

**City of Lock Haven,
Clinton County,
Pennsylvania**

**Chapter 27
Zoning Ordinance**

December 14, 2008

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PART 1

GENERAL AND LEGAL PROVISIONS

§27-101. Title.

An ordinance permitting, prohibiting, regulating, restricting and determining the uses of land, watercourses and other bodies of water; the size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures; the areas and dimensions of land and bodies of water to be occupied by uses and structures as well as court yards and other open spaces and distances to be left unoccupied by uses and structures; the density of population and intensity of use; and providing for the administration of such ordinance.

§27-102. Short Title.

This Chapter shall be known and may be cited as the "City of Lock Haven Zoning Ordinance," hereinafter referred to as the "Zoning Ordinance." The accompanying map is hereby declared to be a part of this Chapter and shall be known and may be cited as the "City of Lock Haven, Clinton County, Pennsylvania Official Zoning Map" hereinafter referred to as the "Zoning Map."

§27-103. Authority.

This Chapter is adopted pursuant to the authority granted by the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended (MPC).

§27-104. Purpose.

1. This Chapter is enacted for the following purposes:
 - A. To promote, protect and facilitate one (1) or more of the following: the public health, safety, morals, general welfare, the provision of adequate light and air, and other public requirements.
 - B. To prevent one (1) or more of the following: overcrowding, blight, loss of health, life or property from fire, flood or other dangers.
 - C. To adopt a Zoning Map dividing the City of Lock Haven into zoning districts with varying regulations.
 - D. To permit, prohibit, regulate and determine the uses of land, watercourses and other bodies of water, the size, height, bulk, location, erection, construction, repair, expansion, razing, removal and use of buildings and structures, as well as yards and other open areas to be left unoccupied.
 - E. To establish the maximum density and intensity of uses.
 - F. To provide for the protection of natural and historic features and resources.
 - G. To protect existing residential neighborhoods.
 - H. To promote innovative residential design and encourage the creation of a sense of

community.

- I. To provide diverse housing opportunities, including housing that is affordable.
- J. To encourage adaptive reuse and infill development.
- K. To act as an overall plan for the orderly growth and development of the City of Lock Haven and as such seek to implement the most recent version of the City of Lock Haven Comprehensive Plan. Although this document amends the "1991 Comprehensive Plan", the specific goals and objectives set forth herein remain valid:

- (1). Goal No. 1; Land Use. Encourage an organized land use pattern in harmony with the existing character and natural constraints of the City providing for a safe, attractive and economically viable community for its residents.

- (a) Objectives.

- (i) Preserve the established land use patterns of the City encouraging development and redevelopment of land uses appropriate to the scale and character of the established neighborhood.
 - (ii) Promote opportunities for development and redevelopment of diversified economic activities in appropriate areas of the City while maintaining the quality of life.
 - (iii) Protect environmentally sensitive areas and ensure a compatible balance between economic and environmental interests.
 - (iv) Ensure preservation and encourage adaptation of the City's historic district and structures in a manner conducive to the character of the City.

- (2). Goal No. 2; Housing. Provide a range of housing types satisfying all housing needs as well as preserving established residential neighborhoods.

- (a) Objectives.

- (i) Preserve the existing residential neighborhoods while maintaining public health and safety through the continued physical maintenance and upgrading of housing.
 - (ii) Continue to ensure the opportunity for a diverse population to obtain satisfactory housing through encouraging the provision of a range of housing types where appropriate.

- (3). Goal No. 3; Local Transportation/Circulation. Ensure a coordinated circulation system which enables the safe and efficient movement of people and goods.

- (a) Objectives.

- (i) Improve the local transportation/circulation network ensuring a safe system through the City.
 - (ii) Enhance the local transportation/circulation system through accessibility with the regional transportation/circulation system.

- (4). Goal No. 4; Community Services/Facilities. Ensure the provision of an adequate range of services and facilities to accommodate the changing needs of the City in an effective manner.
 - (a) Objectives.
 - (i) Promote the efficient delivery of services ensuring all areas of the City are adequately serviced.
 - (ii) Plan for changes in land use and population changes which require change in municipal services and their delivery.
 - (iii) Continue to provide the opportunity for varied recreational activity serving a diverse population, convenient to the residents.

§27-105. Interpretation.

In interpreting and applying this Chapter, its provisions shall be held to be the minimum requirements for promotion of health, safety, morals and general welfare of the City of Lock Haven. Any use permitted subject to the regulations prescribed by the provisions of this Chapter shall conform with all the regulations of the zoning district in which it is located and with all other pertinent regulations of this and other related ordinances and/or chapters. This Chapter is not intended to interfere with, abrogate, annul, supersede, or cancel any easements, covenants, restrictions or reservations contained in deeds or other agreements, but if this Chapter imposes more stringent restrictions upon the use of buildings, structures and land than are elsewhere established, the provisions of this Chapter shall prevail. Wherever and whenever the requirements of this Chapter are at variance with the requirements of any other lawfully adopted laws, rules, regulations, ordinances or chapters the most restrictive or that imposing the higher standards shall govern. In interpreting the language of this Chapter to determine the extent of the restriction upon the use of property, the language shall be interpreted, where doubt exists as to the intended meaning of the adopted language, in favor of the property owner and against any implied extension of the restriction.

§27-106. Applicability.

- A. Except for existing legal nonconformities as of the effective date of this Chapter, which may be altered in compliance with Part 21, any of the following activities or any other activity regulated by this Chapter shall only be carried out in conformity with this Chapter:
 - (1). Use, occupation, erection, construction, reconstruction, movement, alteration, razing, demolition, removal, placement of extension (vertical or horizontal) of a structure, building or sign, unless relief is granted by the Zoning Hearing Board.
 - (2). Change of the type of use or expansion of the use of a structure, building or area of land.
 - (3). Creation of a lot or alteration of lot lines.
 - (4). Creation of a new use.
- B. This Chapter shall not apply to an existing or proposed building or extension thereof, used or to be used by a public utility corporation, if upon petition of the corporation, the

Pennsylvania Public Utility Commission shall, after a public hearing, decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public. It shall be the responsibility of the Pennsylvania Public Utility Commission to ensure that both the corporation and the City of Lock Haven have notice of the hearing and are granted as opportunity to appear, present witnesses, cross-examine witnesses presented by other parties, and otherwise exercise the rights of a party to the proceedings.

§27-107. Municipality Liability.

The granting of a Zoning Permit for the erection and/or use of a structure, building or lot shall not constitute a representation, guarantee or warranty of any kind or nature by City of Lock Haven or an official or employee, thereof, of the safety of any structure, building, use or other proposed plan from cause whatsoever, and shall create no liability upon or a course of action against such public official or employee for any damage that may be pursuant thereto.

§27-108. Disclaimer.

It is recognized that: the Act of June 22, 1937 (P.L. 1987, NO. 394) known as “The Clean Streams Law”; the Act of May 31, 1945 (P.L. 1198, No 418) known as the “Surface Mining Conservation and Reclamation Act”; the Act of April 27, 1966 (1st Special Session, P.L. 31, No. 1) known as “The Bituminous Mine Subsidence and Land Conservation Act”; the Act of September 24, 1968 (P.L. 1040, No. 318) known as the “Coal Refuse Disposal Control Act”; the Act of December 19, 1984 (P.L. 1140, No. 223) known as the “Noncoal Surface Mining Conservation and Reclamation Act”; the Act of June 30, 1981 (P.L. 128, No. 43) known as the “Agricultural Area Security Law”; the Act of June 10, 1982 (P.L. 454, No. 133) entitled “An act protecting agricultural operations from nuisance suits and ordinances under certain circumstances”: and the Act of May 20, 1993 (P.L. 12, No 6) known as the “Nutrient Management Act” preempt zoning ordinances. Therefore, suggestions, recommendations, options or directives contained herein are intended to be implemented only to the extent that they are consistent with and do not exceed the requirements of those Acts. Nothing contrary to those Acts shall be mandated by this Chapter.

§27-109. Severability.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Chapter to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Chapter shall continue to be separately and fully effective.

§27-110. Repealer.

The pre-existing Lock Haven City Zoning Ordinance, as amended, is hereby expressly repealed; provided, further that nothing in this Chapter shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any permit issued or approval granted or any cause or causes of action arising prior to the enactment of this Chapter. All ordinances or chapters or parts of ordinances or chapters and all resolutions or parts of resolutions which are inconsistent herewith by virtue of references or incorporation of requirements contained in the pre-existing Ordinance as amended shall, as nearly as possible, be construed to reference this Chapter.

§27-111. Effective Date.

RETTEW
December 14, 2008

This Chapter shall take effect on the 14th day of December, 2008.

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PART 2

DEFINITIONS AND TERMS

§27-201. General Interpretation

For the purpose of interpreting and administering this Chapter certain terms and words used herein shall be interpreted or defined as follows:

- A. Words used in the present tense shall include the future.
- B. Words used in the singular shall include the plural.
- C. The word "person" includes a corporation as well as an individual, or an association of individuals.
- D. The word "lot" includes the words "plot" or "parcel."
- E. The term "shall" is always mandatory.
- F. The term "may" is always permissive.
- G. The words "used" or "occupied" as applied to any land or buildings shall be occupied.
- H. Unless otherwise specified, all distances shall be measured horizontally.

§27-202. Definitions

1. General.

ACCESSORY BUILDING - a building subordinate to and detached from the principal or main building on the same lot, used for the purposes customarily incidental to that of the main or principal building.

ACCESSORY USE - a use on the same lot with, and of a nature customarily incidental and subordinate to the principal use or the main building.

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

ADULT-RELATED USES - a business or club that engages in one or more of the following areas of sales, services or entertainment:

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

ADULT BODY PAINTING STUDIO - Any establishment or business that

provides the service of applying paint or other substance whether transparent or nontransparent to or on the human body when specified anatomical areas are exposed.

ADULT BOOKSTORE - any establishment that has a substantial or significant-portion of its stock in trade:

- Books, films, magazines or other periodicals or other forms of audio or visual representation which are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas; and
- Instruments, devices or paraphernalia that are designed for use in connection with specified sexual activities.

ADULT CABARET - a nightclub, theater, bar or other establishment that features live or media representations of performances by topless or bottomless dancers, go-go dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

ADULT MASSAGE ESTABLISHMENT - any establishment or business that provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms and methods of physiotherapy, unless operated by a medical practitioner, chiropractor or professional physical therapist licensed by the Commonwealth, or a person having graduated from a massage therapy training program approved by the Pennsylvania State Board of Private Licensed Schools or equivalent agency if trained in another state; by a person certified through a massage therapy certification examination approved by the National Commission for Certifying Agencies; by a person certified through the National Certification Board for Therapeutic Massage and Bodywork; or is a practitioner or member of either of the American Massage Therapy Association (AMTA), Associated Bodywork and Massage Professionals (ABMP), or International Massage Association (IMA). This definition does not include an athletic club, health club, massage therapy establishment school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.

ADULT MINI-MOTION PICTURE THEATER - an enclosed or unenclosed building with a capacity of less than fifty (50) persons used for presenting any form of audio or visual material, and in which a substantial portion of the total presentation time measured on an annual basis is devoted to the showing of material that is distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

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

ADULT MOTEL - a motel or similar establishment offering public accommodations for any consideration, that provides patrons with material distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

ADULT MOTION PICTURE ARCADE - any place to which the public is permitted or invited wherein coin or slug operated or electronically or mechanically controlled still or motion picture machines, projectors or other image producing devices are maintained to show images to five (5) or fewer persons per machine at anyone time, and where the images so displayed are distinguished or characterized by an emphasis on depiction or description of specified sexual activities or specified anatomical areas.

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

ADULT NEWS RACK - any coin-operated machine or device that dispenses material substantially devoted to the depiction of specified sexual activities or specified anatomical areas.

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

ADULT SEXUAL ENCOUNTER CENTER - any business, agency, or person who, for any form of consideration or gratuity, provides a place where two (2) or more persons, not all members of the same family may congregate, assemble or associate for the purpose of engaging in specified sexual activity or exposing specified anatomical areas, excluding psychosexual workshops operated by a medical practitioner licensed by the Commonwealth to engage in sexual therapy.

ADULT THEATER - a theater, concert hall, auditorium or other similar establishment, either indoor or outdoor in nature that regularly features live performances that are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

ADULT VIDEO STORE - a commercial use that has fifty (50) percent or more of its stock in trade consisting of video tapes, video discs, or both, which are distinguished or characterized by an emphasis, depiction or description of specified sexual activities or specified anatomical areas.

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

AIRPORT – Except as otherwise specifically defined in the Airport Zoning Act, 74 Pa.C.S.A. §5911 *et seq.*, any area of land or water which is used, or intended to be used, for the landing and takeoff of aircraft and any appurtenant areas which are used, or intended to be used, for airport buildings or air navigation facilities or rights-of-way, together with all airport buildings and facilities thereon. As used herein, the term "airport" includes public airports, but excludes private airports and heliports.

AIRPORT OVERLAY WORDS & PHRASES - The following words and phrases when used in Part 14 of this Chapter relating to the Airport Overlay shall have the meaning given to them herein this subsection unless the context clearly indicates otherwise:

AIRCRAFT - any contrivance, except an unpowered hanglider or parachute, used for manned ascent into or flight through the air.

AIRPORT ELEVATION - the highest point of an airport's usable landing area measured in feet above sea level, estimated to be five hundred fifty-five (555) feet for the William T. Piper Airport.

AIRPORT HAZARD - any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined by "airport hazard" in 74 Pa.C.S.A. §5102.

AIRPORT HAZARD AREA - any area of land or water upon which an airport hazard might be established if not prevented as provided for in this Chapter and the Airport Zoning Act, 74 Pa.C.S.A. §5911 *et seq.*

APPROACH SURFACE - a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach surface zone height limitation slope set forth in §27-1404 of this Chapter. In plan, the perimeter of the approach surface coincides with the perimeter of the approach surface zone.

APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL SURFACE ZONES - these zones are set forth in §27-1404 of this Chapter.

CONICAL SURFACE - a surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) to one (1) for a horizontal distance of four thousand (4,000) feet.

DEPARTMENT - Pennsylvania Department of Transportation.

FAA - Federal Aviation Administration of the United States Department of Transportation.

HEIGHT - for the purpose of determining the height limits in all zones set forth in Part 14 of this Chapter and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

HORIZONTAL SURFACE - a horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal surface zone.

LARGER THAN UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight and jet powered aircraft.

NONCONFORMING USE - any pre-existing structure, object of natural growth or use of land which is inconsistent with the provisions of Part 14 of this Chapter.

NONPRECISION INSTRUMENT RUNWAY - a runway having an existing instrument approach procedure utilizing air navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

OBSTRUCTION - any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in §27-1404 of this Chapter.

PERSON - an individual, firm partnership, corporation, company, association, joint stock association or governmental entity; includes a trustee, a receiver, an assignee or a similar representative of any of them.

PRECISION INSTRUMENT RUNWAY - a runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PRIMARY SURFACE - a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of that runway. For military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in §27-1404 of this Chapter. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

PRIVATE AIRPORT - an airport which is privately owned and which is not open or intended to be open to the public as defined in 74 Pa.C.S.A. §5102.

PUBLIC AIRPORT - an airport which is either publicly or privately owned and which is open to the public as defined in 74 Pa.C.S. §5102.

RUNWAY - a defined area on an airport prepared for landing and takeoff of aircraft along its length.

TRANSITIONAL SURFACES - these surfaces extend outward at ninety (90) degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet measured horizontally from the edge of the approach surface and at ninety (90) degree angles to the extended runway centerline.

TREE - any object of natural growth.

UTILITY RUNWAY - a runway that is constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.

VISUAL RUNWAY - a runway intended solely for the operation of aircraft using visual approach procedures.

AIRPORT-RELATED FACILITIES -

AIRCRAFT ASSEMBLY AND REHABILITATION - any facility designed and used for the assembly and rehabilitation of aircraft.

AIRCRAFT MAINTENANCE AND STORAGE HANGAR - a facility designed and used for the shelter and maintenance of aircraft.

AIRCRAFT SALES - an establishment involving display, sale, or rental of new and used aircrafts including airplanes, helicopter, and other motor powered and non-motored power aircrafts including gliders.

AIRPORT OFFICE - any building in which one or more persons are employed in the management or direction of airport operations and maintenance.

AIRPORT PARKING - an open area of land or structure, other than a street, owned and/or maintained by an airport used for the long-term or short-term parking of vehicles with or without a fee being charged and available to the public, or as an accommodation to employees, clients or customers, or for the storage of delivery vehicles and rental cars and the like.

AIRPORT SERVICE FACILITY - a retail, professional and business office, hotel, business service, personal service establishment, or restaurant which are accessory uses to the operation of the airport, provide direct services to the traveling public and are located on the premises of or are directly related to an airport facility.

AIRPORT TERMINAL - any building in which one or more persons are employed for airline ticketing, luggage checking facilities, restaurants, bars, retail shops, confections, post office, lot shipping facilities and janitorial services.

AIRPORT TRAFFIC CONTROL FACILITIES - any buildings, towers, observation decks, nav aids reserved for the communication and relay of aviation commands between ground operators and airborne vehicle operators.

AISLE - the traveled way by which motor vehicles enter and depart parking spaces.

ALLEY - a minor right-of-way other than a local, collector, or arterial street providing secondary vehicular access to abutting property on the side or rear of one or more properties, not intended for general traffic circulation.

ALTERATIONS - as applied to a building or structure, means a change or rearrangement in the structural parts or in the existing facilities or an enlargement,

whether by extending on a rear, front or side end or by increasing height or the moving from one location or position to another.

ALTERATIONS, STRUCTURAL - any change in the supporting members of a building or structure such as bearing walls, columns, beams or girders.

AMENDMENT - a change in use in any zoning district which includes revisions to this Chapter's text and/or the official zoning map.

ANIMAL HOSPITAL/ VETERINARY CLINIC - an establishment operated by a veterinary medical doctor(s), certified in the Commonwealth of Pennsylvania, for the medical or surgical treatment of domestic, agricultural or zoological animals but excluding the boarding and grooming of animals not subject to medical or surgical treatment.

APPLICANT - a landowner or developer (as herein defined) who has filed an application for development including his personal representatives, heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit or for the approval of a subdivision plat or plan or for approval of a land development plan.

AUTHORITY - a body politic and corporate created pursuant to the Act of May 2, 1945 (P.L. 382, No 164), known as the "Municipality Authorities Act of 1945."

AUTOMATED BANKING FACILITY - an establishment whereby automated devices that perform banking or financial functions are operated by the consumer or patron primarily for those who remain in their automobile, but may also be operated by those customers who walk up to the device.

AUTOMOBILE, HEAVY EQUIPMENT AND SIMILAR MOTOR VEHICLE RENTAL AND SALES - an establishment involving the indoor and/or outdoor display, sale, or rental of new and used cars, trailers, boats, heavy equipment, recreational vehicles, trucks, other similar motor vehicles, and mobile homes, and which may minor incidental mechanical repairs, state inspections, oil changes and lubrications, and tune-ups be conducted within an completely enclosed building as an accessory use, incidental to the principal use.

AUTOMOBILE WRECKING, JUNK AND SCRAP STORAGE & SALES ESTABLISHMENTS - an establishment used for the storage, collection, baling, packing, sorting, handling, disassembling, recycling, resource recovery, purchase or sale of any material which has been used, salvaged, scrapped or reclaimed, but is capable of being reused in some form including, but not limited to, metals, fiber, paper, cloth and rags, rubber, rope, bottles, machinery, tools, appliances, fixtures, utensils, lumber, boxes, crates, pipe and pipe fittings, tires, two (2) or more motor vehicles which are inoperable and do not have a current and valid inspection sticker as required by the Commonwealth of Pennsylvania, and motor vehicle parts, but not including garbage or other organic wastes. No material which fails to meet this definition because it is discarded and incapable of being reused in some form shall be placed in any establishment as herein defined. In no district shall this use be considered to be accessory or incidental to another use.

AUTOMOTIVE SERVICE STATION □ an establishment where passenger motor fuel, oil, grease, batteries, tires, or automobile accessories are supplied and dispensed at retail, which may include making minor incidental repairs, state inspections, oil changes and lubrications, and tune-ups. This use specifically prohibits body work, straightening of body parts, painting, welding, storage of wrecked vehicles, automobile sales, and other major mechanical work is not permitted as part of this use. This definition excludes general convenience stores.

AUTOMOTIVE VEHICLE REPAIR CENTER □ an establishment where major and minor mechanical work, servicing and repair of passenger vehicles is conducted as a primary activity. Included in this definition are:

- 1) repair or overhaul of engines, transmissions, differentials, axles, spring, clutches, radiators, etc.
- 2) tire sale, repair, wheel balancing, and front-end alignment facilities;
- 3) oil change establishments; and
- 4) collision service: including body, fender and frame repair, welding, painting and refinishing and glass replacement body work.

