

## ARTICLE 5

### SUPPLEMENTARY LOT REGULATIONS

#### 500 PURPOSE

The provisions of this Article represent standards and regulations that shall be applied to all uses in addition to those established for the applicable zoning district. These regulations are to be used either in common within all zoning districts or are to be applied to specific situations as may be otherwise stated throughout the Ordinance.

#### 501 GENERAL LOT REQUIREMENTS

- A. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
- B. No part of a yard or other open space required by this Ordinance in connection with any building or use shall be included as part of a yard or open space similarly required for any other building or use.
- C. Every principal building hereinafter erected shall be located on a lot as defined. There shall not be more than one principal building and its accessory structures on one lot, except in the case of multi-family housing developments, mobile home parks, OR other land development approved pursuant to the requirements of the Borough's Subdivision and Land Development Ordinance.
- D. The width of any lot shall be measured at the minimum required front building setback line, except that lots located on cul-de-sacs or curves in the road may have lot widths of less than those required provided that the average of the front and back lot line is equal to or greater than the required lot width. In no case, however, shall the front lot line have a width less than 25 feet measured at the front building setback line.
- E. Portions of a lot included in a street right-of-way may be included in calculating the lot's area.
- F. Where a single lot extends from a street to an alley (except corner lots), the widest roadway shall be deemed the street upon which the property fronts and no principal structure or dwelling shall be erected facing the rear of such lot.
- G. Every lot shall be adjacent to a public street or shall have access to a public street via a private street or right-of-way approved pursuant to the requirements of the Borough's Subdivision and Land Development Ordinance.

## 502 YARD REQUIREMENTS

### A. Projections

1. Cornices, chimneys, flues, eaves, gutters, steps, or bay windows may project into any required yard, but not more than three (3) feet. In no case, however, shall the projection be closer than five (5) feet to any property line.
2. Uncovered porches, patios or decks may project into required side or rear yard areas up to one-half (1/2) of the required yard dimension, but in no case shall they be located closer than five (5) feet to any property line or street right-of-way line.
3. Covered porches, covered patios, covered decks, and attached carports, whether enclosed or unenclosed, shall be considered part of the main building and shall not project into any required yard.

### B. Front Yards

1. Front yard setbacks shall be as set forth in Article 3, the District Regulations, and shall be measured from the edge of the adjoining street cartway or as may be otherwise noted.
2. Buildings proposed for construction in the Central Business District 1 & 2 may be setback at the same depth as existing or adjoining buildings in order to maintain the character of the downtown area.
3. When an unimproved lot is situated between two (2) improved lots (even if such lots are separated by an alley or local street), each having a principal building which extends into the required front yard, the front yard of such unimproved lot shall be no less than the average depth of the two adjacent lots.
4. Where an addition is proposed for an existing principal building which extends into the required front yard, the addition may be authorized by the Zoning Officer so long as the addition projects no further into the required front yard than the average depth of the buildings on the adjoining lots.
5. Accessory buildings or structures may not be erected or located within a required front yard, except as may be provided otherwise in the Supplementary Use Regulations (Article 4) or in the Sign Regulations (Article 7).
6. Off-street parking and loading areas may be located within the required front yard, but only as provided in Article 8 of this Ordinance.

### C. Side Yards

1. On a corner lot, all yards abutting a street shall have a depth equal to the required front yard for the district in which the lot is located. The remaining two (2) yards shall

constitute a side yard and a rear yard.

2. Where a corner lot is situated at the intersection of a street and an alley, the required front yard shall be measured from the street, and the side yard requirement shall be measured from the alley.
3. Side yards shall be measured from the property line or from the edge of the cartway of any adjoining alley.
4. Accessory buildings or structures may not be constructed within a required side yard, except as may be provided otherwise in the Supplementary Use Regulations (Article 4) or in the Sign Regulations (Article 7).
5. Off-street parking and loading areas may be located within a required side yard, but only as provided in Article 8 of this Ordinance.

D. Rear Yards

1. Rear yards shall be measured from the property line or from the edge of any adjoining cartway.
2. Accessory buildings or structures may not be constructed within a required rear yard, except as may be provided otherwise in the Supplementary Use Regulations (Article 4) or in the Sign Regulations (Article 7).
3. Off-street parking and loading area may be located within a required rear yard, but only as provided in Article 8 of this Ordinance.

