise, glare, or dust or odor as a primary or secondary effect of the principal use of the land or buildings. Heavy industry characteristically employs some of such equipment such as smokestacks, tanks, distillation or reaction columns, chemical processing equipment, scrubbing towers, pickling equipment and waste-treatment lagoons. Heavy industry, although conceivably operable without polluting the environment, has the potential to pollute when equipment malfunctions or human error occurs. Examples of heavy industry are oil refineries, basic steel manufacturing plants (such as foundries, blast furnaces, and stamping mills), industries handling animal offal or hides, basic cellulose pulp-paper mills and similar fiberboard and plywood production, production of cement and asphalt, lime manufacturing, ore and metal smelting and refining, natural gas distillation and bulk storage, and chemical plants such as petrochemical complexes. An incinerator structure or facility which, including the incinerator, contains five thousand (5,000) square feet or more, whether public or private, is "heavy industry" for purpose of this Ordinance, as is any electric power production plant which is a principal use, whether said power is generated by coal, natural gas, cogeneration, or more than three (3) wind turbines.

Home Occupation – A personal or professional service carried on entirely within a dwelling, by the occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and does not change the residential character thereof. Examples include, but are not limited to: professional services, such as legal, financial, accounting or engineers, barber and beauty shops, studios of artists, writers, and associations. (See Professional Office)

Hospital – An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities, and staff offices that are an integral part of the facilities.

Junk – Any discarded material or article, and shall include, but not be limited to, scrap metal, scrapped or abandoned motor vehicles, machinery, equipment, paper, glass, containers, and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal. For the purpose of this Ordinance, a proper container shall mean a solid plastic or metal container, with a sealable lid, specifically designed for the storage of waste matter.

Junk Yard – Any place where any junk is stored, disposed of, or accumulated. This definition shall include recycling centers, recycling yards, and salvage businesses and the storage of four (4) vehicles lacking current inspection or registration for a period exceeding ten (10) days. However, it does not include municipal recycling centers where no materials are stored in an exterior environment.

Light Industry – Manufacturing in which there are no significant impact from noise, dust or odor, and impacts are limited to secondary effects related to vehicular traffic, incidental noise, or movement of materials. Light industries include, but are not limited to: food processing; wood products manufacturing (without chemical treatment); production of machine tools and similar metalworking; manufacturing of plastic products; laboratories, testing and research facilities; printing; pharmaceuticals production; and similar facilities for assembling and fabricating.

Minimum Use Driveway – A driveway intending to have twenty-five (25) vehicle trips per day, or less.

Mobile Home – A transportable, single-family dwelling intended for permanent occupancy, contained in one (1) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. (MPC)

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

Mobile Home Park – A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two (2) or more mobile home lots. (MPC)

Motel – A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. The definition includes hotels, motor lodges and similar uses.

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. The business or commercial activity must satisfy the following requirements:

- a. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- b. The business shall employ no employees other than family members residing in the dwelling.
- c. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- d. There shall be no outside appearance of a business use, including, but not limited to, parking signs or lights.
- e. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors, or electrical interference, including interference with radio or television reception, which is detectable in the neighborhood.
- f. 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.
- g. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five percent (25%) of the habitable floor area.
- h. The business may not involve any illegal activity.

If the business meets all such requirements, it shall be considered a lawful accessory use to a dwelling. (MPC)

Nursing Home – A facility to give long-term skilled care to geriatric or handicapped patients and licensed as such a facility by the Commonwealth of Pennsylvania.

Office – The office or studio of a lawyer, architect, artist, engineer, certified public accountant, real estate broker or salesman, insurance broker or agent, teacher, or similar occupation.

Personal Care Boarding Home (Personal Care Home) – A premise in which food, shelter, and personal assistance or supervision are provided for a period exceeding twenty-four (24) hours for up to six

(6) adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency or medication prescribed for self-administration.

Personal Care Home -- A facility giving geriatric care in a home-like setting and licensed as such by the Commonwealth of Pennsylvania.