This use also permits the retail sale of automotive parts and accessories but prohibits the sale of fuel for retail purposes.

BANK -- an establishment in which money is kept for saving or commercial purposes or is invested, supplied for loans or is exchanged. A bank may also provide financial counseling, planning, and services related to money management.

BASEMENT - a portion of building or space having one-half or more of its floor-to-ceiling height above the average level of the adjoining ground and with a floor-to-ceiling height of not less than six and a half feet. A basement shall be counted as a story for living and occupancy purposes.

BEAUTY/BARBER SHOP -- an establishment providing personal grooming services that may include hair cutting, coloring, facial, nail grooming, and ancillary uses such as tanning salons.

BED AND BREAKFAST – an establishment which is an accessory use to an owner occupied single family detached dwelling and/or its accessory structure that includes the rental of overnight sleeping accommodations and bathroom access for temporary overnight guests and does not exceed the maximum number of overnight guests specified in Part 20 of this Chapter for this use; and that does not provide any cooking facilities for actual use by guests, and that only provides one meal to overnight guests, employees of the establishment and residents of the single family detached dwelling. Overnight stays shall be restricted to transient guests, and employees of the establishment and their family. This use does not include a boarding house, group home, hotel or motel.

BLOCK - a unit of land bounded by streets or by a combination of streets and public land, rail rights-of-way, waterways or any other barrier to the continuity to development.

BOARDING HOUSE – a residential use of a building in which:

- 1) individual room(s) that do not meet the definition of a lawful dwelling unit;
- or

- 2) a dwelling unit with an occupancy of more than four (4) unrelated persons or group otherwise not meeting the definition of family in said dwelling unit;

is rented for more than five (5) consecutive days. A boarding house may either involve or not involve the provision of meals to residents, but shall not include a restaurant open to the public. This term shall not include those uses meeting the definition of bed and breakfast, group home, hotel, motel, or nursing home.

BUFFER YARD - an open area whose dimensions may coincide with the normal building setback or yard requirements used to protect low-density or low-intensity uses and zoning districts from adjacent higher-density or higher-intensity uses and districts

BUILDING - a manmade structure enclosed within exterior walls or fire walls and a roof; built, erected and framed of component structural parts; designed for the housing, shelter, enclosure and support of individuals, animals or property of any kind.

BUILDING AREA - the total of area, in square feet, of all floors, excluding basement, of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.

BUILDING FOOTPRINT - the area of a building measured from the exterior surface of the exterior walls at grade level. Where a building is elevated above grade level, the building footprint is the area the building would cover if it were located at ground level.

BUILDING HEIGHT - the vertical distance measured from the average elevation of the proposed finished grade in front of the building where the address is taken to the top of the highest roof beams on flat or shed roofs, to the deck line of mansard roofs, and to the average distance between eaves and the ridge levels for gable, hip and gambrel roofs.

BUILDING SETBACK LINE - the line within the property defining the required distance between any principal or accessory building, and the adjacent street right-of-way or property line, and a line defining side and rear yards where required.

BUSINESS SERVICE - an establishment engaged in rendering services to businesses and offices on a fee or contract basis, including but not limited to advertising and mailing; data processing; secretarial; financial; photocopying; quick printing and fax; office supplies; building maintenance; equipment servicing, rental, leasing and sales; employment service; management and consulting services; and other similar business services.

CAFÉ/OUTDOOR DINING - an exterior seating area associated with a restaurant or a tavern/bar.

CARPORT - a roofed structure providing space for the parking of motor vehicles in the same manner as a private garage, and enclosed on not more than three sides, and accessory to a principal or accessory building

CAR WASH - an area of land and/or a structure with machine- or hand-operated

facilities used principally for the interior and/or exterior cleaning, washing, polishing, or waxing of motor vehicles and whereas no repairs or sales of petroleum fuel or lubricants are performed. A car wash facility may or may not include accessory uses such as auto detailing.

CARTWAY - that portion of the right-of-way surfaced for vehicular use. Width is determined from face of curb to face of curb or from one edge of driving surface to the other edge of driving surface.

CELLAR - a portion of a building or space with less than one-half (1/2) of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than six and a half (6 ½) feet.

CEMETERY - any public or private lot, building or structure that is designed for and used for the burial of the deceased, including columbaria, crematoria, mausoleums and mortuaries when operated in conjunction with the cemetery and within the boundaries thereof.

CERTIFICATE OF USE - the certificate, based on an inspection signed and issued by the City Zoning Officer which permits the use of a building, structure or use of a lot in accordance with the approved plans and specifications and which certifies compliance with the provisions of this Chapter for the use and occupancy of the land and structure in its several parts, together with any special stipulations or conditions of the building permit.

CITY COUNCIL - the City Council of Lock Haven, Clinton County, Pennsylvania.

CITY PLANNING COMMISSION - the Planning Commission of the City of Lock Haven, Clinton County, Pennsylvania.

CLEAR SIGHT TRIANGLE - a triangular shaped portion of land established at street intersections in which nothing is erected, placed, planted or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

CLINIC - an establishment where patients are admitted for examination and treatment on an outpatient basis by one or more physicians, dentists, other medical personnel, psychologists, or social workers and where patients are not usually lodged overnight.

CLUB ROOM, CLUB GROUND, OR MEETING HALL, PRIVATE - an establishment within which a private club conducts recreational, social, administrative or athletic activities primarily not-for profit, providing that any vending stands, merchandise or commercial activities are conducted only as required generally for the membership of such club. Private club, club rooms and meeting halls shall not be used for adult-related facilities.

COFFEE HOUSE - A retail food establishment whose primary business is the sale of coffee and other non-alcoholic beverages, and where food service such as the sale of baked or deli goods is secondary to the sale of beverages.

COMMERCIAL RECREATION - any establishment operated as a gainful business whose main purpose is to provide the general public with an amusing or entertaining activity, and where tickets are sold or fees are collected for the activity:

INDOOR COMMERCIAL RECREATION - an establishment operated as a gainful business, open to the public, for the purpose of leisure time activities, public recreation or entertainment, including, but not limited to, arcade, arena, assembly hall, bingo parlor, bowling alley, gymnasium, health and fitness club, miniature golf course, skating rink, swimming pool, dance or gymnastic instructional school, tennis courts, etc., when operated within a completely enclosed building. This use does not include a theatre.

OUTDOOR COMMERCIAL RECREATION - an establishment operated as a gainful business and open to the public upon open land, wholly or partially outside of a building, for the purpose of leisure time activities, public recreation or entertainment such as a swimming pool, tennis court, batting and pitching cages, go-cart track, and skating rinks, but also including amusement rides or regular live entertainment. This use excludes a park, golf course and an outdoor shooting range.

COMMON WALL - a shared wall between two separate structures, buildings, or dwelling units.

COMMUNICATIONS ANTENNA - any device or facility used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service or any other wireless communications signals, including without limitation omnidirectional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence-mounted satellite dishes or television antennas or amateur radio equipment including, without limitation, ham or citizen band radio antennas.

COMMUNICATIONS EQUIPMENT BUILDING - an unmanned building or cabinet containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than two hundred fifty (250) square feet.

COMMUNICATIONS TOWER - a structure, other than a building, such as a monopole, self-supporting or guyed tower, designed and used to support communications antennas and facilities.

COMPREHENSIVE PLAN - the official public document prepared in accordance with the Pennsylvania Municipalities Planning Code, Act of July 31, 1968, P.O. 805, No. 247, as amended and reenacted, consisting of maps, charts and textual material, that constitutes decisions about the physical and social development of the City of Lock Haven as amended from time to time.

CONDITIONAL USE - a use permitted and approved by the City Council in a particular zoning district upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of the use as specified in this Chapter. Procedures and criteria for granting approval shall comply with provisions of Part 22 of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended.

CONDOMINIUM - a set of individual dwelling units or other areas of buildings each owned by an individual person(s) in fee simple, with such owners assigned a shared interest in the remainder of the real estate which is designated for common

ownership, and which is created under the Pennsylvania Uniform Condominium Act of 1980 or Uniform Planned Community Act of 1996, as amended.

CONTRACTOR'S YARD – an establishment of any general contractor or builder where equipment and materials are stored or where a contractor performs shop or assembly work but does not include any other yard or establishment otherwise defined or classified herein.

CONVENIENCE STORE -- an establishment primarily engaged in the retail sale of frequently or reoccurring needed goods for household consumption.

GENERAL CONVENIENCE STORE ~ a convenience store which generally includes the retail sale of fuel for passenger vehicles, oil, grease, automobile accessories, propane, kerosene, along with prepackaged food and beverages, foods prepared on site, magazines, lottery tickets, tobacco products, and limited household supplies, and hardware.

NEIGHBORHOOD CONVENIENCE STORE – a convenience store which generally includes the retail sale of prepackaged food and beverages, foods prepared on site, magazines, lottery tickets, tobacco products, and limited household supplies, and hardware. Neighborhood convenience stores generally shall not include fuel pumps or the selling of fuel for motor vehicles. Typical uses include neighborhood markets.

CORRECTIONAL FACILITY -- a public or privately owned building or structure and related facilities used for the housing or detention of persons who have been charged with or have been convicted of criminal offenses.

COUNTRY CLUB/GOLF COURSE -- a recreational facility operated by a public or private entity which has, as its principal use, facilities for playing golf and which may include one (1) or more of the following accessory uses: a clubhouse, restaurant, locker rooms, pro shop, swimming pool and facilities for racquet sports.

CRAFTSMAN OR ARTISIAN STUDIO – an establishment primarily engaged in the on-site production, display and sale of goods created on-site by hand manufacturing involving only the use of hand tools or domestic mechanical equipment not exceeding eight (8) kilowatts. Typical uses include painting and other media-art, ceramics, fabric crafts, candle-making, and jewelry manufacturing. All such production associated with this use shall occur within a completely enclosed building.

CURB CUT - The opening along the curb line at which point vehicles may enter or leave the roadway.

DAYCARE ~ the offering of care or supervision of persons under the age of sixteen (16), special needs adults in lieu of care or supervision by family members, or elderly persons. This definition does not include the offering of overnight accommodations.

DAYCARE, ACCESSORY ~ an accessory use to a dwelling unit, whereby care and supervision is offered to no more than three (3) nonresidents of the site during any calendar day. An accessory daycare does not require zoning approval.

DAYCARE, COMMERCIAL – an establishment operated as a gainful business which the care and supervision to more than six (6) nonresidents of the site during any calendar day. Commercial daycare facilities can be operated as

principal uses or as accessory uses associated with other uses (e.g., schools, places of worship, industries, residential complex, etc.); however, in no case shall a commercial daycare be considered an accessory use to an individual dwelling unit. Commercial daycare facilities shall include “group child daycare homes” and “child daycare centers,” as defined and regulated by the Department of Public Welfare of the Commonwealth of Pennsylvania.

DAYCARE, FAMILY - an accessory use to a single-family detached dwelling, in which the care and supervision is offered to between four (4) and six (6) nonresidents of the site during any calendar day. Family daycare facilities must be registered with the Pennsylvania Department of Public Welfare of the Commonwealth of Pennsylvania.

DECK - a structure with or without sides projecting from the front, side or rear wall of a building.

DENSITY - a ratio of the number of dwelling units per acre which occupy, or may occupy, an area of land.

DEVELOPMENTAL DISABILITY - A disability of a person which has continued or can be expected to continue indefinitely, which disability is attributable to mental retardation, cerebral palsy, epilepsy or autism; is found to be attributable to any other condition found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior to that of mentally retarded persons or requires treatment and services similar to those required for such persons; or is attributable to dyslexia resulting from such disability.

DEVELOPMENTALLY DISABLED PERSON - A person with a developmental disability.

DRIVE-IN USE – an establishment which by design, physical facilities, service, or by packaging procedures encourages or permits patrons and customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles, but also serve those customers who walk up to a window counter.

DRIVE-THRU – A portion of a business establishment depending on providing an access drive approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle rather than within a building or a structure.

DWELLING - a building or portion thereof located on a permanent foundation and designed or used as the permanent living quarters for one or more families, not including those uses meeting the definition of boarding house, hotel, or motel.

DWELLING TYPE -

DWELLING, MULTI-FAMILY - a building having three (3) or more individual dwelling units, designed to be used or occupied as a residence by three (3) or more families living independently of each other, located upon one lot. This term shall include those uses considered apartment buildings/houses and other similar family residential buildings occupied for and used for individual dwelling units, but shall not include those uses meeting the definition of bed and breakfast, boarding house, group home, townhouse, rowhouse, hotel, motel, or nursing home. Minimum floor area must comply with the most recent Building Code in effect at the time of erection.

DWELLING, SINGLE-FAMILY ATTACHED (TOWNHOUSE/ROWHOUSE) ~ a building having only one dwelling unit accommodating a single family, attached to two (2) or more dwelling units 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 any other unit by one or more common fire resistant party walls. Minimum floor area must comply with the most recent Building Code in effect at the time of erection

DWELLING, SINGLE-FAMILY DETACHED ~ a building having only one dwelling unit accommodating a single family, upon one lot and having four yards (two [2] sides, one front and one rear). Minimum floor area must comply with the most recent Building Code in effect at the time of erection

DWELLING, SINGLE-FAMILY SEMI-DETACHED ~ a building having only one dwelling unit accommodating a single family upon one lot and having three (3) yards (one side, one front and one rear), attached to one other dwelling unit separated from any other unit by one common fire resistant party wall and which each unit has its own front and rear access to the outside, no unit is located over another unit. Minimum floor area must comply with the most recent Building Code in effect at the time of erection

DWELLING, TWO-FAMILY ~ a building having two (2) dwelling units upon one lot, accommodating two (2) families and may be either:

- 1) semidetached with one family living on either side of a common fire resistant party wall; or
- 2) with one family living over the other;

each with its own exterior (to the unit) entrance door. Minimum floor area must comply with the most recent Building Code in effect at the time of erection. .

RESIDENTIAL CONVERSION TO MULTIPLE DWELLING UNITS~ the addition of one or more new individual dwelling unit(s) created within an existing building.

DWELLING UNIT ~ one or more room(s) which is designed and used exclusively as an individual unit of habitable residential living purposes of not more than one-family, and includes separate cooking and sanitary facilities serving said individual unit, and which is accessible from the outdoors, either directly or by an access shared with other dwelling units.

EMERGENCY SERVICES FACILITY ~~ an establishment used for the maintenance, fueling, storage, dispatching or parking of vehicles and/or equipment utilized to provided police, fire, rescue or ambulatory services.

ESSENTIAL SERVICE ~ the provision by public utilities, municipal or other governmental units regulated by the Public Utility Commission (PUC) or other governmental agencies of underground or overhead gas, electrical, steam or water pipes, sewer and storm sewer facilities, and wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants and similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of

adequate services by such public utilities or municipal or governmental units or for the public health, safety or general welfare.

FACADE – the front face or elevation of a building, often the side of the building facing the street.

FAMILY - an individual person, two (2) or more persons related by blood, marriage, or adoption, or a group of not more than four (4) persons who are not related by blood, marriage, or adoption living together in an individual dwelling unit as a single housekeeping unit. This term shall also include the number(s) of unrelated persons defined by and consider those living in a Licensed Group Home and Licensed Group Residence.

FARMERS/FLEA MARKET -- an indoor and/or outdoor establishment used for the sale of assorted new and used goods by auctioneers or by vendors on a periodic basis.

FLOOD DAMAGE CONTROL STANDARDS OVERLAY WORDS & PHRASES. The following words and phrases when used in Part 15 of this Chapter relating to the Flood Damage Control Standards Overlay shall have the meaning given to them herein this subsection unless the context clearly indicates otherwise:

BASEMENT - means any area of the building having its floor below ground level on all sides.

COMPLETELY DRY SPACE - a space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

CONSTRUCTION, EXISTING - structures for which the "start of construction" commenced before February 2, 1977, the established effective date of the Flood Insurance Rate Map (FIRM) of the City of Lock Haven, Clinton County, Pennsylvania. Existing construction may also be referred to as existing structures.

CONSTRUCTION, NEW - structures for which the start of construction commenced on or after February 2, 1977, and includes any subsequent improvements thereto.

CONSTRUCTION, START OF - includes substantial improvement and means the date the building permit was issued; provided, the actual start of construction, repair reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory building, such as garages or sheds not occupied as dwelling units or not part of the main structure.

DEVELOPMENT ACTIVITY - any manmade change to improved or unimproved

real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

ESSENTIALLY DRY SPACE - a space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

FLOOD FRINGE - that portion of the one hundred (100) year regulatory floodplain outside the floodway.

FLOODPLAIN - relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

FLOODWAY - the designated area of a floodplain required to carry and discharge flood waters of the regulatory flood without cumulatively increasing the water surface elevation of that flood more than one (1) foot at any point.

HISTORIC STRUCTURE - any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior.
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior.
 - (b) Directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR - the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking vehicles, building access and incidental storage, in an area other than a basement area, is not considered the lowest floor of a building; provided, that such space is not designed and built so that the structure is in violation of the applicable nonelevation design requirements of this Chapter.

MANUFACTURED HOME PARK OR SUBDIVISION - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MANUFACTURED HOME - a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. The one hundred eighty (180) day provision shall not be applicable in instances where a park trailer, travel trailer or other similar vehicle is being stored on the owner's property, providing there is a principal structure on the property and the recreational equipment is mobile. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

RECREATIONAL VEHICLE - a vehicle which is:

- (1) Built on a single chassis.
- (2) Not more than four hundred (400) square feet, measured at the largest horizontal projections.
- (3) Designed to be self-propelled or permanently towable by a light-duty truck.
- (4) Not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOOD ELEVATION - the one hundred (100) year flood elevation as indicated on profiles of the Flood Insurance Study for the City of Lock Haven, Clinton County, Pennsylvania.

REGULATORY FLOOD - the flood having a one (1) percent chance of being equaled or exceeded in any given year. The flood that has been selected to serve as the basis upon which the "flood damage control" standards of this Chapter have been prepared; for this Chapter, the one hundred (100) year flood.

SUBSTANTIAL DAMAGE - damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT -

- (1) Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
 - (a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to

assure safe living conditions.

- (b) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as an "historic structure."
- (2) For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include either:
 - (a) Any project for improvement of a structure to comply with existing State, local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions.
 - (b) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

FENCE - any freestanding and uninhabitable structure constructed of wood, glass, metal, plastic materials, wire, wire mesh, or masonry, singly or in combination, erected for the purpose of screening or dividing one property from another to assure privacy, or to protect the property so screened or divided, or to define and mark the property line.

FLOOR AREA, GROSS - The sum of the gross horizontal areas of the several floors of a building and its accessory buildings on the same lot measured from the exterior faces of walls or from the center line of party walls separating two (2) buildings, excluding cellar and basement areas used only for storage and the operation and maintenance of the building.

FLOOR AREA, GROSS LEASABLE - the sum of the floor area of the several floors a building designed for the conduct of business and occupancy by an owner or tenant, as measured to the center of the interior joint walls and exterior of outside walls. For purposes of this definition, gross leasable floor area shall not include public or common areas such as utility rooms, stairwells, hallways or corridors, etc.

FLOOR AREA, HABITABLE - the sum of the floor area of the several floors of a dwelling unit as measured to the outside surfaces of exterior walls and including all rooms used for habitation, such as living room, dining room, kitchen, bedroom, bathroom, closets, hallways, stairways, but not including basement, attic space, service rooms or areas such as utility rooms, unheated areas such as enclosed porches, nor rooms without at least one window or skylight opening onto an outside yard or court. At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven (7) feet and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the habitable floor area.

FOOD SERVICE FACILITY -- an establishment in which food is processed and/or prepared on the premises, and may be sold on the premise. This term shall also include bakeries and catering establishments.

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.

FUNERAL HOME – an establishment conducting embalming and cremation of the deceased prior to burial, but not including cemeteries, columbariums, mausoleums, entombments, and for the viewing of the deceased and ceremonies connected therewith before burial or cremation.

GARAGE, PRIVATE - an enclosed or covered space used as an accessory use for the storage of one or more motor vehicles; provided, that no business, occupation or service is conducted for profit therein, nor space therein for more than one car is leased.

GARAGE, PUBLIC - a City owned and/or operated building or structure where motor vehicles can be stored or parked for a pre-arranged fee.

GOVERNING BODY - the City Council of Lock Haven, Clinton County, Pennsylvania.

HALFWAY HOUSE -- a residence for those who have completed treatment at a rehabilitation facility but are not yet ready to return to independent living in the community and where residents participate in structured programs designated to ease successful reintegration into society.