**503 HEIGHT REGULATIONS**

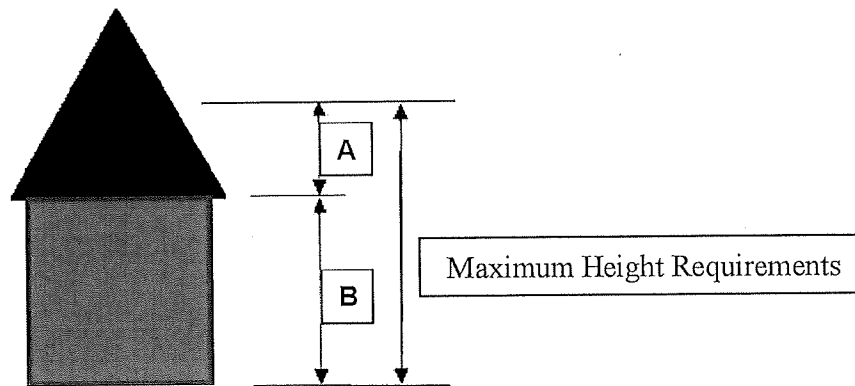
- A. The maximum height regulations set forth in the District Regulations shall not apply to spires, belfries, cupolas, penthouses (not used for human occupancy), nor to chimneys, ventilators, skylights, solar systems, or related equipment, and ornamental or necessary mechanical appurtenances normally associated with homes, churches and similar establishments. Such appurtenances shall however be erected only to such height as is necessary to accomplish their intended purpose. Ham radio towers, flagpoles, and commercial or institutional satellite receiving dishes may also exceed the maximum height limitations set forth in the District Regulations, up to an additional 25% of the maximum height established for the district in which such facilities are to be located. (See also Sub-Section C. below.)
- B. Commercial communications towers, and Wind Energy devices may also exceed the maximum height regulations contained in the District Regulations, but only where their setback from each property line is equal to or greater than their height. (See also Sub-Section C. below.)
- C. Notwithstanding any of the exceptions outlined above, the location and height of all

structures shall be in accordance with all applicable rules, regulations, standards and criteria of the Federal Aviation Administration, the Federal Communications Commission, and any other governmental agency which may have jurisdiction.

- D. The height of Principle and Accessory Structures shall be, unless otherwise specified, measured as shown below in the PRINCIPLE & ACCESSORY STRUCTURE MAXIMUM HEIGHT CALCULATION.

#### PRINCIPLE & ACCESSORY STRUCTURE MAXIMUM HEIGHT CALCULATION

The Zoning District Regulations show max Principle & Accessory Structure height. Below is a diagram of how this is calculated for a structure.



Example Calculation: The height from the grade to the roof eave plus half of the height of the roof shall not exceed the Zoning District specifications as defined in Article 3 Sections 302 – 314 Maximum Height Requirements without a zoning variance.

Basically, a 30-foot-wide garage with a 5/12 roof pitch could be built 20'-0" high using the following dimensions:

- 20'-0" maximum allowable garage height
- $3'-1\frac{1}{2}" = 5/12 \text{ roof with } 6'-3" \text{ total height}/2$
- 16'-10  $\frac{1}{2}"$  height from grade to roof eave

#### **504 MISCELLANEOUS PROVISIONS**

##### A. Two or More Principal Uses in Same Building

When two (2) or more principal uses occupy the same building (not including home occupations as defined in Section 421), parking spaces, open space, etc., shall be provided so that the standards pertaining to each use will be met in full, unless provided otherwise in this Ordinance or as part of a land development approved pursuant to the requirements of the Borough's Subdivision and Land Development Ordinance.

#### B. Accessory Buildings or Structures

Accessory buildings or structures may be erected, placed or maintained in conjunction with any principal use provided that the following standards are met.

1. All accessory buildings or structures shall be set back in accordance with the yard requirements established in Article 3, the District Regulations. In addition, accessory buildings or structures shall be located no closer than ten (10) feet to the edge of the cartway of any abutting street or alley.
2. In the R-1, R-2, R-3 and PRD Districts, no storage or utility building shall be located in front of its principal structure.
3. No manufactured housing or mobile home units, travel trailers, buses, or similar units shall be used as accessory buildings or structures. Accessory storage trailers may however be permitted in the General Commercial, Manufacturing, or Economic Development Districts as set forth in Article 3, the District Regulations.
4. The height of all accessory buildings or structures shall be as set forth in Article 3, the District Regulations, except as may be set forth in Section 503 above or in Article 7, the Sign Regulations.

#### C. Fences and Walls (See also Section 506 B.)

1. No fence or wall erected within any Residential District shall exceed six (6) feet in panel height unless authorized otherwise by the Zoning Hearing Board or other provision of this Ordinance. Fences or walls situated in other zones may be up to ten (10) feet in height. No barbed wire or above-ground electric fencing shall be used in the Borough, unless part of an approved security plan for an industrial, commercial or institutional activity.
2. Fences or walls may be permitted to be located within any required yard, but shall be set back at least five (5) feet from the edge of any adjoining street or alley right-of-way.
3. In no case shall a fence or wall be erected which could cause danger to traffic on a public or private street or alley by obscuring a driver's view or which does not comply with the clear sight triangle requirements contained in Section 504 I. below.
4. Fences or walls having only one "finished" side shall be installed so that the finished side faces out or away from the subject property.
5. All fences to be placed in an identified floodplain area shall meet the floodplain management regulations set forth in Article 6 of this Ordinance.

#### D. Maximum Building Coverage

The percentage of land covered by principal and accessory buildings or structures on each

lot shall not be greater than is permitted in Article 3, the District Regulations, for the district in which the lot is located.