Personal Services -- Means the provision of services involving the health, beauty or grooming of a person or the maintenance or cleaning of his apparel. Examples include, but are not limited to; barber and beauty shops, dry cleaning, shoe repair, and similar uses.

Planned Residential Development -- An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential or nonresidential uses, the development plan for which does not correspond in lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage, and required open space to the regulations established under the provisions of this Zoning Ordinance.

Planning Commission -- The Planning Commission of the Borough of Conneaut Lake, Crawford County, Pennsylvania.

Public -- For the purposes of this Ordinance, means land buildings structures or facilities owned, leased, or operated by a government entity.

Public Parks and Playgrounds -- Parks and playgrounds that are owned and operated by the Borough of Sadsbury or any government agency.

Repair/Service Business (see also Gasoline Service Station) -- A building designed and used for the storage, care, repair or refinishing of motor vehicles or engines, or similar mechanical devices, including both minor and major mechanical overhauling, paint and body work.

Screening -- Unless otherwise defined in this Ordinance, screening shall mean a fence, screen planting or wall at least six (6) feet high, provided in such a way that it will block a line of sight. Screen planting shall mean an evergreen hedge at least six (6) feet high, planted in such a way that it will block a line of sight. The screening may consist of either one (1) or multiple rows of bushes or trees and shall be at least five (5) feet wide. However, screening shall not block the required clear sight triangle at intersections or impair a driver's view when leaving a parking area.

Self Service Storage Facilities -- A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

Sign -- Any structure, building, wall, or other outdoor surface, or any device or part thereof, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device, or other representations used for announcement, direction, advertisement or identification. The actual area of any sign shall be measured in square feet and determined by the sum of the geometrically computed area(s) encompassing separate individual letters, words, or graphic elements on the background.

Sign, Changeable Copy -- A sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or re-arranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

Sign, Electronic -- Electronic signs are identified by their subtype, including electronic changeable copy signs, electronic graphic display signs multi-vision signs, or video display signs.

Sign, Electronic Changeable Copy -- A sign or portion thereof that displays single color electronic information in which each alphanumeric character, graphic, or symbol is defined by a small number

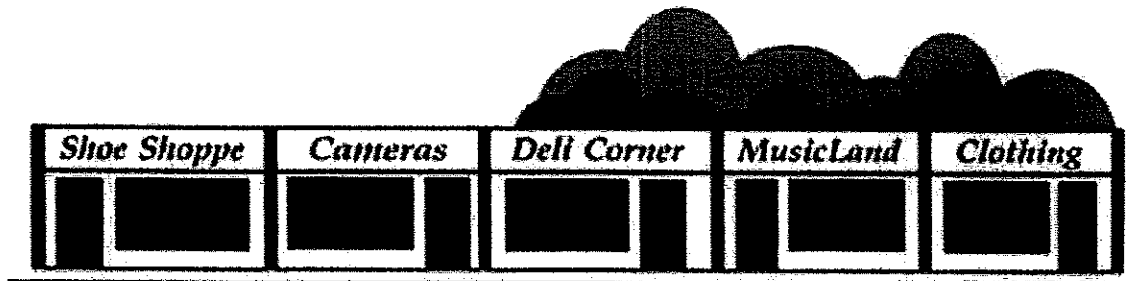
of matrix elements using different combinations of single color light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs do not include official or time and temperature signs. Electronic changeable copy signs include projected images or messages with these characteristics onto buildings or other objects.