HEALTH AND FITNESS CLUB – an establishment that offers active indoor recreational activities, fitness activities, or both. Such activities are provided only to club members and their guests. Such facilities do not include any outdoor facilities, golf courses or other uses identified as indoor commercial recreation.

HOME IMPROVEMENT CENTER, LUMBER, BUILDING MATERIALS SALES FACILITY – an establishment providing for the sale of home, lawn, and garden supplies, lumber, and other similar building materials and products.

HOME OCCUPATION - a business or commercial activity, other than a no-impact home occupation, administered or conducted as an accessory use which is clearly secondary to the principal use of a single-family detached or single family semi-detached dwelling for gainful employment involving the manufacture, provision or sale of goods and/or services. The use is clearly incidental and secondary to the principal use of the single-family detached or single family semi-detached dwelling for residential purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part.

HOSPITAL - an establishment licensed in the Commonwealth as a hospital, which renders inpatient and outpatient medical care for a twenty-four (24) hour per day basis; and provides primary health services and medical/surgical care to persons suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions. A hospital use can also include attached and detached accessory uses, provided that all uses are contained upon the hospital property. A medical care use that does not provide overnight stays nor for periods longer than twenty-four (24) continuous hours shall be considered a medical office.

HOTEL -- an establishment which provides transient lodging accommodations to the general public in sleeping units which each have separate access to a common interior corridor and which may provide such additional supporting services such as restaurants, meeting rooms, recreation facilities and living quarters for a resident

manager or proprietor.

HOUSEHOLD PETS ~ an animal that is normally or can generally be kept within the immediate living quarters of a residential structure. However, the keeping of horses as pets is permitted in accordance with the provisions in Part 20 of this Chapter.

HOUSING (FOR ELDERLY AND/OR DISABLED PERSONS) ~ a residential building or complex of buildings with dwelling units specifically designed for the use of and occupied by any person(s) fifty-five (55) years of age or older and their spouse and dependent relatives, or any person(s) less than fifty-five (55) years of age who has a record of or is regarded as having a physical or mental impairment that substantially limits one or more of the major life activities of that person(s) and their spouse and dependent relatives and live-in caregivers. Impairment does not include those exemptions listed in the Americans with Disabilities Act of 1990.

INDUSTRIAL USES ~

GENERAL INDUSTRIAL – a use:

- a. involving the processing and manufacturing of semi-finished and/or finished materials or products predominately from extracted, raw, and/or recycled materials;

and/or

- b. engaged in the storage of, manufacturing processes using, and/or shipping of flammable or explosive materials;

and/or

- c. engaged in the storage, manufacturing processes, and/or shipping of materials or products that potentially involve hazardous or commonly offensive conditions;

and

due to the more intensive nature of the processes, materials, products, etc. such uses may disturb or endanger neighboring properties.

LIGHT INDUSTRIAL - a use ~

- a. involving the manufacturing, predominately from previously prepared semi-finished or finished materials products or parts, finished materials and products, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution, as well as the repair of such finished products;

but

- b. excluding the processing of extracted, raw, and/or recycled materials;

and

due to the lower intensity nature of processes, materials, or products, produce no noise, vibration, air pollution, fire hazard or noxious emission, which would disturb or endanger neighboring properties.

Establishments involved in the production and/or repair services when such facilities are in a completely enclosed building including home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; mass-produced furniture; wood products such as cabinetry, printed material; lithographic plates; type composition; machine tools; dies and gauges; ceramics; apparel; lightweight metal castings; film processing; light sheet metal products; tinsmithing, welding, plumbing, heating, ventilating and air-conditioning plastic goods; pharmaceutical goods; and food products, but not animal slaughtering or curing nor rendering of fats.

KENNEL, COMMERCIAL - a business offering housing or boarding of domestic animals and which is operated for a profit.

LAND DEVELOPMENT - any of the following activities:

- (1) The improvement of one or more contiguous lots, tracts or parcels of land for any purpose involving,
 - (a) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single non-residential building on a lot or lots regardless of the number of occupants or tenure, or;
 - (b) The division or allocation of land between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features;
- (2) A subdivision of land.
- (3) The following are exempted from the definition of Land Development:
 - (a) The conversion of an existing single family detached dwelling or single family semi-detached dwelling into not more than 3 residential units, unless such units are intended to be a condominium;
 - (b) The addition of an accessory building, including a farm building, on a lot or lots subordinate to an existing principal building; or
 - (c) The addition or conversion of a building for rides within the confines of an enterprise, which would be considered an amusement park. For the purpose of this subsection, an amusement park is defined as a tract or area used principally as a

location for a permanent amusement structures or rides. This exclusion shall not comply to newly acquired acreage by an amusement park until initial land for the expanded area have been approved by the proper authorities.

LANDOWNER - the legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LANDSCAPING CENTER/NURSERY – an establishment engaged in the raising non-agriculturally related trees, shrubs, flowers, and other plants for wholesale or retail sale or for transplanting.

LAUNDROMAT - an establishment equipped with individual clothes washing and drying machines and/or dry cleaning machines for use and operation by patrons.

LICENSED GROUP HOME - a place, home, or institution which is licensed and directly associated with and operated by a responsible individual, family or organization with a program of care and supervision of the residents by full time professional, resident staff providing a supportive living arrangement including board, shelter, and personal services to not more than eight (8) persons, regardless of age, who have a need for supervision or assisted community living based on emotional, mental, physical, familial, or social differences. (Examples of such persons include but shall not be limited to the mentally challenged, physically handicapped; elderly. This definition shall expressly include facilities for the care of developmentally disabled persons).

LICENSED GROUP RESIDENCE - an institution which is licensed and directly associated with and operated by a responsible organization with a program of care and supervision of the residents by full time professional, resident staff providing a supportive living arrangement including board, shelter, and personal services to nine (9) or more persons, regardless of age, who have a need for supervision or assisted community living based on emotional, mental, physical, familial, or social differences. (Examples of such persons include but shall not be limited to the mentally challenged, physically handicapped; elderly. This definition shall expressly include facilities for the care of developmentally disabled persons).

LIGHTING -

DIFFUSED - that form of lighting wherein the light passes from the source through a translucent cover or shade.

DIRECT or FLOOD - that form of lighting wherein the source is visible and the light is distributed directly from it to the object to be illuminated.

INDIRECT - that form of lighting wherein the light source is entirely hidden, the light being projected to a suitable reflector for which it is reflected to be illuminated.

LOADING SPACE OR UNIT - an off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary stopping of commercial vehicles while loading or unloading merchandise or materials and which abuts upon an alley, street or other appropriate means of access to a street.

LOT - a designated parcel, tract or area of land established by plat, subdivision or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA - the area contained within the lot lines of a lot, excluding space within all streets and within permanent drainage easements, but including the areas of all other easements.

LOT, CORNER - a lot or parcel abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees.

LOT COVERAGE - that portion or percentage of the plot or lot area covered by any material that prevents the absorption of stormwater into the ground, including buildings, sidewalks, driveways/access drives, but excluding surface water area of swimming pools.

LOT FRONTAGE - the front portion of a lot meeting the requirements of §27-1903 of this Chapter.

LOT LINE - a line of record bounding a lot which divides one lot from another lot or from a public or private street.

LOT WIDTH - the continuous linear horizontal distance measured at the required front setback, between side lot lines for interior lots. For corner lots, lot width shall be measured at both required front setbacks, one between a front lot line and opposite rear lot line, and one between a front lot line and opposite side lot line.

MASSAGE THERAPY ESTABLISHMENT -- any business or part thereof, other than an adult massage establishment, where massage services are provided by a person having graduated from a massage therapy training program approved by the Pennsylvania State Board of Private Licensed Schools or equivalent agency if trained in another state; by a person certified through a massage therapy certification examination approved by the National Commission for Certifying Agencies; by a person certified through the National Certification Board for Therapeutic Massage and Bodywork; or is a practitioner or member of either of the American Massage Therapy Association (AMTA), Associated Bodywork and Massage Professionals (ABMP), or International Massage Association (IMA).

MEDIATION - a voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

MINI-STORAGE/SELF-STORAGE FACILITY - an establishment including a building and/or series of buildings divided into separate storage units for personal property and/or property associated with some business or other organization. These units shall be used solely for dead storage and no processing, manufacturing, sales, research and development testing, service and repair, or other non-storage activities shall be permitted.

MOBILE HOME - a transportable, single-family dwelling located on a permanent foundation intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being

separated for repeated towing, which arrives at a site complete and ready for occupancy, except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection of a single mobile home.

MOBILE HOME PARK - a parcel or contiguous parcels of land greater than or equal to the minimum size set forth in Part 20 of this Chapter which has/have been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MOTEL -- an establishment which provides transient lodging accommodations to the general public in sleeping units which each have separate access directly to the outside and which may provide such additional supporting services as restaurants, recreation facilities and living quarters for a resident manager or proprietor.

MULTI-OR MIXED USE FACILITY - any combination of uses including, but not limited to, residential, offices, commercial and light industrial in one or more structures on a single parcel or contiguous parcels under the same ownership.

NEIGHBORHOOD RETAIL/SERVICE - an establishment conducting the following retail and personal service business, or professional service establishments are permitted within specified residential zoning districts as permitted uses, (1) neighborhood convenience store, (2) barber and beauty shops, (3) gift/craft shops, (4) business and medical offices, (5) and restaurants, which are limited to 900 square feet of floor area devoted to the business and intended to supply commodities or perform services for residents of the neighborhood. This use may include one accessory residential dwelling unit located within the principal building. The sale, service or distribution of alcoholic beverages is prohibited.

NO-IMPACT HOME OCCUPATION – 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 all requirements set forth in Part 20 of this Chapter.

NONCONFORMING LOT - a lot the area or dimension of which was lawful prior to the adoption or amendment of this Chapter, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

NONCONFORMING STRUCTURE - a structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this Chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such Chapter or amendment or prior to the application of such Chapter or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

NONCONFORMING USE - a use, whether of land or of structure, which does not comply with the applicable use provisions in this Chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of

such Chapter or amendment, or prior to the application of such Chapter or amendment to its location by reason of annexation.

NURSING HOME - an establishment, licensed by the Commonwealth of Pennsylvania, engaged in providing 24 hour inpatient nursing and health-related personal care for nine (9) or more adults, utilizing in whole or part licensed and/or registered nurses, excluding hospital services and excluding day-to-day personal care which is not health care by licensed or registered nurses.

OFFICE, BUSINESS -- a building or part of a building in which one (1) or more persons are employed in the management, direction or conducting of business/commerce and whose staffs/employees serve clients who seek advice and consultation regarding business/commerce. A business office may include the administrative, corporate or professional offices for profit, non-profit or charitable organizations.

OFFICE/CLINIC, MEDICAL -- a building or structure where one (1) or more licensed medical professionals, provide diagnosis and treatment to the general public without surgical procedures, overnight accommodation or pharmacy and shall include such uses as reception areas, offices, consultation rooms, and x-ray, providing that all such uses have access only from the interior of the building or structure.

OPEN SPACE - an unoccupied space open from ground level to the sky on the same lot with the building, not including parking lots.

PARK -- a public or private lot or portion thereof that is used for active and/or passive recreational uses; and includes all landscaping, facilities and apparatus, playing fields, playgrounds, play equipment, utilities, buildings and other structures that are consistent with the general purposes of a park, and whether or not such recreational facilities are publicly operated or operated by other organizations pursuant to arrangements to the applicable government unit.

PARKING COMPOUND – a public or private lot, building or structure that is designed and used for the short term, daily, or overnight off-street storage and parking of passenger vehicles. This use shall include surface parking lots and parking structures including buildings and decks.

PARKING SPACE - a space within an off-street parking compound or within a dedicated public right-of-way, for the parking of passenger vehicles.

PARKING SPACE, OFF-STREET - a space within a parking compound, for the off-street temporary storage and parking of passenger vehicles.

PATIO - an outside surfaced area at ground level or no more than 8 inches above ground level having no roof and no sides. For the purpose of the Chapter, a patio is not considered a part of the principal building and is not permitted to extend into any required yards.

PERMANENT FOUNDATION - an underlying prepared base or support of cemented concrete blocks or similar masonry placed upon a footer upon which a structure is placed. The foundation must be completely enclosed, exclusive of half windows, windows or doors, except as otherwise required.

PERSONAL CARE CENTER - a building or structure, licensed by the Commonwealth of

Pennsylvania in which food, shelter and personal assistance and/or supervision by full time, professional resident staff are provided for a period exceeding twenty-four (24) hours for nine (9) or more adults who are not relatives of the operator, who do not require the services in or of a “nursing home” but who do require assistance or supervision in matters such as dressing, bathing, diet, financial matters, evacuation of a residence in the event of an emergency or medication prescribed for self-administration.

PERSONAL CARE HOME - a building or structure, licensed by the Commonwealth of Pennsylvania in which food, shelter and personal assistance and/or supervision by full time, professional resident staff are provided for a period exceeding twenty-four (24) hours for four (4) to eight (8) adults who are not relatives of the operator, who do not require the services in or of a “nursing home” but who do require assistance or supervision in matters such as dressing, bathing, diet, financial matters, evacuation of a residence in the event of an emergency or medication prescribed for self-administration.

PERSONAL SERVICES -- any enterprise providing domestic commodities and services pertaining to the person, their apparel or personal effects commonly carried on or about the person, including but not limited to shoe repair, tailoring, clothes cleaning, watch repairing, barbershops, beauty parlors and related activities.

PLACE OF ASSEMBLY - any public or private lot, building or structure that is designed for the assembly or collection of persons at any one time, or adapted or used for purpose of assembly, where persons may congregate for civic, political, religious, educational, social, recreation and amusement purpose. A place of assembly shall include uses such as a performing arts theater.

PLACE OF WORSHIP - an establishment wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all buildings accessory buildings, structures and uses customarily associated with such primary purpose including rectories, convents and church-related schools and daycare facilities. Includes synagogue, temple, mosque, or other such place for worship and religious activities.

PLAT - a map or layout of a subdivision or land development, whether preliminary or final.

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

POST OFFICE -- a facility owned and/or maintained by the United States Postal Service for the purpose of distributing mail to the public.

PREMISES - any lot, parcel or tract of land and any building constructed thereon.

PRINCIPAL BUILDING - a building in which is conducted the principal or main use of the lot on which it is located, and which is not an accessory building.

PRINCIPAL USE - the main or primary purpose for which a building, other structure and/or land is used, occupied or maintained under this Chapter. All other structures or uses on the same lot which are supplemental thereto and permitted under this Chapter shall be considered accessory uses.

PRIVATE CLUB ~ an organization catering exclusively to members and their guests and not the general public. Private clubs shall include but not be limited to, educational, fraternal, service and political organizations, labor unions and social and athletic clubs.

PUBLIC BUILDING ~ any structure used or intended for supporting or sheltering uses for the public including municipal, county, state and federal government units.

PUBLIC GROUNDS - includes:

- (1) Parks, playgrounds, trails, paths and other recreational areas and other public areas.
- (2) Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
- (3) Publicly owned or operated scenic and historic sites.

PUBLIC HEARING ~ a formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended.

PUBLIC MEETING ~ a forum held pursuant to notice under 65 Pa. C.S. CH. 7 (Relating to open meetings), in accordance with the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended.

PUBLIC NOTICE ~ notice published once (1) each week for two (2) successive weeks in a newspaper of general circulation in the City. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first (1st) publication shall not be more than thirty (30) days and the second (2nd) publication shall not be less than seven (7) days from the date of the hearing, in accordance with the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended.

PUBLIC/PRIVATE WORKS FACILITY ~ the erection, construction, alteration, operation or maintenance of buildings, power plants or substations, water treatment plants or pumping stations, sewage disposal or pumping plants, public transportation and road maintenance facilities, and other similar public service structures by a utility, whether publicly or privately owned, or by a municipal or other government agency, including the furnishing of electrical, gas, communication, water supply and sewage disposal services.

PUBLIC RIGHT-OF-WAY – a strip of land acquired by the Commonwealth of Pennsylvania or the City of Lock Haven via reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses, and maintained by the Commonwealth of Pennsylvania or the City of Lock Haven.

RAIL YARD -- the use of a lot, or building or structure or part thereof for activities directly associated with the operation of a railway. Without limiting the generality of

the foregoing, such activities may include loading and off-loading freight, and/or maintenance and repair of railway cars.

RECREATIONAL EQUIPMENT - shall include travel trailers, pickup coaches, motorized homes and recreational vehicles as follows:

BOAT - a vessel designed or used to travel on water.

BOAT TRAILER - a trailer designed or used to haul a boat.

MOTORIZED HOME - a portable dwelling designed and constructed as an integral part of a self-propelled vehicle.

PICKUP COACH - a structure designed primarily to be mounted on a pickup or other truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling, travel, recreational and vacation purposes.

TRAVEL TRAILER - a portable structure built on a chassis, designed to be towed and used as a temporary dwelling for travel, recreational and vacation purposes and permanently identified as a travel trailer by the manufacturer of the trailer.

RECYCLING COLLECTION POINT, PUBLIC - any place that serves as a collection point for the temporary storage of refuse items, such as bottles, cans, and newspapers, from which resources are recovered at another location.

RESEARCH AND DEVELOPMENT - any establishment which carries on investigations in the natural, physical, technical or social science or engineering and development as an extension of such investigation with the objective of creating end products.

RESEARCH LABORATORY - a building or groups of buildings in which are located facilities for scientific research, investigation, testing or experimentation but not facilities for the manufacture or sale of products except as accessory and incidental to the main purpose of the laboratory.

RESTAURANT - an establishment that sells ready to consume food or drink and that routinely involves the consumption of at least a portion of such food on the premises. A restaurant may include the accessory sale of alcoholic beverages. However, if such sales is a primary or substantial portion of the total trade, the requirement of a "tavern/bar" as applicable must be met.

RETAIL BUSINESS -- an establishment located entirely within an enclosed building which sells goods or merchandise and repair services for goods or similar merchandise sold on the premises to the general public for personal, household or office consumption and which shall not include wholesaling, light industrial or processing of the goods offered for sale.

SCHOOL, COMMERCIAL -- an academic or non-academic establishment providing nonacademic training, vocational or trade-related educational courses and/or programs.

SCHOOL, PUBLIC OR PRIVATE - any public, sectarian, or private non-profit establishment approved by the Commonwealth of Pennsylvania offering formal academic instruction and/or vocational educational services for State-required or

largely state-funded programs at the kindergarten, elementary, and secondary levels. This term shall not include those uses considered commercial schools.

SCREENING - the provision of a barrier to visibility, air borne particles, glare and noise between adjacent properties uses and/or districts composed entirely of trees, shrubs, sight-tight fences, walls and/or other similar type materials.

SETBACK - the distance between a building and any lot line.

SHOPPING CENTER – a group of stores planned, designed and constructed to function as a unit for the lot on which it is located with off-street parking provided as an integral part of the unit.

SIGNS - As used in Part 17 of this Chapter, the following words and phrases shall have the meaning given herein below:

BUSINESS SIGN - a sign which is permanently attached to the premises and used to identify the business establishment upon which it is erected.

DIRECTION SIGN - a sign which is permanently attached to the premise and used to identify the business establishment, commodities and/or services of said business establishment.

FREESTANDING SIGN - a sign supported by upright columns, poles or braces placed in or upon the ground.

OFF-PREMISES SIGN - a sign which contains a message unrelated to a business or profession conducted upon the premises where such sign is located or which is unrelated to a commodity, service or entertainment sold or offered upon the premises where such sign is located.

PREMISES - the area occupied by a business or other public enterprise. When more than one business occupies a single building, each business area shall be considered a separate premises.

PROJECTING SIGN - a sign other than a wall sign which projects from and is supported by a wall of a building.

PROMOTIONAL SIGN - a sign intended for display and normally used for special events, sales and products offered on the premises. Promotional signs placed in or on windows do not require permits, are not included when calculating the number of signs on a premises and are exempt from square footage requirements.

ROOF SIGN - a sign erected and maintained upon the roof or above the roof or parapet of a building.

SHOPPING CENTER IDENTIFICATION SIGN - a sign advertising a grouping of more than six individual businesses all located in one building or one lot held in a single and separate ownership.

SIGN AREA - the entire space within a single continuous perimeter enclosing the extreme limits of a sign. When individual letters are used separately on the surface of a building wall, the spaces between said letters shall be

included in computing the area of the sign. The structural supports for a sign shall not be included in the area, but all other ornamental attachments, etc., which are not a part of the main supports of the sign are to be included in determining sign areas. On a two-sided sign, only one face is counted in computing the sign's area.

SIGN HEIGHT - the greatest vertical dimension between the top of a sign and the grade.

SIGN, ILLUMINATED - any sign illuminated by electricity, gas or other artificial light, including reflective or phosphorescent light.

SIGN, INTERIOR - any sign that is affixed to or painted on the interior of a window or any sign located inside and within 3 feet of the face of the window, which sign is designed to be visible from the exterior of the window.