E. Maximum Impervious Surface

The percentage of land covered by impervious surfaces on a lot, i.e. buildings, structures, and any area of concrete, asphalt, or similar material which will not absorb precipitation (including parking areas, driveways, roads, and sidewalks) shall not be greater than is permitted in Article 3, the District Regulations, for the district in which the lot is located.

F. Erosion and Sedimentation Control

All erosion and sedimentation control requirements set forth in the Borough's Subdivision and Land Development Ordinance as well as those erosion control standards established in Title 25, Chapter 102, of the Department of Environmental Protection's regulations (or as may hereafter be amended), shall be met to the satisfaction of the Borough Zoning Officer before the issuance of a Zoning Permit.

G. Drainage and Stormwater Management

All drainage and/or stormwater management requirements set forth in the Borough's Subdivision and Land Development Ordinance as well as those stormwater management provisions contained in the PA Stormwater Management Act (Act 167-1978, or as may hereafter be amended), shall be met to the satisfaction of the Borough Zoning Officer before the issuance of a Zoning Permit.

H. Outdoor Lighting

All outdoor flood lighting and spot lighting shall be mounted and shielded to effectively eliminate direct glare on adjacent properties and to avoid creating safety problems for motorists on public streets.

I. Clear Sight Triangle Requirements

At all street intersections, no obstruction or planting exceeding 30 inches in height above the established grade of the street at the property line shall be permitted to be located within the clear sight triangle of the intersection. A clear sight triangle shall be defined as that area of unobstructed vision at an intersection formed by lines of sight between points at a given distance from the intersection of the street centerlines. These distances shall be as follows.

1. For the intersection of a collector street and a local street, the distance from the intersection of the street centerlines shall be 50 feet.
2. For the intersection of two (2) local streets, the distance from the centerline intersection shall be 30 feet.
3. For the intersection of a local street and an alley or the intersection of two (2) alleys, the minimum distance shall be 25 feet.

**505 BUFFER YARDS**

- A. Where commercial or industrial use (commenced after the effective date of this Ordinance) abuts any Residential District, buffer yards shall be provided in accordance with the yard requirements of the applicable zoning district. (See Article 3, District Regulations.) The buffer yard shall be a part of the commercial or industrial operation and shall be maintained by that property owner.
- B. A buffer yard may be part of the required side or rear yard setback.
- C. All buffer yards shall be planted and maintained with vegetative material, such as grass, sod, shrubs, or other evergreens. Where required within buffer yards, screening shall be accomplished in accordance with Section 506 below.
- D. No building, structure, sign, storage of materials, or off-street parking and/or loading areas shall be permitted in a required buffer yard; however, access drives and utilities may cross, but not traverse, such yards.

**506 SCREENING**

Where required, screening may be accomplished through the use of any one or a combination of the following methods.

A. Screen Plantings

- 1. Screen planting may be required as provided as set forth in Article 4, the Supplementary Use Regulations, or were determined necessary by the Borough Council or Zoning Hearing Board, as appropriate, to serve as a barrier to visibility, glare, and/or noise between adjacent properties.
- 2. Plant or vegetative materials, including shrubs or evergreens, used in screen planting shall be of such species as will produce, within three (3) years, a complete visual screen at least six (6) feet in height and be of such density as is necessary to achieve the intended purpose.
- 3. Screen planting shall be maintained permanently by the lot owner, and any plant material which does not live shall be replaced within one (1) year.
- 4. Screen planting shall be placed so that at maturity it will be no closer than five (5) feet to any street or property line, except that the appropriate clear sight triangle, as provided in Section 504 I. above, shall be maintained at all intersections. Required screen plantings shall be broken only at points of vehicular or pedestrian access or utility easements.
- 5. Where commercial or industrial use abuts a Residential District, all required screening plantings shall extend the entire length of the common boundary.

B. Fences or Walls

1. In lieu of, or in addition to, plantings as described above, the Borough Council or Zoning Hearing Board, as appropriate, may consider the use of a fence or wall as an acceptable barrier to potentially objectionable noise, glare, and/or visibility between adjacent properties.
2. Fences or walls used for screening shall meet all requirements set forth in Section 504 C. of this Ordinance.
3. Fences or walls used to provide required screening shall be at least six (6) feet in height and be of such type as is necessary to achieve the intended purpose.
4. Fences or walls used to provide required screening shall meet the clear sight triangle requirements set forth in Section 504 I. of this Ordinance.
5. Any fence or wall used to provide required screening shall be maintained in structurally sound condition by the lot owner.

C. Berms or Natural Landforms

1. In lieu of, or in addition to, plantings as described above, the Borough Council or Zoning Hearing Board, as appropriate, may consider the use of an earthen berms or other existing or proposed natural landform as an acceptable barrier to potentially objectionable noise, glare, and/or visibility between adjacent properties.
2. Berms or landforms used to provide required screening shall be of such height and of such type as is necessary to achieve the intended purpose.
3. Any berm or landform used to provide required screening shall be maintained in satisfactory condition by the lot owner and may not be altered except for usual maintenance.