Sign Electronic Graphic Display – A sign or portion thereof that displays multiple color electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes, fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, Multi-Vision – Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

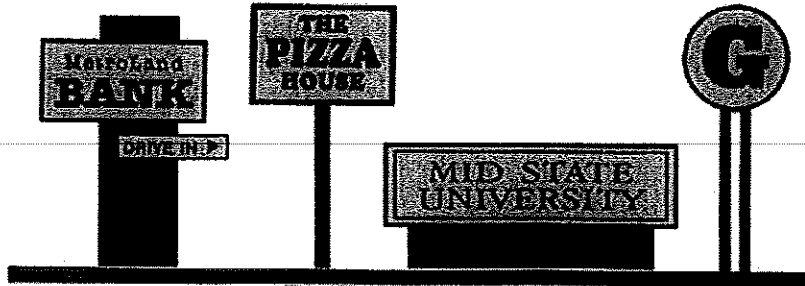
Sign, Video Display – A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, Façade, Fascia or Wall – A sign that is in any manner affixed to any exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall. Also includes signs affixed to architectural projections that project from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face or faces of the architectural projection to which it is affixed.



WALL OR FASCIA SIGNS ON STOREFRONTS

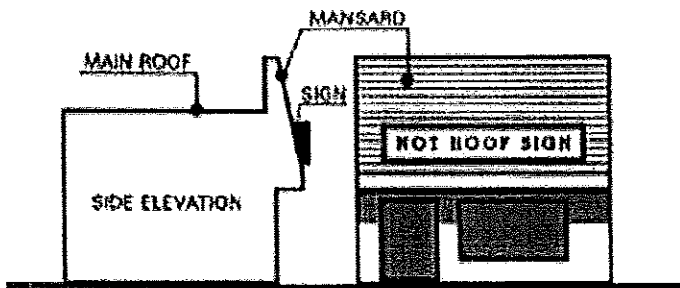
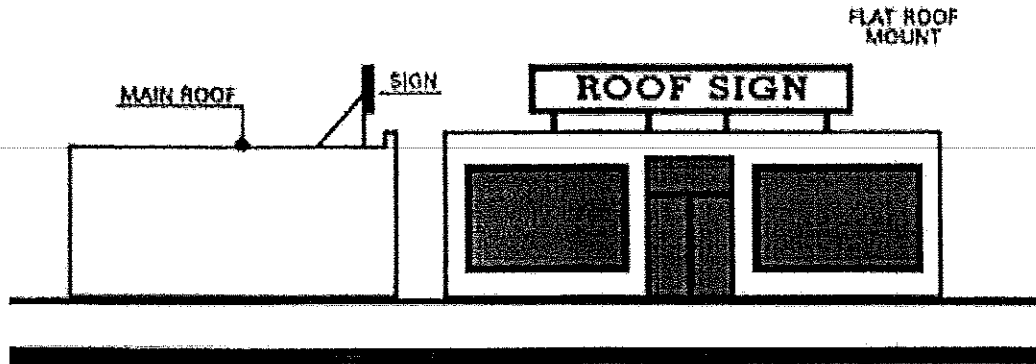
Sign, Freestanding – A sign principally supported by one or more columns, poles, or braces placed in or upon the ground.



Sign, Projecting – A sign other than a Wall Sign that is attached to or projects more than eighteen (18) inches from a building face or wall or from a structure whose primary purpose is other than the support of a sign.



Sign, Roof – A sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs.



Sign, Sandwich Board – A temporary sign created by attaching two sign faces at a single point, intended to be self-supporting.

Sign, Window – A sign affixed to the surface of a window with its message intended to be visible to exterior environment.

Special Exception – A use permitted in a particular zoning district pursuant to the provisions of this Ordinance. (See also Article 6 of this Ordinance.)

Structure – Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Supply Yard – A business that stores or maintains stocks of building materials such as block, brick, stone, plastic pipe, culverts, concrete or wood in an outdoor setting for sale to contractors or the general public.

Townhouse(s) – A one-family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit and each unit is separated from another unit by a common wall.

Variance – Relief to the provisions of this Ordinance granted in strict compliance with Article 6 of this Ordinance.

Veterinary Clinic – A facility used for the treatment of domestic animals for pay with health treatment provided by a licensed veterinarian.

Article 9 Planned Residential Development

901 Planned Residential Development: Purpose: The purpose of the planned residential development regulations is to encourage the flexibility in the design and development of land in order to promote its most appropriate use; to encourage grouping of housing and a mixture of housing types in alternative patterns and in a variety of ways; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic qualities of open areas. Planned residential developments are permitted in the R-2 District.