WALL SIGN - a sign attached to or painted upon a building wall with the face area parallel thereto.

SPECIAL EXCEPTION - a use permitted and approved by the Zoning Hearing Board in a particular zoning district upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of the use as specified in this Chapter. Procedures and criteria for granting approval shall comply with provisions of Part 23 of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended.

STOOP - a covered or uncovered structure projecting from the front, side or rear door of a structure not exceeding twenty-five (25) square feet.

STREET - the word street includes any street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

STREET LINE - the dividing line between the street and the lot, usually referred to as the right-of-way line.

STRUCTURE - any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION - the division or redivision of lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership, building or lot development; provided, however, that the subdivision of land by lease of land for agricultural purposes into parcels of more than ten (10) acres, and not involving any new street or easement of access or any residential dwelling, shall be exempted.

SWIMMING POOL - a water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches below the level of the surrounding land, or an above-surface pool, having a depth of more than twenty-four (24) inches, designed, used and maintained for swimming and bathing. Farm ponds and/or lakes are not included; provided, that swimming was not the primary purpose for their

construction.

TAVERN/BAR – an establishment where the principal use is primarily serving alcoholic beverages by the drink to the general public mostly for on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board. Taverns may also serve food and packaged beverages as an accessory use.

TEMPORARY USE ~ a use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

THEATER - a building or part of a building devoted to the showing of motion pictures or theatrical or performing arts productions as a principal use, but not including an outdoor drive-in theater or uses consider adult mini-motion and motion picture theaters.

TRUCK REPAIR AND SERVICE FACILITY □ an establishment providing towing, repair, service, inspection, washing of, and/or other similar services for trucks. Such a use may include the sale of lubricants, tires, batteries, motor fuel and other petroleum products, truck accessories and equipment. This use shall include temporary storage of wrecked and inoperable vehicles awaiting repair.

TRUCK TERMINAL □ An area or structure where trucks load and unload goods, products, cargo, materials and/or freight and where the same may be broken down or aggregated into smaller or larger loads for transfer to other motor vehicles or modes of transportation or to other points or junctions. This use may include servicing and truck repair facilities, fueling, dispensing, storage of petroleum products and overnight accommodations. Truck “drop off lots”, “drop and hook lots” or similarly defined facilities shall be governed under the this definition.

UNIVERSITY/COLLEGE ~~ an educational establishment, authorized by the Commonwealth of Pennsylvania as such to award associate, baccalaureate or higher degrees, including, principal uses for classrooms, libraries, auditoriums, gymnasiums, stadiums, administrative offices, dormitories and dining facilities, boarding houses, maintenance and operating facilities as well as ancillary uses, such as research facilities, retail services and businesses that support student, faculty and staff needs.

UNIVERSITY HOUSING ~ housing offered by colleges and/or universities to accommodate students in attendance at the university to include, but not limited to, dormitory housing and dwelling type housing. Said housing must be located on a lot owned by the college and/or university or by a college and/or university foundation.

USE - the specific purpose, activity, occupation, business or operation for which land or a structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

VARIANCE - relief granted by the Zoning Hearing Board from the technical provisions of this Chapter which if strictly adhered to would inflict unnecessary hardship upon the applicant. Procedures and criteria for granting such relief shall comply with provisions of Part 23 of this Chapter and Articles VI and IX of the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended.

VETERINARY CLINIC – see “Animal Hospital”.

WAREHOUSE - an establishment used primarily for the indoor storage and handling of products, supplies, equipment, but not including the maintenance or fueling of commercial vehicles.

WAREHOUSING, DISTRIBUTION AND WHOLESALING - a use engaged in the storage, wholesale and/or distribution of manufactured products, supplies and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazard or commonly recognized offensive conditions, and also excluding any heavy equipment or truck washing, servicing and/or repair, unless such uses are specifically permitted in that zoning district. Wholesaling of products, supplies and equipment shall not be open to or accessible by the general public, unless incidental to the principal warehousing operation.

YARD - an open space from grade level to the sky unoccupied by a building or structure.

YARD, FRONT - the open space extending the entire width of the lot between the front building line of the principal building and the street right-of-way.

YARD, REAR - the open space extending from the rear of the principal building to the rear lot line (not necessarily a street line) throughout the entire width of the lot.

YARD, SIDE - the open space extending from the side of the principal building to the side lot line through the entire depth of the building.

ZONING - a police power measure, enacted pursuant to the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended by the City of Lock Haven, in which the City is divided into districts or zones within which permitted and special uses are established as well as regulations governing lot size, building bulk, placement and other development standards.

ZONING DISTRICT - a section of the City designated the by and pursuant to this Chapter via text and delineated on a related map, in which requirements for the use of land and building and development standards are prescribed.

ZONING HEARING BOARD - the Zoning Hearing Board of the City of Lock Haven as duly constituted by and established pursuant to the Pennsylvania Municipalities Planning Code Act of 1968, P.L. 805, No. 247, as reenacted and amended.

ZONING OFFICER - the individual authorized by the City Council to administer and enforce this Chapter in accordance with its literal terms.

PART 3

DESIGNATION OF DISTRICTS

§27-301. Designation of Districts.

- A. For the purposes of this Chapter, the City of Lock Haven, Clinton County, Pennsylvania, is hereby divided into the following Zoning Districts:

R-1 ~ Single-Family Residential District.

R-L ~ Low Density Residential District.

R-M ~ Medium Density Residential District.

R-H ~ High Density Residential District.

CBD ~ Central Business District..

GC ~ General Commercial District.

GC/LI ~ General Commercial/Light Industrial District.

I ~ Industrial District.

IP-A ~ Industrial Park - Airport.

P/I ~ Public Institutional.

- B. The following zoning overlay districts include and encompass one (1) or more underlying zoning districts. These zoning overlay districts impose additional requirements above that required by the underlying zone:

AO ~Airport Overlay.

Historic District Overlay

Flood Damage Control Standards Overlay

§27-302. Official Zoning Map.

Except for the Flood Damage Control Standards Overlay, which apply to lands within the jurisdiction of the City of Lock Haven being located within the boundaries of the Floodplain District as set forth in §27-1502 of this Chapter, the location and boundaries of above mentioned zoning districts are hereby established as shown on the Zoning Map of the City of Lock Haven, as amended, which is attached hereto and is hereby made a part of this Chapter. Said map, or maps, and all notation, references, and designations shown thereon shall be, as such, a part of this Chapter as if the same were all fully described and set forth herein.

§27-303. Zoning District Boundaries and Interpretation of Boundaries.

Where uncertainty exists regarding the boundaries of the zoning districts as shown on the Zoning Map, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following municipality limits shall be construed as following municipality limits.
- D. Boundaries indicated as following railroad lines shall be construed to be midway, between the main tracks.
- E. Boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed to follow such centerlines.
- F. Boundaries indicated as parallel to or extensions of features indicated in §27-303.A - E shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.
- G. Where a zoning district boundary or a municipal boundary divides a lot, the minimum lot area shall be regulated by the zoning district or the municipality in which the principal use(s) are located, unless otherwise provided by applicable case law. The land area within each zoning district or municipality shall be regulated by the use regulations and other applicable regulations of each zoning district or municipality.
- H. Where physical or cultural features existing on the ground are at variance with those shown on the Zoning Map or in circumstances not covered by §27-303.A - G, the Zoning Hearing Board shall interpret the district boundaries.

§27-304. Uses Not Specifically Provided For.

Whenever a use is neither specifically permitted nor prohibited, in any zoning district established under this Chapter, and an application is made by a property owner to the Zoning Officer for such use, the use may be permitted in the Industrial Zoning District, but only upon approval of a special exception, in accordance with the provisions in Part 23 of this Chapter, by the Zoning Hearing Board.

§27-305. Annexed and Unzoned Areas.

For zoning purposes, all areas annexed to the City or which may be discovered to be unzoned due to administrative oversight or a change in City boundaries shall be classified as "R-1 - Single-Family Residential" until such time as this Chapter and Zoning Map are officially amended to include the annexed or excluded areas and classify them in accordance with the most recent version of the City of Lock Haven Comprehensive Plan.

§27-306. Application of Regulations.

Except as provided herein, no building or land shall hereafter be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformance with the regulations specified for the Zoning District in which it is located; with the exception of existing nonconformities as of the

effective date of this Chapter, which may be altered in compliance with Part 21 of this Chapter.

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PART 4**R-1 - SINGLE-FAMILY RESIDENTIAL DISTRICT****§27-401. Purpose.**

The purpose of this district is primarily intended to maintain the low density household character of the existing neighborhoods, with single-family detached dwellings, parks, schools, places of worship, and other supportive services that are at an appropriate neighborhood scale.

§27-402. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Residential				
Single-Family Detached Dwellings.		X		
Licensed Group Home	§27-2002.31	X		
Non-Residential				
Essential Service Installations.		X		
Forestry	§27-2002.19	X		
Parks, Playgrounds and Other Non-Commercial Recreational Uses.	§27-2002.41	X		
Place of Worship	§27-2002.44		X	
Public/Private Works Facility	§27-2002.46			X
School, Public and Private	§27-2002.52			X
Accessory				
Accessory Uses and Structures customarily incidental to a permitted principal use in this zoning district, not specifically listed above or in §27-404 below.		X		
Daycare, Accessory	§27-2003.1.C	X		

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Home Occupation	§27-2003.1.G	X		
No-Impact Home Occupation	§27-2003.1.I	X		

§27-403. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein §27-403) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Residential								
Single-Family Detached	9,600 Sq. Ft.	80 ft.	35%	(a)	25 ft. total for both side yards, with not less than 10 ft. for one side	40 ft.	(b)	No Maximum
Non-Residential								
Parks, Playgrounds, and Playfields	No Minimum		40%	15 ft.	15 ft.	40 ft.	35 ft. Maximum	No Maximum
Other Permitted Uses	20,000 Sq. Ft.	100 ft.	50%	(a)	35 ft. total for both side yards, with not less than 15 ft. for one side	40 ft.	(b)	15,000 Sq. Ft.
Accessory								
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.								

(a) Front setbacks shall comply with the following provisions:

- Where forty (40) percent or more of the frontage on one (1) side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required front setback shall be a line drawn between the two (2) closest front cornices of the adjacent structures on the two (2) sides. This distance may be adjusted by not more twenty five (25) percent.
 - When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required front setback shall be a line drawn between the front cornice of the adjacent structure on the one (1) side and a point on the on a parcel of land where the building is to be erected, measured twenty five (25) feet from the street right-of-way line, halfway between side property lines. This distance may be adjusted by not more twenty five (25) percent.
- Otherwise the building shall have a required front setback of twenty five (25) feet. This distance may be adjusted by not more twenty five (25) percent.
- No new building shall extend into any street right-of-way.

(b) Building height shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - a. Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required building height shall be the average of the existing heights of the adjacent structures on the two (2) sides. This height may be adjusted by not more twenty five (25) percent.
 - b. When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required building height shall be that of the existing adjacent building. This height may be adjusted by not more twenty five (25) percent.
2. Otherwise there shall be no required building height.
3. However, no building shall have a height exceeding thirty five (35) feet.

Note: Applications for Zoning Permits Construction of New Principal Buildings or Additions / Expansions to Existing Principal Buildings

In addition to the information, required in §27-2207 of this Chapter, applications for the construction of new principal buildings or additions/expansions to existing principal buildings in this zoning district shall be submitted with the following information:

- a. *A complete set of calculations (i.e. averages of heights, setbacks, etc.) used to determine and demonstrate compliance with all applicable standards set forth in the Dimensional Requirements of §27-403 of this Chapter.*
- b. *A schematic architectural drawing of the principal building's front façade.*

§27-404. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Signs as required by Part 17.
2. Parking and loading as required by Part 18.
3. Access and traffic control as required by Part 18.
4. Landscaping, screening and buffering as required by Part 19.
5. Storage as required by Part 19.

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PART 5**R-L – LOW DENSITY RESIDENTIAL DISTRICT****§27-501. Purpose.**

The purpose of this district is primarily intended to accommodate a wider variety of housing types and more intensive land use than the R-1 district. This district preserves the lower density household character of the existing neighborhoods, by permitting compatible, low density residential dwelling types such as single-family detached, semi-detached dwellings, and two-family, parks, schools, places of worship, and other supportive services that are at an appropriate neighborhood scale.

§27-502. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Residential				
Single-Family Detached Dwellings.		X		
Single-Family Semi-Detached Dwellings.			X	
Two-Family Dwellings.			X	
Licensed Group Home	§27-2002.31	X		
Non-Residential				
Essential Service Installations.		X		
Forestry.	§27-2002.19	X		
Parks, Playgrounds and Other Non-Commercial Recreational uses.	§27-2002.41	X		
Place of Worship.	§27-2002.44		X	
Public/Private Works Facility.	§27-2002.46			X
School, Public and Private.	§27-2002.52			X
Accessory				

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Accessory Uses and Structures customarily incidental to a permitted principal use in this zoning district, not specifically listed above or in §27-504 below.		X		
Bed and Breakfast	§27-2003.1.A	X		
Daycare, Accessory	§27-2003.1.C	X		
Daycare, Family	§27-2003.1.D	X		
Home Occupation	§27-2003.1.G	X		
No-Impact Home Occupation	§27-2003.1.I	X		

§27-503. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein §27-503) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Residential								
Single-Family Semi-Detached Dwelling	5,000 Sq. Ft. (per dwelling unit)	50 ft. (per dwelling unit)	40% (per dwelling unit)	(a)	0 ft. at common wall, 10 ft. for non-common wall side	20 ft.	(b)	(c)
Two-Family Dwelling	8,000 Sq. Ft. (4,000 sq. ft. per dwelling unit)	80 ft. (40 ft. per dwelling unit)	40%	(a)	0 ft. at common wall, 20 ft. total for both side yards, with not less than 8 ft. for one side	20 ft.	(b)	(c)
Single-Family Detached	6,000 Sq. Ft.	60 ft.	35%	(a)	25 ft. total for both side yards, with not less than 8 ft. for one side	20 ft.	(b)	No Maximum
Non-Residential								
Parks, Playgrounds, and Playfields	No Minimum		40%	15 ft.	15 ft.	15 ft.	35 ft. Maximum	No Maximum
Other Permitted Uses	20,000 Sq. Ft.	100 ft.	50%	(a)	35 ft. total for both side yards, with not less than 15 ft. for one side	40 ft.	(b)	15,000 Sq. Ft.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Residential								
Accessory								
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.								

(a) Front setbacks shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one (1) side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - a. Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required front setback shall be a line drawn between the two (2) closest front cornices of the adjacent structures on the two (2) sides. This distance may be adjusted by not more twenty five (25) percent.
 - b. When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required front setback shall be a line drawn between the front cornice of the adjacent structure on the one (1) side and a point on the on a parcel of land where the building is to be erected, measured twenty five (25) feet from the street right-of-way line, halfway between side property lines. This distance may be adjusted by not more twenty five (25) percent.
2. Otherwise the building shall have a required front setback of twenty five (25) feet. This distance may be adjusted by not more twenty five (25) percent.
3. No new building shall extend into any street right-of-way.

(b) Building height shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - a. Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required building height shall be the average of the existing heights of the adjacent structures on the two (2) sides. This height may be adjusted by not more twenty five (25) percent.
 - b. When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required building height shall be that of the existing adjacent building. This height may be adjusted by not more twenty five (25) percent.
2. Otherwise there shall be no required building height.
3. However, no building shall have a height exceeding thirty five (35) feet.

Note: Applications for Zoning Permits Construction of New Principal Buildings or Additions / Expansions to Existing Principal Buildings

In addition to the information, required in §27-2207 of this Chapter, applications for the construction of new principal buildings or additions/expansions to existing principal buildings in this zoning district shall be submitted with the following information:

- a. *A complete set of calculations (i.e. averages of heights, setbacks, etc.) used to determine and demonstrate compliance with all applicable standards set forth in the Dimensional Requirements of §27-503 of this Chapter.*
- b. *A schematic architectural drawing of the principal building's front façade.*

§27-504. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Building Orientation: The front façade of buildings shall be orientated towards a public street with an entrance provided in this front façade.
2. Signs as required by Part 17.
3. Parking and loading as required by Part 18.
4. Access and traffic control as required by Part 18.
5. Landscaping, screening and buffering as required by Part 19.
6. Storage as required by Part 19.

§27-505. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 – Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

PART 6**R-M – MEDIUM DENSITY RESIDENTIAL DISTRICT****§27-601. Purpose.**

The purpose of this district is primarily intended to accommodate a wider variety of housing types and more intensive land use than the R-L district, while also allowing for some neighborhood serving businesses and services. This district preserves the medium density household character of the existing neighborhoods, by generally permitting a range of compatible, residential dwellings including all forms of housing, parks, schools, places of worship, and other supportive services that are at an appropriate neighborhood scale. Additionally, this district permits some neighborhood oriented retail and service businesses.

§27-602. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Residential				
Multi-Family Dwellings (greater than or equal to 1,000 square feet of floor space per unit)	§27-2002.36	X		
Multi-Family Dwellings (less than 1,000 square feet of floor space per unit)	§27-2002.36		X	
Residential Conversion for Multiple Dwelling Units.	§27-2002.49			X
Single-Family Attached Dwellings.	§27-2002.54	X		
Single-Family Detached Dwellings.		X		
Single-Family Semi-Detached Dwellings.		X		
Two-Family Dwellings.		X		
Licensed Group Homes.	§27-2002.31	X		
Non-Residential				
Essential Service Installations.		X		
Forestry.	§27-2002.19			

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Funeral Homes.	§27-2002.20		X	
Libraries.			X	
Neighborhood Retail/Service.	§27-2002.37	X		
Parks, Playgrounds and Other Non-Commercial Recreational Uses.	§27-2002.41	X		
Personal Care Homes.	§27-2002.42		X	
Place of Worship.	§27-2002.44		X	
Public Building.	§27-2002.45	X		
Public/Private Works Facility.	§27-2002.46			X
School, Public and Private.	§27-2002.52			X
Accessory				
Accessory Uses and Structures customarily incidental to a permitted principal use in this zoning district, not specifically listed above or in §27-604 below.		X		
Bed and Breakfast	§27-2003.1.A	X		
Café/Outdoor Dining	§27-2003.1.B		X	
Daycare, Accessory	§27-2003.1.C	X		
Daycare, Family	§27-2003.1.D	X		
Home Occupation	§27-2003.1.G	X		
No-Impact Home Occupation	§27-2003.1.I	X		

§27-603. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein §27-603) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Residential								
Multi-Family Dwelling	16,000 Sq. Ft.	100 ft.	50%	(a)	25 ft.	25 ft.	(b)	15,000 Sq. Ft.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Residential								
Single-Family Semi-Detached Dwelling	5,000 Sq. Ft. (per dwelling unit)	50 ft. (per dwelling unit)	40% (per dwelling unit)	(a)	0 ft. at common wall, 10 ft. for non-common wall side	20 ft.	(b)	No Maximum
Two-Family Dwelling	8,000 Sq. Ft. (4,000 sq. ft. per dwelling unit)	80 ft. (40 ft. per dwelling unit)	40%	(a)	0 ft. at common wall, 20 ft. total for both side yards, with not less than 8 ft. for one side	20 ft.	(b)	No Maximum
Single-Family Detached	6,000 Sq. Ft.	60 ft.	35%	(a)	25 ft. total for both side yards, with not less than 8 ft. for one side	20 ft.	(b)	No Maximum
Non-Residential								
Parks, Playgrounds, and Playfields	No Minimum		40%	15 ft.	15 ft.	15 ft.	35 ft. Maximum	No Maximum
Other Permitted Uses	10,000 Sq. Ft.	80 ft.	50%	(a)	35 ft. total for both side yards, with not less than 15 ft. for one side	40 ft.	(b)	15,000 Sq. Ft.
Accessory								
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.								

(a) Front setbacks shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one (1) side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - a. Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required front setback shall be a line drawn between the two (2) closest front cornices of the adjacent structures on the two (2) sides. This distance may be adjusted by not more twenty five (25) percent.
 - b. When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required front setback shall be a line drawn between the front cornice of the adjacent structure on the one (1) side and a point on the on a parcel of land where the building is to be erected, measured twenty five (25) feet from the street right-of-way line, halfway between side property lines. This distance may be adjusted by not more twenty five (25) percent.
2. Otherwise the building shall have a required front setback of twenty five (25) feet. This distance may be adjusted by not more twenty five (25) percent.
3. No new building shall extend into any street right-of-way.

(b) Building height shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - a. Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required building height shall be the average of the existing heights of the adjacent structures on the two (2) sides. This height may be adjusted by not more twenty five (25) percent.
 - b. When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required building height shall be that of the existing adjacent building. This height may be adjusted by not more twenty five (25) percent.