901.1 Minimum Development Size: No planned residential development may include less than 3 acres of contiguous land.

901.2 General Standards: The planned residential development must meet all of the following general standards:

- a. The planned residential development is consistent with the Comprehensive Plan and this Ordinance's Statement of Community Development Objectives.
- b. The planned residential development is an effective and unified treatment of the development possibilities on the project site, and the development plan makes appropriate provision for the preservation of streams and stream banks, wetlands, wooded cover, rough terrain, and similar areas.
- c. The planned residential development shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.
- d. Performance bond for all public improvements in the development must be posted as required in the Conneaut Lake Borough Subdivision Ordinance.
- e. Connection to the public sanitary sewer system shall be required.
- f. Connection to public water supplies will be required.

901.3 Applicable Districts and Uses Permitted: Planned residential developments may be approved in the R-2 Residential District and may include the following additional uses: multiple-family dwellings and related uses. Such additional uses shall be allowed only to the extent that the Borough finds them to be compatibly and harmoniously incorporated into the design of the planned development. (Mobile homes and mobile home parks are excluded from the planned residential development district.)

901.4 Calculations of Project Densities: The number of dwelling units which may be constructed within the planned residential development shall be determined by dividing the gross project area by the required lot area per dwelling unit which is required in the R-2 District.

901.5 Increase in Density: It is recognized that the expense of complying with the approval process contained in the planned residential development regulations may discourage developers from seeking approval of a planned residential development project. At the time the outline or preliminary development plan is filed, the applicant may apply for an increase in the densities permitted by the zone in which the planned residential development is to be constructed. If it gives its approval to the planned residential development, the Borough Council may authorize the developer to increase permitted densities by an amount up to ten percent (10%).

Additional increase in density may be granted up to an additional twenty-seven percent (27%) providing:

- a. If common open space is developed to more intense usable open space providing facilities for active outdoor recreation, such as playgrounds, playground equipment, picnic facilities, ball fields and equipment, or other similar improvements to the open space, an additional ten percent (10%) increase in density may be permitted.
- b. If item (a), above, is developed and unique indoor-outdoor buildings, to be used for recreation or other similar activities of the residents of the development, such as swimming pools, club houses, or other similar buildings are provided, then an additional seventeen percent (17%) increase in density may be permitted.

901.6 Lot Size and Spacing of Buildings: The location of all structures shall be as shown on final plans. The proposed location and arrangement shall not be detrimental to existing or prospective adjacent dwellings or to the existing or prospective development of the neighborhood. There shall be no minimum lot size, no minimum or maximum percentage of lot coverage and no minimum lot width in the planned residential development. However, every single-family dwelling shall have access to a public street.

901.7 Perimeter Requirements: The requirements of this section apply only to structures located within one hundred (100) feet of the perimeter of a planned residential development. If topographical or other barriers do not provide adequate privacy for existing uses adjacent to the planned residential development, the Planning Commission may require either or both of the following:

- a. Structures located on the perimeter of the planned residential development must be set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses, in no case less than the height of the buildings.
- b. Structures located on the perimeter of the planned residential development must be permanently screened in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.

901.8 Common Open Space Required: The development plan will contain areas to be allocated for common open space which satisfy the standards governing the usability and quality of common open space that is contained in this Ordinance.

No open area may be accepted as common open space under the provisions of this Ordinance unless it meets the following standards:

- a. A minimum of one-half (0.5) acres or 20% of the total area of common open space (whichever is greater) shall be provided including usable and scenic green space.
- b. The location, shape, size, and character of the common open space must be suitable for the planned residential development.
- c. Common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The building, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space having regard to its topography and unimproved condition.

- e. The development schedule which is part of the development plan must coordinate the improvement of the common open space, the construction of buildings, structures, and improvements in the common open space, and the construction of residential dwellings in the planned residential development.
- f. If the final development plan provides for buildings, structures, and improvements in the common open space of a value in excess of ten thousand (\$10,000) dollars, the developer must provide a bond in the estimated amount of the improvements assuring that the buildings, structures, and improvements will be completed. The Borough Council shall release the bond or other assurance when the buildings, structures, or improvements have been completed according to the development plan.

901.9 Conveyance and Maintenance of Common Space: All land shown on the final development plan as common open space must be conveyed under one of the following options:

- a. It may be conveyed to a public agency which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it, in which case the general public must have use of the open space.
- b. It may be conveyed to trustees provided in an indenture establishing an association or similar organization for the maintenance of the planned residential development. The common open space must be conveyed to the trustees subject to covenants to be approved by the Borough which restrict the common open space to the uses specified on the final development plan, and which provide for the maintenance of the common open space in a manner which assures its containing use for its intended purpose.
 - 1. No common open space may be put to any use not specified in the final development plan unless the final development plan has been amended to permit that use. However, no change of use authorized under Section 901.3 may be considered as a waiver of any of the covenants limiting the use of common open space areas, and all rights to enforce these covenants against any use permitted are expressly reserved.
 - 2. If the common open space is not conveyed to a public agency, either one of the following methods of enforcement must be provided:
 - (a) The legal right to develop the common open space for the uses not specified in the final development plan must be approved by the Borough.
 - (b) The restrictions governing the use, improvement, and maintenance of the common open space must be stated as conditions to the conveyance of the common open space, the fee title to the common open space to vest in a public agency in the event of a substantial default in the stated conditions.
 - 3. If the common open space is not conveyed to the Borough, or a public agency approved by the Borough, the covenants governing the use, improvement, and maintenance of the common open space shall then be enforceable by the Borough, and the instrument of conveyance shall so provide.
 - 4. It is the purpose and intent of these regulations that the Borough shall have the authority and powers to require the adequate maintenance of common open space as set forth by Article VII of the Pennsylvania Municipalities Planning Code.

901.10 Application for Tentative Approval of Planned Residential Development: In order to provide an expeditious method for processing a development plan for a planned residential development under the provisions of this Ordinance, and to avoid the delay and uncertainty which would arise if it were necessary to secure approval, by a multiplicity of procedures, of a plat of subdivision as well as approval of a change in the zoning regulations otherwise applicable to the property, it is hereby declared to be in the public interest that all procedures with a planned residential development and the continuing administration thereof shall utilize the following provisions:

- a. An application for tentative approval of the development plan for a planned residential development shall be filed by or on behalf of the landowner.
- b. The application for tentative approval shall be filed by the landowner in such form, upon the payment of such a reasonable fee as is specified by the Borough. The application shall be filed with the Zoning Officer.
- c. All planning, zoning, and subdivision matters relating to the platting, use, and development of the planned residential development and subsequent modifications of the regulations relating thereto, to the extent such modification is vested in the Borough, shall be determined and established by the Borough Council with the advice of the Planning Commission.
- d. The provisions shall require only such information in the application as is reasonably necessary to disclose to the Borough of Conneaut Lake:
 1. The location, size, and topography of the site and the nature of the landowner's interest in the land proposed to be developed;
 2. The density of land use to be allocated to parts of the site to be developed;
 3. The location and size of the common open space and the form of organization proposed to own and maintain the common open space;
 4. The use and the approximate height, bulk, and location of buildings and other structures;
 5. The feasibility of proposals for water supply and the disposition of sanitary waste and storm water;
 6. The substance of covenants, grants of easements, or other restrictions proposed to be imposed upon the use of the land, buildings, and structures including proposed easements or grants for public utilities;
 7. The provisions for parking of vehicles and the location and width of proposed streets and public ways;
 8. The required modifications in the municipal land use regulations otherwise applicable to the subject property;
 9. The feasibility of proposals for energy conservation and the effective utilization of renewable energy sources; and
 10. In the case of development plans which call for development over a period of years, a schedule showing the proposed times within which applications for final approval of all

sections of the planned residential development are intended to be filed and this schedule must be updated annually, on the anniversary of its approval, until the development is completed and accepted.