2. Otherwise there shall be no required building height.
3. However, no building shall have a height exceeding thirty five (35) feet.

Note: Applications for Zoning Permits Construction of New Principal Buildings or Additions / Expansions to Existing Principal Buildings

In addition to the information, required in §27-2207 of this Chapter, applications for the construction of new principal buildings or additions/expansions to existing principal buildings in this zoning district shall be submitted with the following information:

- a. *A complete set of calculations (i.e. averages of heights, setbacks, etc.) used to determine and demonstrate compliance with all applicable standards set forth in the Dimensional Requirements of §27-603 of this Chapter.*
- b. *A schematic architectural drawing of the principal building's front façade.*

§27-604. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Building Orientation: The front façade of buildings shall be orientated towards a public street with an entrance provided in this front façade.
2. Signs as required by Part 17.
3. Parking and loading as required by Part 18.
4. Access and traffic control as required by Part 18.
5. Landscaping, screening and buffering as required by Part 19.
6. Storage as required by Part 19.

§27-605. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 – Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

PART 7**R-H – HIGH DENSITY RESIDENTIAL DISTRICT****§27-701. Purpose.**

The purpose of this district is primarily intended to accommodate a wider variety of housing types and more intensive land use than the R-M district, while also allowing for some neighborhood serving businesses and services. This district preserves the higher density household character of the existing neighborhoods, by permitting a range of compatible, residential dwellings including all forms of housing, parks, schools, places of worship, and other supportive services that are at an appropriate neighborhood scale. Additionally, this district permits some neighborhood oriented retail and service businesses.

§27-702. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Residential				
Multi-Family Dwellings.	§27-2002.36	X		
Residential Conversion for Multiple Dwelling Units.	§27-2002.49			X
Single-Family Attached Dwellings.	§27-2002.54	X		
Single-Family Detached Dwellings.		X		
Single-Family Semi-Detached Dwellings.		X		
Two-Family Dwellings.		X		
Licensed Group Homes.	§27-2002.31	X		
Non-Residential				
Bank.			X	
Boarding House.	§27-2002.9		X	
Daycare, Commercial.	§27-2002.17		X	
Essential Service Installations.		X		
Forestry.	§27-2002.19	X		
Funeral Homes.	§27-2002.20		X	

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Laundromat.		X		
Mobile Home Park.	§27-2002.34		X	
Neighborhood Retail/Service.	§27-2002.37	X		
Parks, Playgrounds and Other Non-Commercial Recreational Uses.	§27-2002.41	X		
Personal Care Home.	§27-2002.42	X		
Place of Worship.	§27-2002.44		X	
Public Building.	§27-2002.45	X		
Public/Private Works Facility.	§27-2002.46			X
School, Public and Private.	§27-2002.52			X
Accessory				
Accessory Uses and Structures customarily incidental to a permitted principal use in this zoning district, not specifically listed above or in §27-704 below.		X		
Bed and Breakfast	§27-2003.1.A	X		
Café/Outdoor Dining	§27-2003.1.B		X	
Daycare, Accessory	§27-2003.1.C	X		
Daycare, Family	§27-2003.1.D	X		
Home Occupation	§27-2003.1.G	X		
No-Impact Home Occupation	§27-2003.1.I	X		

§27-703. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein this §27-703) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Residential								
Multi-Family Dwelling	16,000 Sq. Ft.	100 ft.	50%	(a)	25 ft.	25 ft.	(b)	15,000 Sq. Ft.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Residential								
Single-Family Semi-Detached Dwelling	5,000 Sq. Ft. (per dwelling unit)	50 ft. (per dwelling unit)	40% (per dwelling unit)	(a)	0 ft. at common wall, 10 ft. for non-common wall side	20 ft.	(b)	No Maximum
Two-Family Dwelling	8,000 Sq. Ft. (4,000 sq. ft. per dwelling unit)	80 ft. (40 ft. per dwelling unit)	40%	(a)	0 ft. at common wall, 20 ft. total for both side yards, with not less than 8 ft. for one side	20 ft.	(b)	No Maximum
Single-Family Detached	6,000 Sq. Ft.	60 ft.	30%	(a)	25 ft. total for both side yards, with not less than 8 ft. for one side	20 ft.	(b)	No Maximum
Non-Residential								
Parks, Playgrounds, and Playfields	No Minimum		40%	15 ft.	15 ft.	15 ft.	35 ft. Maximum	No Maximum
Other Permitted Uses	10,000 Sq. Ft.	80 ft.	50%	(a)	35 ft. total for both side yards, with not less than 15 ft. for one side	40 ft.	(b)	15,000 Sq. Ft.
Accessory								
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.								

(a) Front setbacks shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one (1) side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - a. Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required front setback shall be a line drawn between the two (2) closest front cornices of the adjacent structures on the two (2) sides. This distance may be adjusted by not more twenty five (25) percent.
 - b. When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required front setback shall be a line drawn between the front cornice of the adjacent structure on the one (1) side and a point on the on a parcel of land where the building is to be erected, measured twenty five (25) feet from the street right-of-way line, halfway between side property lines. This distance may be adjusted by not more twenty five (25) percent.
2. Otherwise the building shall have a required front setback of twenty five (25) feet. This distance may be adjusted by not more twenty five (25) percent.
3. No new building shall extend into any street right-of-way.

(b) Building height shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - a. Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required building height shall be the average of the existing heights of the adjacent structures on the two (2) sides. This height may be adjusted by not more twenty five (25) percent.

- b. When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required building height shall be that of the existing adjacent building. This height may be adjusted by not more than twenty five (25) percent.
2. Otherwise there shall be no required building height.
3. However, no building shall have a height exceeding thirty five (35) feet.

Note: Applications for Zoning Permits Construction of New Principal Buildings or Additions / Expansions to Existing Principal Buildings

In addition to the information, required in §27-2207 of this Chapter, applications for the construction of new principal buildings or additions/expansions to existing principal buildings in this zoning district shall be submitted with the following information:

- a. *A complete set of calculations (i.e. averages of heights, setbacks, etc.) used to determine and demonstrate compliance with all applicable standards set forth in the Dimensional Requirements of §27-703 of this Chapter.*
- b. *A schematic architectural drawing of the principal building's front façade.*

§27-704. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Building Orientation: The front façade of buildings shall be orientated towards a public street with an entrance provided in this front façade.
2. Signs as required by Part 17.
3. Parking and loading as required by Part 18.
4. Access and traffic control as required by Part 18.
5. Landscaping, screening and buffering as required by Part 19.
6. Storage as required by Part 19.

§27-705. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 – Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

PART 8**CBD – CENTRAL BUSINESS DISTRICT****§27-801. Purpose.**

The purpose of this district is primarily intended to accommodate for a wide range of pedestrian-oriented and pedestrian-dependent business, public, and residential uses, in close proximity to one another, within the core of the City. The district preserves the mixture of compatible and pedestrian friendly retail, service, office, public, residential, and other appropriate uses within buildings that are appropriately scaled and designed to create distinct storefront character and pleasant gathering, shopping, business, and living environment for residents, business owners, and visitors alike. Building forms and types in this district preserve and enhance the traditional “downtown” character including buildings that are generally 2 to 3 stories, oriented to and abutting the sidewalk, and include a mixture of pedestrian oriented retail and other appropriate businesses on the lower floors with upper floors used for office, service, and residential purposes.

§27-802. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Residential				
Upper floor Apartment Dwelling Units above permitted non-residential use.		X		
Non-Residential				
Animal Hospital/Veterinary Clinic.	§27-2002.3	X		
Automated Banking Facility.	§27-2002.4	X		
Bank.		X		
Beauty/Barber Shop.		X		
Boarding House.	§27-2002.9			X
Business service.		X		
Club Room, Club Ground or Meeting hall, Private.	§27-2002.12	X		
Coffee House.		X		

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Communications Antenna.	§27-2002.13		X	
Crafts or Artisans' Studio.		X		
Convenience Store, General	§27-2002.15	X		
Daycare, Commercial	§27-2002.17	X		
Emergency Services Facility.		X		
Essential Service Installations.		X		
Farmer/Flea Market	§27-2002.18		X	
Food Service.		X		
Forestry.	§27-2002.19	X		
Funeral Homes.	§27-2002.20	X		
Health and Fitness Clubs.	§27-2002.22	X		
Hotels.	§27-2002.25	X		
Indoor Commercial Recreation.	§27-2002.26	X		
Laundromat.		X		
Libraries.		X		
Licensed Group Residence.	§27-2002.32			X
Massage Therapy.		X		
Office, Business		X		
Office, Medical.		X		
Parking Compound.	§27-2002.40			X
Personal Service.		X		
Place of Assembly	§27-2002.43		X	
Place of Worship	§27-2002.44		X	
Post Office.		X		
Public Building.	§27-2002.45	X		
Public/Private Works Facility.	§27-2002.46	X		
Restaurants.	§27-2002.50	X		
Retail Business.		X		
School, Public and Private	§27-2002.52		X	
Tavern/Bar.	§27-2002.55	X		
Theater.		X		
Accessory				
Accessory Uses and Structures customarily incidental to a permitted principal use (excluding drive-in, drive-thru facilities).		X		
Bed and Breakfast	§27-2003.1.A	X		
Café/Outdoor Dining	§27-2003.1.B	X		
Daycare, Accessory	§27-2003.1.C	X		
Home Occupation	§27-2003.1.G	X		

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
No-Impact Home Occupation	§27-2003.1.I	X		

§27-803. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein §27-803) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Non-Residential								
All Other Uses	No Minimum		100%	(a)	(b)	(c)	(d)	(e)
Accessory								
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.								

(a) Front setbacks shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:

- Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required front setback shall be a line drawn between the two (2) closest front cornices of the adjacent structures on the two (2) sides. This distance may be adjusted by not more twenty five (25) percent.
- When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required front setback shall be a line drawn between the front cornice of the adjacent structure on the one (1) side and a point on the on a parcel of land where the building is to be erected, measured twenty five (25) feet from the street right-of-way line, halfway between side property lines. This distance may be adjusted by not more twenty five (25) percent.

2. Otherwise the building shall have a required front setback of ten (10) feet. This distance may be adjusted by not more twenty five (25) percent.

3. No new building shall extend into any street right-of-way.

4. This required front setback shall apply for only the first (1st) four (4) stories or forty five (45) feet of building height. Additional stories shall be setback ten (10) feet beyond the required front setback line.

(b) Zero (0) feet at common wall with non-residential use/building, otherwise five (5) feet for non-common wall. Ten (10) feet if abutting a residential use and/or zoning district.

(c) Ten (10) feet when abutting a residential use and/or zoning district.

(d) Building height shall comply with the following provisions:

1. Where forty (40) percent or more of the frontage on one (1) side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:

- Where a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the required building height shall be the average of the existing heights of the adjacent structures on the two (2) sides. This height may be adjusted by not more twenty five (25) percent.

- b. When a building is to be erected on a parcel of land that is within one hundred (100) lineal feet of an existing building on one (1) side only, the required building height shall be that of the existing adjacent building. This height may be adjusted by not more than twenty five (25) percent.
- c. However, no new building shall be less than thirty (30) feet (which must be designed to appear to be minimum of two [2] stories) and no new building or addition/expansion to an existing building shall be greater than sixty five (65) feet in height.
- (e) The maximum building footprint of any new building constructed or addition/expansion of an existing building shall comply with the following provisions
 - 1. Where forty (40) percent or more of the frontage on one side of a street between two (2) intersecting streets is developed with buildings, the following provisions shall apply:
 - a. Where a building is to be erected or new addition/expansion on a parcel of land that is within one hundred (100) lineal feet of existing buildings on both sides, the maximum building footprint shall be the average of the existing building footprints of the adjacent structures on the two (2) sides. This footprint may be adjusted by not more than twenty five (25) percent.
 - b. When a building is to be erected or new addition/expansion on a parcel of land that is within one hundred (100) feet lineal of an existing building on one side only, the maximum building footprint shall be that of the existing adjacent building. This footprint may be adjusted by not more than twenty five (25) percent.

Note: Applications for Zoning Permits Construction of New Principal Buildings or Additions / Expansions to Existing Principal Buildings

In addition to the information, required in §27-2207 of this Chapter, applications for the construction of new principal buildings or additions/expansions to existing principal buildings in this zoning district shall be submitted with the following information:

- a. *A complete set of calculations (i.e. averages of heights, setbacks, etc.) used to determine and demonstrate compliance with all applicable standards set forth in the Dimensional Requirements of §27-403 of this Chapter.*
- b. *A schematic architectural drawing of the principal building's front façade.*

§27-804. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

- 1. Building Requirements
 - A. Building Orientation and Entrances
 - (1) The front façade of buildings shall be orientated towards a public street, with an everyday public entrance provided in this front façade.
 - (2) When buildings are located on corner lots, entrances shall be provided via one of the following:
 - (a) one entrance located at and oriented toward the corner with an appropriate building articulation such as a chamfered corner, turret, canopy, or other similar building feature; or
 - (b) one entrance in each front façade oriented toward each public street.
 - (3) All primary building entrances shall be accentuated and provided with some weather protection. Permitted entrances types include: recessed, protruding, canopy, awning, portico, or overhang.
 - B. Walls and Windows

- (1) Blank walls on building facades facing public streets shall not be permitted.
- (2) A minimum of forty five (45) percent of a building's first floor facades facing a public street shall either include windows, doors, or combination of both.
- (3) Smoked, reflective, or black glass is prohibited.

C. Drive-in/drive-through facilities shall not be permitted.

2. Signs as required by Part 17.
3. Parking and loading as required by Part 18.
4. Access and traffic control as required by Part 18.
5. Landscaping, screening and buffering as required by Part 19.
6. Storage as required by Part 19.

§27-805. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 – Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

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PART 9**GC – GENERAL COMMERCIAL DISTRICT****§27-901. Purpose.**

The purpose of this district is primarily intended to accommodate for a variety of commercial uses and facilities outside of the pedestrian oriented and servicing uses and buildings in the CBD, particularly by accommodating uses and facilities designed for and oriented to conveniently serve automobile traffic, including drive through and drive in businesses. This district permits a carry-over of the retail, service, office, and public uses from the CBD but the district is heavily oriented providing for more intense establishments generally requiring more or larger street building coverage, frontage, parking, signage, etc.

§27-902. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Non-Residential				
Animal Hospital/Veterinary Clinic.	§27-2002.3	X		
Automated Banking Facility	§27-2002.4	X		
Automobile, Heavy Equipment and Similar Motor Vehicle Rental and Sales.	§27-2002.5	X		
Automotive Service Station.	§27-2002.7	X		
Automotive Vehicle Repair Center.	§27-2002.8		X	
Bank.		X		
Beauty/Barber Shop		X		
Business Service.		X		
Car Wash.	§27-2002.10	X		
Club Room, Club Ground or Meeting Hall, Private.	§27-2002.12	X		
Coffee House.		X		
Convenience Store, General.		X		
Crafts or Artisans’ Studio.		X		
Daycare, Commercial.	§27-2002.17	X		

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Emergency Services Facility.		X		
Essential Service Installations.		X		
Farmer/Flea Market	§27-2002.18	X		
Food Service.		X		
Forestry.	§27-2002.19	X		
Funeral Homes.	§27-2002.20	X		
Health and Fitness Club.	§27-2002.22	X		
Home Improvement Center, Lumber, or Building Materials Sales Facility.	§27-2002.23	X		
Hotels.	§27-2002.25	X		
Indoor Commercial Recreation.	§27-2002.26	X		
Industrial, Light.	§27-2002.28	X		
Laundromat.		X		
Kennel, Commercial.	§27-2002.29	X		
Massage Therapy.		X		
Mini-Storage/Self-Storage Facility.	§27-2002.33	X		
Motels.	§27-2002.35	X		
Outdoor Commercial Recreation.	§27-2002.39	X		
Office, Business.		X		
Office, Medical.		X		
Parking Compound.	§27-2002.40	X		
Parks, Playgrounds and Other Non-Commercial Recreational Uses.	§27-2002.41	X		
Personal Service.		X		
Place of Assembly.	§27-2002.43	X		
Place of Worship.	§27-2002.44	X		
Post Office.		X		
Public Building.	§27-2002.45	X		
Public/Private Works Facility.	§27-2002.46	X		
Restaurants.	§27-2002.50	X		
Retail Business.		X		
School, Commercial.	§27-2002.51	X		
School, Public and Private.	§27-2002.52	X		
Shopping Center.	§27-2002.53	X		
Tavern/Bar.	§27-2002.55	X		
Theater.		X		
Accessory				

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Accessory Uses and Structures customarily incidental to a permitted principal use.		X		
Café/Outdoor Dining.	§27-2003.1.B	X		

§27-903. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein §27-903) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings				
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Footprint (Maximum)
Non-Residential								
Parks, Playgrounds, and Playfields	No Minimum		40%	15 ft. (Minimum)	15 ft.	15 ft.	35 ft. Maximum	No Maximum
All Other Uses	5,000 Sq. Ft.	50 ft.	80%	0 ft. (Minimum)	10 ft. (a)	10 ft. (a)	65 ft. Maximum	No Maximum
Accessory								
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.								

(a) 15 ft. when abutting a residential use and/or zoning district.

§27-904. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Signs as required by Part 17.
2. Parking and loading as required by Part 18.
3. Access and traffic control as required by Part 18.
4. Landscaping, screening and buffering as required by Part 19.
5. Storage as required by Part 19.

§27-905. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet

RETTEW
December 14, 2008

the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 – Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

PART 10**GC/LI – GENERAL COMMERCIAL/LIGHT INDUSTRIAL DISTRICT****§27-1001. Purpose.**

The purpose of this district is primarily intended to accommodate for a mixture of more intense commercial uses and facilities that serve and are compatible with lighter industrial uses and facilities, subject to general compatibility, design and performance standards to not only help minimize detrimental impacts on surrounding, lower density and/or intensity uses and districts but also to provide for a high-quality environment for businesses and employees. The district is intended to provide suitable locations for a more intense commercial uses and facilities generally permitted the General Commercial District in the same district as lighter industrial uses and facilities that due to the lower intensity nature of processes, materials, products, etc. and otherwise, would generally be more compatible with neighboring properties and uses than the more intense industrial uses permitted in the Industrial District.

§27-1002. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Non-Residential				
Adult Bath House.	§27-2002.1			X
Adult Body Painting.	§27-2002.1			X
Adult Bookstore.	§27-2002.1			X
Adult Cabaret.	§27-2002.1			X
Adult Massage Establishment.	§27-2002.1			X
Adult Mini-Motion Picture Theater.	§27-2002.1			X
Adult Model Studio.	§27-2002.1			X
Adult Motel.	§27-2002.1			X
Adult Motion Picture Arcade.	§27-2002.1			X
Adult Motion Picture Theater.	§27-2002.1			X
Adult News Rack.	§27-2002.1			X
Adult Out-Call Service.	§27-2002.1			X
Adult Sexual Encounter Center.	§27-2002.1			X
Adult Theater.	§27-2002.1			X

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Adult Video Store.	§27-2002.1			X
Adult Other.	§27-2002.1			X
Animal Hospital/Veterinary Clinic.	§27-2002.3	X		
Automated Banking Facility	§27-2002.4	X		
Automobile, Heavy Equipment, and Similar Motor Vehicle Rental and Sales.	§27-2002.5	X		
Automotive Service Station.	§27-2002.7	X		
Automotive Vehicle Repair Center.	§27-2002.8	X		
Bank.		X		
Beauty/Barber Shop		X		
Business Service.		X		
Car Wash.	§27-2002.10	X		
Club Room, Club Ground or Meeting Hall, Private.	§27-2002.12	X		
Communications Antenna.	§27-2002.13	X		
Contractor's Yard.	§27-2002.14		X	
Convenience Store, General.	§27-2002.15	X		
Crafts or Artisans' Studio.		X		
Emergency Services Facility.		X		
Essential Service Installations.		X		
Farmer/Flea Market	§27-2002.18	X		
Food Service.		X		
Forestry.	§27-2002.19	X		
Funeral Homes.	§27-2002.20	X		
Health and Fitness Club	§27-2002.22	X		
Home Improvement Center, Lumber, or Building Materials Sales Facility.	§27-2002.23	X		
Hotel.	§27-2002.25	X		
Indoor Commercial Recreation.	§27-2002.26	X		
Industrial, General.	§27-2002.27		X	
Industrial, Light.	§27-2002.28	X		
Kennel, Commercial.	§27-2002.29	X		
Landscaping Center/Nursery.	§27-2002.30	X		
Laundromat.		X		
Massage Therapy.		X		
Mini-Storage/Self-Storage Facility.	§27-2002.33	X		
Motels.	§27-2002.35	X		
Office, Business.		X		
Office, Medical.		X		

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Outdoor Commercial Recreation.	§27-2002.39	X		
Parking Compound.	§27-2002.40	X		
Personal Service.		X		
Place of Assembly.	§27-2002.43	X		
Place of Worship.	§27-2002.44	X		
Post Office.		X		
Public Building.	§27-2002.45	X		
Public/Private Works Facility.	§27-2002.46	X		
Research and Development.		X		
Restaurants.	§27-2002.50	X		
Retail Business.		X		
School, Commercial.	§27-2002.51	X		
School, Public and Private.	§27-2002.52	X		
Shopping Center.	§27-2002.53	X		
Tavern/Bar.	§27-2002.55	X		
Theater.		X		
Truck Repair and Service Facility.		X		
Warehousing, Distributing and Wholesaling.	§27-2002.59		X	
Accessory				
Accessory Uses and Structures customarily incidental to a permitted principal use.		X		
Café/Outdoor Dining.	§27-2003.1.B	X		

§27-1003. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein §27-1003) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings					
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Floor Area (Maximum)	Building Footprint (Maximum)
Non-Residential									
All Other Uses	5,000 Sq. Ft.	50 Ft.	60%	10 ft. (Minimum)	10 ft. (a)	10 ft. (a)	65 ft. Maximum	No Maximum	

Permitted Uses	Lot/Land			Buildings					
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Floor Area (Maximum)	Building Footprint (Maximum)
Accessory									
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.									