- e. The application for tentative approval of a planned residential development shall include a written statement by the landowner setting forth the reasons why, in his opinion, a planned residential development would be in the public interest and would be consistent with the comprehensive plan for the development of the municipality.
- f. The application for tentative approval shall be forwarded to the Borough of Conneaut Lake Planning Commission for their review and comments. The Planning Commission shall have thirty-five (35) days, from the date of filing, to complete their review and make their recommendations to the Borough Council.
- g. All applications for tentative approval shall be forwarded to the Crawford County Department of Planning for their study and recommendations in accordance with Section 704 of the Planning Code.

901.11 Public Hearings:

- a. Within sixty (60) days after the filing of an application for tentative approval of a planned residential development pursuant to this Ordinance, a public hearing pursuant to public notice of said application shall be held by the Borough of Conneaut Lake in the manner prescribed in the Pennsylvania Municipalities Planning Code.
- b. The Borough Council may continue the hearing from time to time, and where applicable, may refer the matter back to the Planning Commission for additional review, provided, however, that in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing.

901.12 The Findings:

- a. The Borough Council, within sixty (60) days following the conclusion of the public hearing provided for in this part, shall, by official written communication, to the landowner, either:
 - 1. Grant tentative approval of the development plan as submitted;
 - 2. Grant tentative approval subject to specified conditions not included in the development plan as submitted; or
 - 3. Deny tentative approval to the development plan.

Failure to so act within said period shall be deemed to be a grant of tentative approval of the development plan as submitted. In the event, however, the tentative approval is granted subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication of the Borough notify such Borough Council of his refusal to accept all said conditions, in which case, the Borough shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within said period, notify the governing body of his refusal to accept all said conditions, tentative approval of the development plan, with all said conditions, shall stand as granted.

- b. The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and set forth the reasons for the grant, with or without conditions, or for the denial, and said communication shall set forth with particularity in what respects the development plan would or would not be in the public interest, including, but not limited to, findings of fact and conclusions on the following:
1. In those respects in which the development plan is or is not consistent with the comprehensive plan for the development of the Borough of Conneaut Lake;
 2. The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, density, bulk, and use, and the reason why such departures are or are not deemed to be in the public interest;
 3. The purpose, location, and amount of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development;
 4. The physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation, and visual enjoyment;
 5. The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established; and
 6. In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.
- c. In the event a development plan is granted tentative approval, with or without conditions, the Borough may set forth in the official written communication the time within which an application for final approval of the development plan shall be filed or, in the case of a development plan which provides for development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be less than twelve (12) months and, in the case of developments over a period of years, the time between applications for final approval of each part of a plan shall be not less than twelve (12) months.

901.13 Status of Plan After Tentative Approval:

- a. The official written communication provided for in this part shall be certified by the Borough Secretary of the Borough Council and shall be filed in his office, and a certified copy shall be mailed to the landowner. Where tentative approval has been granted, it shall be deemed an amendment to the zoning map, effective upon final approval, and shall be noted on the zoning map.

- b. Tentative approval of a development plan shall not qualify a plat of the planned residential development for recording nor authorize development or the issuance of any building permits. A development plan which has been given tentative approval as submitted, or which has been given tentative approval with conditions which have been accepted by the landowner (and provided that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the Borough pending an application or applications for final approval, without the consent of the landowner, provided an application or applications for final approval is filed or, in the case of development over a period of years, provided applications are filed, within the period of time specified in the official written communication granting tentative approval.
- c. In the event that a development plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon said development plan and shall so notify the governing body in writing, or in the event the landowner shall fail to file application or applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to those local ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the zoning map and in the records of the Borough Secretary of the Borough Council.