- (a) 25 ft. when abutting a residential use and/or zoning district.

§27-1004. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Signs as required by Part 17.
2. Parking and loading as required by Part 18.
3. Access and traffic control as required by Part 18.
4. Landscaping, screening and buffering as required by Part 19.
5. Storage as required by Part 19.

§27-1005. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 – Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

PART 11**I – INDUSTRIAL DISTRICT****§27-1101. Purpose.**

The purpose of this district is primarily intended to accommodate for a variety of more intense industrial uses, subject to general compatibility, design and performance standards to not only help minimize detrimental impacts on surrounding, lower density and/or intensity uses and districts but also to provide for a high-quality environment for businesses and employees. The district is intended to provide suitable locations for heavy industrial uses (e.g., raw materials processing; and manufacturing, assembly, packaging or distribution of heavy or large goods) or more intense uses that due to the more intensive nature of the processes, materials, products, etc. such uses may not otherwise be compatible in other districts or neighboring properties and uses.

§27-1102. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Non-Residential				
Adult Bath House.	§27-2002.1			X
Adult Body Painting.	§27-2002.1			X
Adult Bookstore.	§27-2002.1			X
Adult Cabaret.	§27-2002.1			X
Adult Massage Establishment.	§27-2002.1			X
Adult Mini-Motion Picture Theater.	§27-2002.1			X
Adult Model Studio.	§27-2002.1			X
Adult Motel.	§27-2002.1			X
Adult Motion Picture Arcade.	§27-2002.1			X
Adult Motion Picture Theater.	§27-2002.1			X
Adult News Rack.	§27-2002.1			X
Adult Out-Call Service.	§27-2002.1			X
Adult Sexual Encounter Center.	§27-2002.1			X
Adult Theater.	§27-2002.1			X
Adult Video Store.	§27-2002.1			X
Adult Other.	§27-2002.1			X

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Aircraft Assembly and Rehabilitation.		X		
Automobile Wrecking, Junk, and Scrap Storage and Sales Establishments.	§27-2002.6			X
Automotive Service Station.	§27-2002.7	X		
Automotive Vehicle Repair Center.	§27-2002.8	X		
Communications Antenna.	§27-2002.13	X		
Communications Tower and Equipment Building.	§27-2002.13			X
Contractor's Yard.	§27-2002.14	X		
Emergency Services Facility.		X		
Essential Service Installations.		X		
Forestry.	§27-2002.19	X		
Home Improvement Center, Lumber, or Building Materials Sales Facility.	§27-2002.23	X		
Industrial, General.	§27-2002.27	X		
Industrial, Light.	§27-2002.28	X		
Landscaping Center/Nursery.	§27-2002.30	X		
Mini-Storage/Self-Storage Facility.	§27-2002.33	X		
Parking Compound.	§27-2002.40	X		
Public Building.	§27-2002.45	X		
Public/Private Works Facility.	§27-2002.46	X		
Rail Yard.	§27-2002.47	X		
Recycling Collection Point, Public.	§27-2002.48	X		
Research and Development.		X		
School, Commercial.	§27-2002.51	X		
Truck Repair and Service Facility.		X		
Truck Terminal.	§27-2002.56	X		
Warehousing, Distributing and Wholesaling.	§27-2002.59	X		
Accessory				
Accessory Uses and Structures customarily incidental to a permitted principal use.		X		

§27-1103. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted

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uses and structures (and additions/expansions to existing structures as specified herein §27-1103) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings					
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Floor Area (Maximum)	Building Footprint (Maximum)
Non-Residential									
All Other Uses	20,000 Sq. Ft.	100 Ft.	75%	25 ft. (Minimum)	25 ft. (a)	25 ft. (a)	65 ft. Maximum	No Maximum	
Accessory									
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.									

(a) 50 ft. when abutting a residential use and/or zoning district.

§27-1104. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Signs as required by Part 17.
2. Parking and loading as required by Part 18.
3. Access and traffic control as required by Part 18.
4. Landscaping, screening and buffering as required by Part 19.
5. Storage as required by Part 19.

§27-1105. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 - Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

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PART 12**IPA – INDUSTRIAL PARK AIRPORT DISTRICT****§27-1201. Purpose.**

The purpose of this district is primarily intended to provide an integrated, high quality, and flexible mixture of industrial uses and facilities, supporting businesses, services, and offices, along with uses and facilities compatible with, associated with and supporting the continued operation of the William T. Piper Memorial Airport; subject to general compatibility, design and performance standards to not only help minimize detrimental impacts on surrounding, lower density and/or intensity uses and districts but also to provide for a high-quality environment for businesses and employees.

§27-1202. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Non-Residential				
Airport.	§27-2002.2	X		
Aircraft Assembly and Rehabilitation.		X		
Aircraft Maintenance and Storage Hanger.		X		
Aircraft Sales.		X		
Airport Office.		X		
Airport Parking.		X		
Airport Runway/Taxiway.		X		
Airport Service Facility.		X		
Airport Terminal.		X		
Airport Traffic Control Facility.		X		
Bank.		X		
Business Service.		X		
Communications Antenna.	§27-2002.13	X		
Communications Tower and Equipment Building.	§27-2002.13			X
Daycare, Commercial.	§27-2002.17	X		
Emergency Services Facility.		X		

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Essential Service Installations.		X		
Forestry.	§27-2002.19	X		
Indoor Commercial Recreation.	§27-2002.26	X		
Industrial, General.	§27-2002.27		X	
Industrial, Light.	§27-2002.28	X		
Mini-Storage/Self-Storage Facility.	§27-2002.33	X		
Office, Business.		X		
Office, Medical.		X		
Personal Service.		X		
Public Building.	§27-2002.45	X		
Public/Private Works Facility.	§27-2002.46	X		
Rail Yard.		X		
Research and Development.		X		
Restaurants.	§27-2002.50	X		
Retail Business.		X		
School, Commercial.	§27-2002.51	X		
School, Public and Private.	§27-2002.52	X		
Truck Terminal.	§27-2002.56	X		
Warehousing, Distributing and Wholesaling.	§27-2002.59	X		
Accessory				
Accessory Uses and Structures customarily incidental to a permitted principal use.		X		

§27-1203. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein §27-1203) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings					
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Floor Area (Maximum)	Building Footprint (Maximum)
Non-Residential									

Permitted Uses	Lot/Land			Buildings					
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Floor Area (Maximum)	Building Footprint (Maximum)
Parks, Playgrounds, and Playfields	No Minimum		40%	15 ft. (Minimum)	15 ft.	15 ft.	35 ft. Maximum	No Maximum	
All Other Uses	20,000 Sq. Ft.	100 ft.	75%	25 ft. (Minimum)	25 ft. (a)	25 ft. (a)	65 ft. Maximum	No Maximum	
Accessory									
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.									

(a) 50 ft. when abutting a residential use and/or zoning district.

§27-1204. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Signs as required by Part 17.
2. Parking and loading as required by Part 18.
3. Access and traffic control as required by Part 18.
4. Landscaping, screening and buffering as required by Part 19.
5. Storage as required by Part 19.

§27-1205. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 – Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

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PART 13**PI – PUBLIC INSTITUTIONAL DISTRICT****§27-1301. Purpose.**

The purpose of this district is primarily intended to maintain the larger areas of public and institutional uses and facilities existing within the City. This district accommodates for wide range of uses and facilities owned, operated, and associated with Lock Haven University and provides for other compatible public, service, and institutional type uses and facilities including schools, hospitals, cemeteries, parks, schools, places of worship, and other supportive services that due to the large grouping or intensive nature of such uses and facilities, may not otherwise be compatible in other districts or neighboring properties and uses.

§27-1302. Permitted Uses.

Only the following uses are permitted within this District, provided that in addition to the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met. Uses permitted by Special Exception are subject to the approval by the Zoning Hearing Board pursuant to a public hearing set forth with the provisions of Part 23 of this Chapter. Uses permitted by Conditional Use upon are subject to the approval by the City Council pursuant to a public hearing set forth with the provisions of Part 22 of this Chapter.

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Non-Residential				
Boarding House.	§27-2002.9	X		
Cemetery.	§27-2002.11	X		
Communications Antenna.	§27-2002.13	X		
Communications Tower and Equipment Building.	§27-2002.13			X
Correctional Facility.				X
Emergency Services Facility.		X		
Essential Service Installations.		X		
Forestry.	§27-2002.19	X		
Halfway House	§27-2002.21			X
Hospital.	§27-2002.24	X		
Libraries.		X		
Licensed Group Residence	§27-2002.32	X		
Nursing Homes.	§27-2002.38	X		
Office, Medical		X		
Parking Compound.	§27-2002.40	X		

Use	Supplemental Regulations	Permitted		
		By Right	Special Exception	Conditional Use
Parks, Playgrounds and Other Non-Commercial Recreational Uses.	§27-2002.41	X		
Personal Care Center.	§27-2002.42	X		
Personal Care Home.		X		
Place of Assembly.	§27-2002.43	X		
Place of Worship.	§27-2002.44	X		
Post Office.		X		
Public Building.	§27-2002.45	X		
Public/Private Works Facility.	§27-2002.46	X		
Research and Development.		X		
School, Public and Private.	§27-2002.52	X		
Theater.		X		
University/College.	§27-2002.57	X		
University Housing.	§27-2002.58	X		
Accessory				
Accessory Uses and Structures customarily incidental to a permitted principal use.		X		

§27-1303. Dimensional Requirements.

Unless further specified in the supplemental regulations for specific uses established in Part 20 and all applicable general use provisions in Part 19 and elsewhere in this Chapter are met, all new permitted uses and structures (and additions/expansions to existing structures as specified herein §27-1303) within this District shall comply with the following lot and building dimensional requirements.

Permitted Uses	Lot/Land			Buildings					
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Floor Area (Maximum)	Building Footprint (Maximum)
Non-Residential									
Parks, Playgrounds, and Playfields	No Minimum		40%	15 ft. (Minimum)	15 ft.	15 ft.	35 ft. Maximum	No Maximum	
All Other Uses	No Minimum		80%	20 ft. (Minimum)	25 ft. total for 2 sides, 10 for 1 side (a)	20 ft. (a)	75 ft. Maximum	No Maximum	
Accessory									

Permitted Uses	Lot/Land			Buildings					
	Area (Minimum)	Width (Minimum)	Coverage (Maximum)	Front Setback	Side Setback (Minimum)	Rear Setback (Minimum)	Height	Building Floor Area (Maximum)	Building Footprint (Maximum)
See Principal use above to which it is accessory and Parts 19 & 20 of this Chapter.									

- (a) 25 ft. when abutting a residential use and/or zoning district.

§27-1304. Design Standards.

In addition to other applicable sections of Part 19 General Provisions, all development or uses permitted within this District shall also comply with the following design standards, as applicable.

1. Signs as required by Part 17.
2. Parking and loading as required by Part 18.
3. Access and traffic control as required by Part 18.
4. Landscaping, screening and buffering as required by Part 19.
5. Storage as required by Part 19.

§27-1305. Zoning Overlays.

If located within or affected by the following zoning overlay districts, development or uses shall meet the requirements of the applicable overlay provisions in accordance with:

1. Part 14 - Airport Overlay;
2. Part 15 – Flood Damage and Control Standards; and
3. Part 16 - Historic District Overlay.

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PART 14

AO - AIRPORT OVERLAY

§27-1401. Short Title.

This Part shall be known and may be cited as the "City of Lock Haven Airport Overlay."

§27-1402. Declaration of Policy.

1. This Part is adopted pursuant to the authority conferred by the Airport Zoning Act, 74 Pa.C.S.A. §5911 *et seq.*
2. It is hereby found that an obstruction has the potential for endangering the lives and property of users of the William T. Piper Airport and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums of the William T. Piper Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the William T. Piper Airport and the public investment therein. Accordingly, it is declared:
 - A. That the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by the William T. Piper Airport.
 - B. That it is necessary in the interest of the public health, safety, morals and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented.
 - C. That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.
3. It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation or the marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

§27-1403. Airport Surface Zones.

In order to carry out the provisions of this Chapter, there are hereby created and established certain zones within the Airport Overlay Zone which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to the William T. Piper Airport. Such zones are shown on the William T. Piper Airport Height Limitation and Zoning District Map prepared by the Pennsylvania Department of Transportation, Bureau of Aviation, and dated 1989, and the City of Lock Haven, Clinton County, Pennsylvania Airport Overlay Map which are attached to this Chapter and made a part hereof. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- A. **Larger Than Utility Runway Visual Approach Surface Zone.** Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of one thousand five hundred (1,500) feet at a horizontal distance of five thousand (5,000) feet from the primary surface. Its centerline is the

continuation of the centerline of the runway.

- B. **Transitional Surface Zones.** Established beneath the transitional surfaces adjacent to each runway and approach surface as indicated on the Height Limitation and Zoning District Map.
- C. **Horizontal Surface Zone.** Established beneath the horizontal surface, one hundred fifty (150) feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of five thousand (5,000) feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal surface zone does not include the approach surface and transitional surface zones.
- D. **Conical Surface Zone.** Established beneath the conical surface. The conical surface zone commences at the periphery of the horizontal surface and extends outward therefrom a horizontal distance of four thousand (4,000) feet.

§27-1404. Airport Surface Zone Height Limitations.

Except as otherwise provided in this Chapter, no structure shall be erected, altered or maintained, and no tree shall be allowed to grow in any zone created by this Chapter to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- A. **Utility Runway Visual Approach Surface Zone.** Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand (5,000) feet along the extended runway centerline.
- B. **Transitional Surface Zones.** Slopes seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of one hundred fifty (150) feet above the airport elevation, which is five hundred fifty five (555) feet above mean sea level. In addition to the foregoing, when an airport has a precision instrument runway approach zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface and extending a horizontal distance of five thousand (5,000) feet measured at ninety (90) degree angles to the extended runway centerline.
- C. **Horizontal Surface Zone.** Established at one hundred fifty (150) feet above the established airport elevation or at a height of seven hundred five (705) feet above mean sea level.
- D. **Conical Surface Zone.** Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal surface and at one hundred fifty (150) feet above the established airport elevation and extending to a height of three hundred fifty (350) feet above the established airport elevation or at a height of nine hundred five (905) feet above mean sea level.
- E. **Excepted Height Limitations.** Nothing in this Chapter shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to fifty (50) feet above the surface of the land.

§27-1405. Airport Zoning Requirements.

1. **Reasonableness.** All airport zoning regulations adopted under this Part shall be reasonable; none shall impose any requirement or restriction unless it is reasonably necessary to effectuate the purpose of this Chapter. In determining what regulations it may adopt, the City shall consider, among other factors, the character of the flying operations expected to be conducted at the airport, the nature of the terrain within the airport hazard area, the character of the neighborhood and the uses to which the property to be zoned is put and adaptable.
2. **Use Restrictions.** Notwithstanding any other provisions of this Chapter, no use may be made of land or water within any zone established by this Chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.
3. **Nonconforming Uses.**
 - A. **Regulations Not Retroactive.** The regulations prescribed by this Chapter shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Chapter, or otherwise interfere with the continuance of any nonconforming use, except as provided in §27-1406 (relating to permits and variances). Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Chapter, and is diligently executed.
 - B. **Marking and Lighting.** Notwithstanding the preceding subsection of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon or nearby of such markers and lights as shall be deemed necessary by the City of Lock Haven to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the City of Lock Haven.

§27-1406. Permits and Variances.

1. **Future Uses.** Except as specifically provided in §27-1406.1A. – C, below, no material change shall be made in the use of land, no structure shall be erected or otherwise established and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Chapter shall be granted unless a variance has been approved in accordance with §27-1406.4, below.
 - A. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy five (75) feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

- B. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than four thousand two hundred (4,200) feet from each end of the runway, no permit shall be required for any tree or structure less than seventy five (75) feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limit prescribed for such approach zones.
- C. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zones, no permit shall be required for any tree or structure less than seventy five (75) feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour or topographic feature, would extend above the height limit prescribed for such transition zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure or growth of any tree in excess of any of the height limits established by this Chapter, except that no permit is required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of an existing structure.

- 2. **Existing Uses.** Before any nonconforming structure may be replaced, substantially altered or rebuilt, or tree allowed to grow higher or replanted, a permit must be secured from the City authorizing the replacement or change. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this Chapter or any amendment thereto or than it is when the application for a permit is made.
- 3. **Nonconforming Uses Abandoned or Destroyed.** Whenever the Zoning Officer determines that a nonconforming tree or structure has been abandoned or more than eighty (80) percent torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from this Chapter.
- 4. **Variance.** Any person desiring to erect any structure or increase the height of any structure, or permit the growth of any object of natural growth or otherwise use his property in violation of airport zoning regulations may apply to the Zoning Hearing Board for a variance from the zoning regulations in question. A variance shall only be granted after the requirements of set forth in Part 23 of this Chapter are satisfied. A variance may be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and would be in accordance with the spirit of the regulations and this Chapter. Any variance may be granted subject to any reasonable conditions that the Zoning Hearing Board may deem necessary to effectuate the purposes of this Chapter. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Additionally, no application for variance to the requirements of this Chapter may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the airport manager (or person of equivalent description) for advice as to the aeronautical effects of the variance. If the airport manager (or person of equivalent description) does not respond to the application within fifteen (15) days after receipt, the Zoning Hearing Board may act without such input to grant or deny said application.
- 5. **Hazard Marking and Lighting.** In granting any permit or variance under this Section, the Board shall, if it deems the action advisable to effectuate the purpose of this Chapter and reasonable under the circumstances, so condition the permit or variance as to require the owner of the structure or object of natural growth in question to permit the City, at its own expense, or require the person or persons requesting the permit or variance to install, operate and maintain

thereon such markers and lights as may be required by guidelines or regulations adopted by the FAA.

§27-1407. Enforcement; Notice.

1. **Local Enforcement.** It shall be the duty of the Zoning Officer to administer and enforce the regulations prescribed herein. Applicants for permits and variances shall be made to the Zoning Officer upon a form published for that purpose. Applications required by this Chapter to be submitted to the Zoning Officer shall be promptly considered and granted or denied. Application for action by the Zoning Hearing Board shall be forthwith transmitted by the Zoning Officer.
2. **Notice to Department.** Notwithstanding any other provision of law, a municipality or board which decides to grant a permit or variance under this Chapter shall notify the Department of Transportation of its decision. This notice shall be in writing and shall be sent so as to reach the department at least ten (10) days before the date upon which the decision is to issue.

§27-1408. Appeals.

1. **Right of Appeal.** Any person aggrieved or taxpayer affected by any decision of the City may appeal to the Zoning Hearing Board as provided by law.
2. **Reasonable Time Requirement.** All appeals hereunder must be taken within a reasonable time as provided by the rules of the Zoning Hearing Board. The Board shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.
3. **Stay of Proceedings.** An appeal shall stay all proceedings in furtherance of the action appealed from unless the City certifies to the Board, after the notice of appeal has been filed within, that, by reason of the facts stated in the certificate, a stay would, in its opinion, cause imminent peril to life or property. In such cases proceedings shall not be stayed otherwise than by order of the Board or notice to the City.
4. **Power to Reverse, Affirm or Modify Orders.** The Zoning Hearing Board may, in conformity with the provisions of this Chapter, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as may be appropriate under the circumstances.

§27-1409. Acquisition of Air Rights.

In any case in which it is desired to remove, lower or otherwise terminate a nonconforming structure or use, or the approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations or it appears advisable that the necessary approach protection be provided by acquisition of property rights, rather than by airport zoning regulations, the City, may acquire by purchase, grant or condemnation, in the manner provided by the law under which municipalities are authorized to acquire real property for public purposes, such air right, aviation easement or other estate or interest in the property or nonconforming structure or use in question as may be necessary to effectuate the purpose of this Chapter. In the case of the purchase of any property or any easement or estate, or interest therein, or the acquisition thereof by the power of eminent domain, the municipality making the purchase of exercising the power shall, in addition to the damages for the taking, injury or destruction of property, also pay the cost of the removal and relocation of any structure or any public utility which is required to be moved to a new location.

§27-1410. Relation to Other Zoning Regulations.

1. **Conflicts.** In the event of conflict between any airport zoning regulations adopted under this Chapter and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees and the use of land or any other matter, and whether the other regulations were adopted by the municipality which adopted the airport zoning regulations or be some other municipality or otherwise, the more stringent limitation or requirement shall govern and prevail.

§27-1411. Judicial Review.

Any person aggrieved or any taxpayer affected by any decision of the Zoning Hearing Board, may appeal to the Court of Common Pleas as provided by law. In cases where applicable law does not provide an appeal from a municipality to a Board, a person or taxpayer may appeal from a decision of a municipality or joint airport zoning board, as provided by law for similar zoning proceedings.

§27-1412. Interpretation of Language and Captions.

1. **Use of Language.** Words of any gender used in this Chapter shall be held and construed to include any other gender, and words in the singular shall be used to include the plural, unless the context otherwise requires.
2. **Use of Captions.** The captions or headings of sections in this Chapter are inserted for convenience only, and shall not be considered in construing the provision herein if any question of intent should arise.

§27-1413. Penalties.

1. Any person, or partnership or corporation who or which has violated or permitted the violation of the provisions of any zoning ordinance enacted under this act or prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by a municipality, pay a judgment of not more than five hundred dollars (\$500) plus all court costs, including reasonable attorney fees incurred by a municipality 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 municipality 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 Part to have believed that there was not such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth (5th) day following the date of the determination of a violation by the district justice, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the municipality whose ordinance has been violated.
2. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine finding a final adjudication of the violation and judgment.
3. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the municipality the right to commence any action for enforcement pursuant to

this Section.

§27-1414. Adoption and Amendment of this Chapter.

1. **Notice and Hearing.** No airport zoning regulation shall be adopted, amended or changed except by action of the City after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard. The notice shall be published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality or municipalities affected. The notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days from the date of the hearing.
2. **Effective Date** Whereas, the immediate operation of the provisions of this Chapter is necessary for the preservation of the public health, safety, morals and general welfare, an emergency is hereby declared to exist, and this Chapter shall be in full force and effect from and after its passage by the municipality and publication and posting as required by §27-1414.1, above.

§27-1415. Maximum Allowable Height.

The following figures and formulas have been prepared for determining the maximum allowable heights of objects within the airport's vicinity. The formulas are used in conjunction with the figure; whereas a formula is assigned a number, that formula corresponds with a point location of the same number on the figure. By using the formula and following the steps outlined below, the maximum allowable height at a point location can be determined.

- A. Locate the point (object) in question on the figure (sample point locations identified by numbers are given in various coded airport zones).
- B. Apply the formula having the same number as the chosen point location to calculate the maximum allowable height for an object at that point (some formulas will have letter variables (A, B, C, etc.) which are shown on the figure).

Visual and Utility Nonprecision Runway Zones

Allowable Height Formulas

	LOCATION	ZONE	FORMULA
1	Horizontal Surface		Allowable Height = Established Airport Elevation (555') + (150') - (Ground Elevation)
2	Conical Surface		Allowable Height = (555') + (150') + (A ÷ 20) - (Ground Elevation)
3	Primary Surface		Allowable Height = (555') - (Ground Elevation)
4	Transitional Surface		Allowable Height = (Elevation of the Primary Surface along the Runway Centerline Perpendicular to the Location Point) + (B ÷ 7) - (Ground Elevation)
5	Transitional Surface		Allowable Height = (Elevation of the Approach Surface along the Runway Centerline Perpendicular to the Location Point) + (E ÷ 7) - (Ground Elevation)

6 Approach Surface Allowable Height = (Runway End Elevation) + (C ~ 200 ÷ 20) ~
(Ground Elevation)

PART 15

FLOOD DAMAGE CONTROL STANDARDS OVERLAY

§27-1501. Purpose.

1. Declaration of Specific Intent.

The purpose of intent of these provisions are to prevent the following: loss of property and life, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief and the impairment of the tax base by:

- A. Regulating uses, activities and developments which, acting along or in combination with other existing or future uses, activities and development, will cause unacceptable increases in flood heights, velocities and/or frequencies.
- B. Restricting or prohibiting certain uses, activities and development from locating within areas subject to flooding.
- C. Requiring all those uses, activities and developments that do occur in floodprone areas to be protected and/or floodproofed against flooding and flood damage.
- D. Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

2. Applicability.

These provisions shall apply to lands within the jurisdiction of the City of Lock Haven shown on the official Flood Insurance Rate Map (FIRM) of the City of Lock Haven as being located within the boundaries of the Floodplain District.

3. Compliance.

No parcel of land shall hereafter be used and no structure shall be located, relocated, constructed, reconstructed, enlarged or structurally altered except in full compliance with the terms and provisions of this Chapter and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this Chapter.

- 4. Prior to the issuance of any building permit, the Building Code Officer shall review the application for the permit to determine if all other necessary government permits required by State and Federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, §404, 33 U.S.C. §1344. No permit shall be issued until this determination has been made.

5. Interpretation of District Boundaries.

Where interpretation is needed concerning the exact location of any boundary of or regulatory elevation within the Floodplain District, the Zoning Hearing Board shall make the necessary determination. In making such determinations the Planning Commission shall

review each case under the advisement of the City Engineer, City Planner and Code Enforcement Officer, and shall report its findings to the Zoning Hearing Board within thirty (30) days of receipt thereof. The persons questioning or contesting the district boundary or regulatory elevation shall be given a reasonable opportunity to present his case to the Zoning Hearing Board and to submit technical evidence. The Zoning Hearing Board shall render a written decision within forty-five (45) days after the last hearing before the Board.

6. Repealer and Savings Clause.

All ordinances or parts of ordinances inconsistent with the provisions of this Chapter are hereby repealed. It is the intent that this shall establish complete and exclusive floodplain management rules and regulations pertaining to construction, alteration, removal, demolition, equipment, use and occupancy and location and maintenance of buildings and structures and other development in the Floodplain District. Nothing contained in this Chapter shall be construed to repeal any local or special law which is not contrary to this Chapter.

7. Warning and Disclaimer of Liability.

A. The degree of flood protection sought by the provisions of this Chapter is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This Chapter does not imply that areas outside the floodplain districts, or that land uses permitted with such districts will be free from flooding or flood damages.

B. This Chapter shall not create liability on the part of the City of Lock Haven or any officer or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decisions lawfully made hereunder.

8. Partial Invalidity and Severability. If any Section, subsection, paragraph, sentence, clause, or phrase of this Chapter should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portion of this Chapter which shall remain in full force and effect, and for this purpose the provisions of this Chapter are hereby declared to be severable.

9. Abrogation and Greater Restrictions for Floodplain Areas. This Chapter supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other Chapter provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Chapter, the more restrictive shall apply.

§27-1502. Establishment of Floodplain District.

1. The identified floodplain area shall be any areas of the City of Lock Haven, subject to the one hundred (100) year flood, which is identified as Zone A (Area of Special Flood Hazard) in the Flood Insurance Study (FIS) dated September 29, 2008 and the accompanying maps or the most recent revision thereof as issued by the Federal Emergency Management Agency. Including all digital data developed as part of the Flood Insurance Study.
2. The Floodplain District shall be an overlay to the existing underlying districts as shown on the official Zoning Map and, as such, the provisions for the Floodplain District shall serve as a supplement to the underlying district provisions. All uses, activities and development

occurring within any floodplain district shall be undertaken only in strict compliance with the provisions of this Chapter and with all other applicable codes and ordinances. Where there happens to be any conflict between the provisions or regulations of the Floodplain District, the more restrictive provisions and/or those pertaining to the Floodplain District shall apply.

3. The identified floodplain area shall consist of the following specific areas:

- A. FW (Floodway Area) - the areas identified as "Floodway" in the AE Zone in the Flood Insurance Study prepared by the FEMA. The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.
- B. FF (Flood-Fringe Area) - the remaining portions of the one hundred (100) year floodplain in those areas identified as an AE Zone in the Flood Insurance study, where a floodway has been delineated.

The basis for the outermost boundary of this area shall be the one hundred (100) year flood elevations as shown in the flood profiles contained in the Flood Insurance Study.

- C. FA (General Floodplain Area) - the areas identified as Zone A in the FIS for which no one hundred (100) year flood elevations have been provided. When available, information from other Federal, State, and other acceptable sources shall be used to determine the one hundred (100) year elevation, as well as a floodway area, if possible. When no other information is available, the one hundred (100) year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question.

In lieu of the above, the City may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by City officials.

§27-1503. Flood Damage Control Standards.

In order to prevent excessive damage to buildings and structures due to conditions of flooding, the following restrictions shall apply to all new construction and substantial improvements and other development occurring in the designated Floodplain District. Said restrictions are intended to supplement the applicable building code, electrical code, plumbing code, building maintenance code and this Chapter of the City of Lock Haven; and to the extent these are more restrictive, they shall supersede said codes and ordinances.

A. Residential Structures.

Within any identified floodplain area, any new construction or substantial improvement of a residential structure shall have the lowest floor (including basement) elevated at least one (1) foot above the regulatory flood elevation.

B. Nonresidential Structures.

- (1) Within any identified floodplain area, any new construction or substantial improvement of a nonresidential structure shall have the lowest floor (including basement) elevated at least one (1) foot above the regulatory flood elevation or be designed and constructed so that the space enclosed by such structure shall remain either completely or essentially dry during any flood up to that height.
- (2) Any nonresidential structure or any part thereof, having a lowest floor which is not elevated to at least one (1) foot above the one hundred (100) year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Floodproofing Regulations" published by the U.S. Army Corps of Engineers, June 1972, as amended March 1992, or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standard

C. Space Below the Lowest Floor.

- (1) Fully enclosed space below the lowest floor (including basement) is prohibited.
- (2) Partially enclosed space below the lowest floor (including basement) which will be used solely for the parking of a vehicle, building access or incidental storage in an area other than a basement shall be designed and constructed to allow for the automatic entry and exit of floodwaters for the purpose of equalizing hydrostatic forces on exterior walls. The term "partially enclosed space" also includes crawl spaces. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (a) A minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - (b) The bottom of all openings shall be no higher than one (1) foot above grade.
 - (c) Openings may be equipped with screens, louvers, etc., or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

D. Fill.

If fill is used to raise the finished surface of the lowest floor one (1) foot above the elevation of the one hundred (100) year flood:

- (1) The top of the fill shall extend fifteen (15) feet beyond the building line from all points.
- (2) Fill shall consist of soil or small materials only. Sanitary landfills shall not be permitted. Fill shall be compacted to provide the necessary permeability and resistance to erosion, scouring or settling.

- (3) Fill slopes shall be not steeper than one (1) vertical to two (2) horizontal, unless substantiating data, justifying steeper slopes, are submitted to and approved by the City Code Enforcement Officer or the City Engineer.
- (4) Fill shall be used only to the extent to which it does not adversely affect adjacent properties.

E. Placement of Buildings and Structures.

All buildings and structures shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water as determined by the City Engineer.

F. Anchoring.

- (1) All buildings and structures shall be firmly anchored in accordance with accepted practices to prevent flotation, collapse or lateral movement, thus reducing and decreasing the possibility of the blockage of bridge openings and other restricted sections of the watercourse.
- (2) All air ducts, large pipes and storage tanks located at or below the first floor level shall be firmly anchored to prevent flotation.

G. Floors, Walls, and Ceilings.

- (1) Wood flooring used below an elevation of one (1) foot above the regulatory flood elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without incurring structural damage to the building.
- (2) All finished flooring below an elevation of one (1) foot above the regulatory flood elevation shall be made of materials which are stable and resistant to water damage resulting from submersion.
- (3) Plywood used below an elevation of one (1) foot above the regulatory flood elevation shall be an "exterior" or "marine" grade and of water resistant or waterproof variety.
- (4) Basement ceilings below an elevation of one (1) foot above the regulatory flood elevation shall have sufficient wet strength and be so installed as to survive inundation.
- (5) Window frames, door frames and door jambs used at or below the lowest floor level shall be made of metal.

H. Electrical Systems.

- (1) All electrical water heaters, electrical furnace, electrical air conditioners and ventilation systems and other electrical installations, except electrical meters, shall be permitted only at elevations of one (1) foot or more above the level of the one hundred (100) year flood. Electrical meters shall be installed in a location which provides the highest elevation consistent with reasonable readability; however, in no case shall meters be installed at less than six (6) feet

above the ground level. All meters installed shall be resistant to flood damage and be constructed by methods and practices that minimize flood damage.

- (2) No electrical distribution panels shall be allowed at an elevation less than three (3) feet above the level of the one hundred (100) year flood.
- (3) Electrical circuits serving areas below the regulatory flood elevation shall be separate circuits and shall be dropped from above.
- (4) Underground electrical wires shall be permitted to buildings and establishments within the floodplain only if said electrical wires and the installation thereof meet the requirements of the utility company serving said buildings or establishments.

I. Plumbing.

- (1) Water heaters, furnaces and other mechanical equipment shall be permitted only at elevations of one (1) foot or more above the level of the one hundred (100) year flood.
- (2) No part of any onsite sewage disposal system shall be constructed within the Floodplain District.
- (3) Water supply systems and sanitary sewage systems shall be designed to preclude the infiltration of floodwaters into the systems and discharges from the systems into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

J. Paints and Adhesives.

- (1) Adhesives used below an elevation of one (1) foot above the regulatory flood elevation shall have a bonding strength that is unaffected by inundation.
- (2) Door and all wood trim used below an elevation of one (1) foot above the regulatory flood elevation shall be sealed with a waterproof paint or similar product.
- (3) Paints or other finishes used below an elevation of one (1) foot above the regulatory flood elevation shall be sealed with a waterproof paint or similar product.

K. Storage.

No materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal or plant life, shall be stored below an elevation of one (1) foot above the one hundred (100) year flood unless they are properly anchored and/or floodproofed to preclude their causing damage to life and property.

L. Manufactured Homes.

- (1) Within any FW (floodway area), manufactured homes shall be prohibited.
- (2) Where permitted within any floodplain area, all manufactured homes and any improvements thereto, shall be:

- (a) Placed on a permanent foundation.
- (b) Elevated so that the lowest floor of the manufactured home is one and one-half 1½ feet or more above the elevation of the one hundred (100) year flood.
- (c) Anchored to resist flotation, collapse or lateral movement.

M. Drainage Facilities.

Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall insure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

§27-1504. Hazardous Materials and Substances.

1. The Pennsylvania Department of Community and Economic Development.

Administrative regulations implementing Act 166, the Pennsylvania Department of Community and Economic Development, Strategic Planning and Operations Office, have listed the following materials and substances as dangerous to human life:

- A. Acetone.
- B. Ammonia.
- C. Benzine.
- D. Calcium carbide.
- E. Carbon disulfide.
- F. Celluloid.
- G. Chlorine.
- H. Hydrochloric acid.
- I. Hydrocyanic acid.
- J. Magnesium.
- K. Nitric acid and oxides of nitrogen.
- L. Petroleum products (gasoline, fuel oil, etc.).
- M. Phosphorus.
- N. Potassium.
- O. Sodium.

- P. Sulphur and sulphur products.
 - Q. Pesticides.
 - R. Radioactive substances.
2. Any property that will be used for the production and storage of any of the above hazardous materials or substances when located in identified floodprone areas or which will be used for any activity requiring the maintenance of a supply (including any amount of radioactive substances of more than five hundred-fifty (550) gallons or other comparable volume) of any such materials or substances on the premises shall be:
- A. Elevated or floodproofed to remain dry up to at least one and one-half (1½) feet above the one hundred (100) year flood.
 - B. Designed to prevent pollution from the structure or activity during the course of a one hundred (100) year flood.
 - C. Prohibited if located in an identified floodway area.
3. In addition, the City may attach whatever additional conditions and safeguards it may deem necessary and reasonable in order to implement the purposes of this Chapter and to protect the general health, safety and welfare of the public.

§27-1505. Administration and Enforcement.

1. Permits, Information and Certification.

To insure that the aforementioned flood damage controls are being employed in all new construction within the Floodplain District, the Code Enforcement Officer shall provide the applicant with the location of the proposed construction with respect to the district limits and the water surface elevation of the one hundred (100) year flood at the proposed construction site. Building permits shall be required before any new construction, reconstruction, expansion, alteration, renovation or extension of a building or structure or any other development activity proposed to take place in the Floodplain District.

- A. The Code Enforcement Officer shall require the following specific information to accompany all applications for a building permit:
 - (1) The accurate location and elevation of the 100 year floodplain and floodway.
 - (2) The elevation, in relation to the datum referenced on the effective maps, of the lowest floor, including basements.
 - (3) The elevation, in relation to the datum referenced on the effective maps, to which all structures and utilities will be flood-proofed or elevated.
 - (4) A plan which details size of structure, finished ground elevation, lowest floor elevation, level to which the structure is floodproofed, hydrostatic flood load on walls and floors, types of walls and floor construction, material and finishes, power source and elevations, water supply, sanitary facilities and all floodproofing measures.

- (5) Where floodproofing is proposed to be utilized for a particular structure, the zoning permit application shall be accompanied by a document certified by a licensed professional engineer registered by the Commonwealth of Pennsylvania, or a licensed professional architect registered by the Commonwealth of Pennsylvania certifying that the floodproofing methods proposed when required by this Chapter and as enumerated in §27-1503 are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base one hundred (100) year flood. Copies of such certificates shall be maintained in the Office of the Code Enforcement Officer.

2. Altered or Relocated Water Course.

When an applicant is proposing to alter or relocate a watercourse, a riverine situation within the City of Lock Haven, the Code Enforcement Officer shall require the notification be given to all adjacent communities and the Pennsylvania Department of Environmental Protection, Bureau of Dams, Waterways and Wetlands, and also to Department of Community and Economic Development (DCED), Strategic Planning and Operations office. Copies of such notifications shall be submitted to the Federal Insurance Administration. Such watercourse alteration or relocation shall not impede the flood carrying capacity of the watercourse involved.

3. Review by the County Conservation District.

A copy of all plans for development of the Floodplain District over one (1) acre in size to be considered for approval shall be submitted by the building official to the Clinton County Conservation District for review and comment prior to the issuance of a permit. The recommendation of the Soil Conservation District may be incorporated into the plan to provide for protection against predictable hazards.

4. Review of Application by Other.

A copy of all plans and applications for new construction in the identified floodprone areas to be considered for approval may be submitted by the Code Enforcement Officer to any other appropriate agencies and/or individuals (e.g., Planning Commission, City Engineer, etc.) for review and comment.

5. Nonconformities.

A structure or use of a structure or premises which lawfully existed at the time of the enactment of these provisions may be continued subject to the following conditions: the modification, alteration, repair, reconstruction, or improvement of any kind to a conformity (structure and/or use), to an extent of amount of fifty (50) percent or more of the market value shall be considered a substantial improvement and shall be undertaken only in full compliance with the provisions of this and any other applicable ordinance. No expansion or enlargement of an existing structure shall be allowed within the floodway area that would cause any increase in the elevation of the one hundred (100) year flood.

6. Variances.

- A. The Zoning Hearing Board may authorize, upon appeal, in specific cases, such variances from the terms of this Chapter that will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of

this Chapter will result in unnecessary hardship and so that the spirit of this Chapter shall be observed and substantial justice done. Any variances issued under the terms of this Part are for floodplain management purposes only and any such variances shall not be construed as modification of Flood Insurance premium rates. The Board may grant a variance provided the following findings are made where relevant in a given case:

- (1) The variance, if authorized within the designated floodway, will not cause any increase in flood levels of the one hundred (100) year regulatory flood.
 - (2) That the variance, if authorized, shall be generally limited to a lot size less than one-half (1/2) contiguous to and surrounded by lots with existing structures constructed below the one hundred (100) year flood level.
 - (3) That there is a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship to the applicant, a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with other City ordinances.
 - (4) That the variance, if authorized, shall represent the minimum necessary, considering the flood hazard, to afford relief.
 - (5) Except for a possible modification of the freeboard requirement involved, no variance shall be granted for any other requirements pertaining specifically to development regulated by special permit and to Development Which May Endanger Human Life (Section 1504).
- B. The Zoning Hearing Board, upon receipt of the application for a variance to provisions of this Chapter shall notify the applicant in writing that:
- (1) The issuance of a variance to construct a structure below the one hundred (100) year flood level will result in increased premium rates for flood insurance.
 - (2) Such construction below the one hundred (100) year flood level increases risks to life and property.
- C. The Zoning Hearing Board shall maintain a record of all variance actions, including justification for their issuance, notification records and report such variance issued in the City's annual report to the Federal Insurance Administration.