901.14 Application for Final Approval:

- a. An application for final approval may be for all the land included in a development plan or, to the extent set forth in the tentative approval, for a section thereof. Said application shall be made to the Zoning Officer of the municipality designated by the Ordinance within one (1) year of the official written communication granting tentative approval. The application shall include any drawings, specifications, covenants, easements, performance bond, and such other requirements as may be specified by this Ordinance, as well as any conditions set forth in the official written communication at the time of tentative approval. A public hearing on an application for final approval of the development plan, or the part thereof, submitted for final approval, shall not be required provided the development plan, or the part thereof submitted for final approval is in compliance with the development plan theretofore given tentative approval and with any specified conditions attached thereto. The submission shall be reviewed by the Zoning Officer and the Planning Commission for compliance prior to being forwarded to the Borough Council. This review is to take place in thirty-five (35) days.
- b. In the event the application for final approval has been filed, together with all drawings, specifications, and other documents in support thereof, and as required by the Ordinance and the official written communication of tentative approval, by the Borough shall, within forty-five (45) days of such filing, grant such development plan final approval.
- c. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Borough may refuse to grant final approval and shall, within forty-five (45) days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more of said variations are not in the public interest. In the event of such refusal, the landowner may either:
 - 1. Re-filed his application for final approval without the variations objected, or

2. Filed a written request with the approving body that it hold a public hearing on his application for final approval.

If the landowner wishes to take either such alternate action, he may do so at any time within which he shall be entitled to apply for final approval, or within thirty (30) additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternative actions within said time, he shall be deemed to have abandoned the development plan. Any such public hearing shall be held pursuant to public notice within thirty (30) days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed in this part for public hearings on applications for tentative approval. Within thirty (30) days after the conclusion of the hearing, the Borough shall by official written communication either grant final approval to the development plan or deny final approval. The grant or denial of final approval of the development plan shall, in cases arising under this section, be in the form and contain the findings required for an application for tentative approval set forth in this Ordinance.

- d. A development plan, or any part thereof, which has been given final approval, shall be so certified without delay by the Borough and shall be filed of record forthwith in the Office of the Recorder of Deeds before any development shall take place in accordance therewith. Upon the filing of record of the development plan, the zoning and subdivision regulations otherwise applicable to the land included in such plan shall cease to apply thereto. Pending completion, in accordance with the time provisions stated in Section 508 of the Pennsylvania Municipalities Planning Code, of said planned residential development or of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved, shall be made except with the consent of the landowner. Upon approval of a final plat, the developer shall record the plat in accordance with the provisions of Section 513(a) and post financial security in accordance with Section 509 of the Pennsylvania Municipalities Planning Code.
- e. In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved, and shall so notify the Borough in writing; or, in the event the landowner shall fail to commence and carry out the planned residential development in accordance with the time provisions stated in Section 508 of the Pennsylvania Municipalities Planning Code after final approval has been granted, no development or further development shall take place on the property included in the development plan until after the said property is reclassified by enactment of any amendment to the Borough of Conneaut Lake Zoning Ordinance in the manner prescribed for such amendments in Part 7.

901.15 Enforcement: All enforcement procedures under this section shall be consistent with Section 712.2 of the Pennsylvania Municipalities Planning Code.

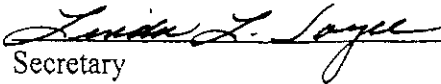
ORDINANCE # 218

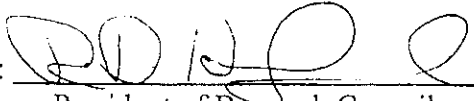
This Ordinance shall be known as "Conneaut Lake Borough Zoning Ordinance" and shall be effective immediately upon adoption.

Enacted and Ordained this 14th day of September, 2011.

BOROUGH OF CONNEAUT LAKE

Attest:

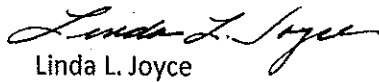

Secretary

By: 
President of Borough Council

Approved this 14th of September, 2011.


Mayor

I hereby certify the above is a true and correct official copy of Ordinance #218


Linda L. Joyce

Secretary