7. Enforcement.

All notices, hearing, appeals, findings and orders and penalties in connection with the enforcement of violations of this Chapter shall be administered under terms of the BOCA Basic Building code, establishing a code board of appeals.

§27-1506. Activities Requiring Special Permits.

1. General.

In accordance with the Pennsylvania Department of Community and Economic Development's administrative regulations implementing Act 166, the Pennsylvania Floodplain Management Act, the following obstructions and activities are prohibited if located entirely or partially within an identified floodprone area unless a special permit is issued.

- A. Hospitals (public or private).
- B. Nursing homes (public or private).
- C. Jails or prisons.
- D. New mobile home parks and mobile home subdivisions and substantial improvements thereto.

2. Special Permit Application Requirement.

Application for a special permit shall consist of at least five copies of the following items:

- A. A written request, including a completed application form.
- B. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:
 - (1) North arrow, scale and date.
 - (2) A map, which may be drawn at a smaller scale, of the general area of the municipality, which provides enough information to enable a person who is unfamiliar with the municipality to accurately determine the location of the site or property involved.
 - (3) Topography based upon the datum referenced on the effective maps, showing existing and proposed contours at intervals of two (2) feet.
 - (4) All property and lot lines, including dimensions, and the size of the site expressed in acres or square feet.
 - (5) The location of all existing streets, drives and other accessways, with information concerning widths, pavement types and construction, and elevations.
 - (6) The location of any existing bodies of water or watercourses, buildings, structures and other public or private facilities, including railroad tracks and facilities, and any other natural and manmade features affecting or affected by the proposed activity or development.
 - (7) The location of the floodplain boundary line, information and spot elevations concerning the one hundred (100) year flood elevations and information concerning the flow of water, including direction and velocities.
 - (8) A general plan of the entire site accurately showing the location of all proposed buildings, structures, utilities and any other improvements.

- C. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale showing the following:
- (1) Sufficiently detailed architectural or engineering drawings, including floodplains, sections and exterior building elevations, as appropriate.
 - (2) The proposed finished floor elevations of any proposed building.
 - (3) Complete information concerning the hydrostatic and hydrodynamic forces and pressures that will exist during the course of a one hundred (100) year flood, including impact loads.
 - (4) Detailed information concerning any proposed floodproofing measures.
 - (5) Cross section drawings for all proposed streets, drives and vehicular accessways, including existing and proposed grades.
 - (6) Profile drawing for all proposed streets, drives and vehicular accessways, including existing and proposed grades.
 - (7) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and other utilities and facilities.
- D. The following data and documentation:
- (1) Certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents.
 - (2) Certification from a registered professional engineer, architect or landscape architect that the proposed construction has been adequately designed to protect against damage from the one hundred (100) year flood.
 - (3) A statement, certified by a registered professional engineer, architect, landscape architect or other qualified person which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a one hundred (100) year flood, including a statement concerning the effects such pollution may have on human life.
 - (4) A statement certified by a registered professional engineer, architect or landscape architect, which contains a complete and accurate description of the effects the proposed development will have on one hundred (100) year flood elevations and flows.
 - (5) A statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the one hundred (100) year flood elevation and the effects such material and debris may have on one hundred (100) year flood elevations and flows.

- (6) The appropriate component of the Department of Environmental Protection, Bureau of Dams, Waterways and Wetlands, "Planning Module for Land Development."
- (7) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control.
- (8) Any other applicable permits such as, but not limited to, permits for any activity regulated by the Department of Environmental Protection under §302 of Act 1978-166.
- (9) An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a one hundred (100) year flood.

3. Review of Application for Special Permit.

Upon receipt of an application for a special permit by the City, the following procedures shall apply.

- A. Within three (3) working days following receipt of the application, all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. (The City may send any comments it may have concerning the application to the City and the Pennsylvania Department of Community and Economic Development, Strategic Planning and Operations Office. Copies of the application shall also be forwarded to the City Planning Commission and City Engineer for review and comments.
- B. If any application is received that is incomplete, the City shall notify the applicant in writing, stating in what respects the application is deficient.
- C. When an application is approved, the City shall file written notice of such approval, together with the application and all pertinent information, with the Pennsylvania Department of Community and Economic Development, Strategic Planning and Operations Office, within five (5) working days after approval by registered or certified mail.
- D. A special permit shall be issued for activities to be undertaken in connection with that proposed in the approved application. But no work shall commence within thirty (30) days after the notice has been received by the Department.
- E. If the Department notifies the City and the applicant, in writing, that the application is disapproved within the thirty (30) day period mentioned in §27-1501, the special permit shall not become effective.
- F. Review by the Department will be limited to checking for compliance with the requirements of the Act and this Chapter.
- G. If the special permit is disapproved by the Department, it shall notify the City and applicant, in writing, by registered or certified mail, of its reasons for disapproval.

4. Special Technical Requirements.

- A. In addition to the requirements of this Section, the following minimum requirements shall also apply. If there is any conflict between any of the following requirements and those in this Section, or in any other code, ordinance or regulation, the more restrictive provision shall apply.
- B. No application for a special permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:
 - (1) Fully protect the health and safety of the general public and any occupants. At a minimum, all new structures shall be designed, located and constructed so that:
 - (a) The structure will survive inundation by waters of the one hundred (100) year flood without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the one hundred (100) year flood elevation.
 - (b) The first floor elevation will be at least one and one-half (1½) feet above the one hundred (100) year flood elevation.
 - (c) The occupants of the structure can remain inside for any indefinite period of time and be safely evacuated at any time during the one hundred (100) year flood.
 - (2) Prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property. All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical concepts, studies analysis, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the City and the Pennsylvania Department of Community and Economic Development, Strategic and Planning Office.
 - (3) In approving any application for a special permit, the City may attach whatever additional conditions and safeguards it may deem necessary and reasonable in order to implement the purposes of this Chapter and to protect the general health, safety and welfare of the public.

PART 16

HISTORIC DISTRICT OVERLAY

§27-1601. Purpose.

The purpose of this overlay district is primarily intended to:

1. To promote the retention of community character through preservation of the local heritage by recognition and protection of historic and cultural resources;
2. To establish a clear process by which proposed changes affecting historic resources are reviewed;
3. To mitigate the negative effects of proposed changes affecting historic resources;
4. To encourage the continued use of historic resources and facilitate their appropriate rehabilitation and adaptive reuse;
5. To encourage the preservation of historic settings and landscapes;
6. To discourage the demolition of historic resources;
7. To encourage pleasing and harmonious relationships between old and new buildings and structures that will maintain and strengthen the architectural character of the historic district; and
8. To implement the following sections of the Pennsylvania Municipalities Planning Code: 603(g)(2) which states that “zoning ordinances shall provide for protection of natural and historic features and resources; 604 (1) which states that “the provisions of zoning ordinances shall be designed to promote protect and facilitate any or all of the following: . . . preservation of the natural, scenic and historic values . . .“; and 605 (2) (vi) whereby uses and structures at or near places having unique historical, architectural or patriotic interest or value may be regulated.

§27-1602. Applicability.

1. Boundaries

The Historic District Overlay shall be an overlay district that overlaps and supplements underlying zoning districts. The Historic District Overlay shall include each lot within the Water Street Historic District containing a historic resource as shown on the Historic Resource Map.

- A. All of the provisions of the applicable underlying zoning districts shall continue to apply in addition to the provisions of this Part. In the event of a conflict between the provisions of the Historic District and the underlying zoning district, the provision that is most restrictive shall apply.
- B. Should the boundaries of the Water Street Historic District be revised as a result of legislative or administrative actions or judicial decision, the underlying zoning requirements shall continue to be applicable.
- C. Historic Resource Map

(1) Identification

- (a) The City of Lock Haven, Clinton County, Pennsylvania Historic Resources Map, adopted as part of this Chapter, shows all lots within the Water Street Historic District of the City that contain a building:
 - 1) listed in the National Register of Historic Places, individually or as a contributing resource in a National Register Historic District;
 - 2) eligible to be listed in the National Register of Historic Places, individually or as a contributing building in a National Register Historic District; or
 - 3) identified as having local historical and/or architectural significance.
- (b) All lots containing historic resources shall be shown on an official Historic Resource Map. Such Map shall be maintained at the office of the City Zoning Officer.
- (c) Buildings shall be identified on the Historic Resource Map as follows:
 - 1) Class I - Denotes historic resources listed in or determined eligible to be individually listed in the National Register of Historic Places.
 - 2) Class II - Denotes historic resources that contribute to an existing or eligible National Register Historic District.
 - 3) Class III - Denotes all other buildings that are not historic resources because they are:
 - a. less than fifty (50) years old; or
 - b. more than fifty (50) years old but not eligible for listing on the National Register individually, or as a contributing building within the historic district.

(2) Compliance

- (a) A change to any Class I, II or III buildings shall occur only when in compliance with the terms of this Part and other applicable regulations of this Chapter, except as provided herein this subsection §27-1602.1.C.(2)(b) below.
- (b) With the exception of §27-1603.5 relating to demolition by neglect, all other provision of §27-1603 shall not apply to Class III buildings.

(3) Revisions

The Historic Resource Map may be revised from time to time by amendment of this Chapter by the Lock Haven City Council pursuant to Part 22 of this Chapter.

2. Covenants and Easements

It is not intended by this Part to repeal, abrogate or impair any existing easements, covenants or

deed restrictions.

3. Historic District Advisory Committee

A. Establishment and membership.

The Historic District Advisory Committee which shall consist of nine (9) members who shall be appointed by the City Council. Eight (8) of the members designated herein below, shall be voting members. The remaining one (1) member shall be designated an ex-officio member, whom may participate in review and discussions, but may not vote on any proposal. The membership of the Advisory Committee shall include:

- (1) Four (4) property owners within the Historic District who have an interest in history, archeology or historic preservation;
- (2) City Planning Commission Member;
- (3) City Building Code Enforcement Officer;
- (4) Representative from the Clinton County Historical Society
- (5) City Council Member; and
- (6) City Planner (ex-officio – non-voting).

Each Advisory Committee member shall serve for a term of three (3) years which shall be so fixed that no more than three (3) terms shall expire each year. The Advisory Committee shall notify the City Council of any vacancies in the Advisory Committee and the City Council shall act within ninety (90) days to fill those vacancies. Appointments to fill vacancies for unexpired terms shall be only for the unexpired portion of the term.

B. Functions and duties

In accordance with the purposes of this Part, the Advisory Committee shall have the following functions and duties:

- (1) Maintain a system for the survey and inventory and photographic documentation of historic buildings, sites, structures, objects and districts in the City of Lock Haven.
- (2) Conduct research on and nominate significant resources to the National Register of Historic Places and any other appropriate lists or programs.
- (3) Advise the Zoning Officer and City Council on the issuance of demolition permits for historic resources, as set forth herein this Part.
- (4) Review and comment on subdivision or land development applications which affect historic resources, in accordance with the requirements and procedures of Chapter 22, Subdivision and Land Development, of the Code of Ordinances of the City of Lock Haven, Clinton County, PA.
- (5) Make recommendations to the City Council concerning revisions, updates or corrections to the Historic Resources Map.
- (6) Maintain an updated list which clearly identifies buildings, sites, structures, objects

and districts and their respective classifications on the Historic Resources Map.

- (7) Advise the City Council or Zoning Hearing Board on all requests for conditional uses or variances affecting Historic Resources.
- (8) Review applications for new construction of principal buildings in the historic district to ensure the new building is consistent and compatible with the scale and basic design elements of adjacent and surrounding buildings and with distinguishing site design elements of the district.
- (9) Review applications for the rehabilitation, enlargement or alteration of historic resources for compliance with the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings," as required herein this Part.
- (10) Photographically document ongoing changes to the physical development patterns and landscapes throughout the City.
- (11) Perform any other lawful activities which shall be deemed necessary to further the purposes of this Part.

§27-1603. Demolition of Buildings.

1. General Requirements

A Class I or Class II building shall not be demolished, removed or otherwise relocated unless a conditional use approval has been granted under this Part. With the exception of §27-1603.5. relating to demolition by neglect, all other provision of this §27-1603 shall not apply to Class III buildings.

2. Application Procedures

An applicant for a conditional use to demolish a Class I or Class II building shall submit in accordance with Part 22 relating to conditional use standards, a completed application to the Zoning Officer who shall forward a copy of the application to the Historic District Advisory Committee and Planning Commission for review and recommendation in the time frames provided for in this Part and Part 22 of this Chapter. In addition to the requirements in Part 22 regarding permit applications of this Chapter, the application shall include the following:

- A. Classification of the building for which the permit is being sought on the Historic Resource Map (i.e. Class I or Class II);
- B. A report from a structural engineer describing the structural condition of the building proposed to be demolished, removed or relocated;
- C. A report from the code enforcement officer indicating the building's compliance with the City's property maintenance code;
- D. Documentation of all efforts to sell the property in the preceding three (3) years;
- E. Recent interior and exterior, digital images or hardcopy photographs (both in color) of the building proposed for demolition, removal or relocation;
- F. Proposed disposition of materials;

- G. Timeline for implementation of proposed use for the property;
 - H. Date of purchase, purchase price and ownership history of the property;
 - I. Assessed value of the land and improvements thereon;
 - J. Certified property appraisal;
 - K. For depreciable properties, a pro forma financial statement prepared by an accountant or broker of record;
 - L. Form of ownership or operation of the property, whether sole proprietorship, for-profit or nonprofit corporation, limited partnership, joint venture, or other.
3. The applicant shall provide credible evidence that:
- A. The demolition, removal or relocation of the building in question will not adversely affect the historic significance or architectural integrity of neighboring historic buildings or the historic character of the neighborhood or community;
 - B. There is no feasibility to continue the current use;
 - C. Other uses permitted within the underlying zoning district, either as permitted uses, special exception uses, or conditional uses, have been denied or are not feasible due to constraints on the building proposed to be demolished, removed or relocated from the property;
 - D. Adaptive reuse opportunities do not exist due to constraints related to the building proposed to be demolished, removed or relocated or the lot on which it is located;
 - E. The proposed new building, structure or use of the property will not adversely affect the historic character or architectural integrity of the neighboring historic properties, the neighborhood, or the community;
 - F. The building proposed to be demolished, removed or relocated, permitted uses and adaptive reuse potential does not provide a reasonable rate of return based on a reasonable initial investment;
 - G. The applicant has not contributed to the existing conditions, either through neglect or prior renovation, conversion, alteration or similar physical action.
4. A permit for the proposed demolition, removal or relocation of any Class I or Class II building shall not be issued prior to and where applicable:
- A. The recording of an approved subdivision or land development plan for the property where the demolition, removal or relocation is proposed; and
 - B. Issuance of any necessary zoning approvals.
5. Demolition by Neglect
- A. No owner or person with interest in real property upon which a building is situated in the Historic District Overlay shall permit the property to fall into a state of disrepair so as to result in the deterioration of any exterior architectural feature which would produce a

detrimental effect upon the character of the historic district as a whole, neighboring properties, or the life and character of the property itself.

- B. Buildings and historic resources situated in the Historic District Overlay shall be maintained in good repair, structurally sound, and reasonably protected against decay, deterioration and vandalism, and no building or historic resource shall be permitted to be demolished by neglect. Examples of such deterioration contributing to demolition by neglect include:
 - (1) Deterioration of exterior walls or other vertical supports
 - (2) Deterioration of roofs or other horizontal members
 - (3) Deterioration of exterior chimneys
 - (4) Deterioration or crumbling of exterior stucco or mortar
 - (5) Ineffective waterproofing of exterior walls, roofs, or foundations, including broken windows or doors
 - (6) Deterioration of any features so as to create a hazardous condition
- C. Unoccupied buildings and structures shall be properly sealed, fenced off, and utilities turned off for safety, at the owner's expense, in accordance with the provisions of the City's Building and/or Property Maintenance Code, and the National Park Service Preservation Brief # 31 should be used as a resource.
- D. The interior and exterior of the building shall be inspected no less than annually by the Zoning Officer, Building Codes Officer, and the owner or person with interest in real property or designated agent to determine maintenance requirements.
- E. Emergency exception

If, in the interest of public health or safety, or due to exigent circumstances beyond the control of the property owner or his agent, and immediate demolition permit is required, the Zoning Officer may issue such permit in accordance with the City's Building and/or Property Maintenance Code, without the review of the project by the Historic District Advisory Committee and approval of a conditional use by the City Council.

§27-1604. New Building Construction.

1. General Requirements.

No permits for new principal buildings shall be issued by the Zoning Officer prior to review and recommendation by the Historic District Advisory Committee to the Zoning Officer in the time frame provided for in this Part.

- 2. New construction of principal buildings in the historic district will be permitted if it complies with the lot and building dimensional requirements and design standards of the underlying zoning district ensuring the new building is consistent and compatible with the scale and basic design elements of adjacent and surrounding buildings and with distinguishing side design elements of the district. The intent is not to require or encourage new buildings to look like old buildings, but to assure pleasing and harmonious relationships between old and new that will maintain and strengthen the architectural character of the historic district. The following design

elements will be considered:

A. Building Height

Shall comply with the underlying zoning district.

B. Elevation Proportion

The relationship between the height and width of the front elevation of a new building should be within ten (10) percent of the average proportions of adjacent buildings.

C. Proportion of Openings

The relationship of height to width of windows and doors of a building should be within ten (10) percent of the proportions of windows and doors of adjacent buildings.

D. Rhythm of Solids and Voids

The rhythm of solids to voids in the front façade of a building should be similar to adjacent buildings.

E. Horizontal Lines

Basement sill lines and header and sill lines of a building should follow the horizontal lines of adjacent buildings.

F. Spacing of Buildings on Street

Setbacks and side yards of new buildings should be similar to those on adjacent parcels.

G. Roofs

The shape, style, and material should be compatible with materials commonly used within the historic district.

H. Building Materials

Building materials should be compatible with materials commonly used within the historic district.

I. Color

The predominant color of a building and the color of its trim should be compatible with the colors of surrounding buildings.

J. Architectural Details

The use of specific architectural elements and details such as porches, dormers, cornices, brackets, quoins, balustrades and the like may be used to strengthen the relationship of new construction to the existing architecture of the district. However, such detailing is not sufficient to assure appropriateness if the structure is not related to its surroundings in terms of massing, rhythm and proportions.

3. Application Procedures.

- A. Applications for any proposed new construction of principal buildings shall comply with the provisions in this Part in addition to the provisions of Part 22 regarding permits/applications. The completed application shall be submitted to the Zoning Officer and shall include:
- (1) a written description indicating how the proposed new construction meets the design standards listed above; and
 - (2) a site plan at a scale designated by the Zoning Officer;
 - (3) schematic architectural drawings of the proposed construction; and
 - (4) materials list and disposition of existing materials.

§27-1605. Alterations, Additions, Reconstruction and Rehabilitation.

1. General Requirements

No permits for alterations, additions, reconstruction or rehabilitation, visible from a public street, involving Class I, II or III buildings shall be issued by the Zoning Officer prior to review and recommendations by the Historic District Advisory Committee to the Zoning Officer in the time frame provided for in this Part.

No permit/review shall be required for repairs or maintenance of any building, structure or grounds provided such repairs do not change the use or otherwise violate the provisions of this Part. Additionally, no permit/review shall be required for exterior painting or other material changes to buildings, nor any work completed on the interior including any changes, modifications, alterations, painting, etc.

For purposes of this Section, “alteration”, as applied to a building or structure, means a change or rearrangement in the structural parts or in the means of egress; or an enlargement, whether by extending on a side or by increasing in height or depth; or the moving from one (1) location or position to another. The definition of terms not specifically defined this Part or Part 2 of this Chapter, shall be the definition contained in the City of Lock Haven Building Code.

2. Standards for Alterations, Additions, Reconstruction and Rehabilitation

Any proposed alteration, addition, reconstruction or rehabilitation of a Historic Property shall be in substantial compliance with The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings published by the U.S. Department of the Interior, National Park Service. These ten standards are reprinted (with modifications noted in parenthesis) in their entirety below:

- A. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
- B. The historic character of a property (adjacent properties and neighborhood) will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
- C. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

- D. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- E. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- F. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
- G. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- H. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- I. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- J. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

3. Application Procedures

- A. Applications for any proposed alteration, addition, reconstruction or rehabilitation of a Class I, II and III buildings shall comply with the provisions in this Part in addition to the provisions of Part 22 regarding permits/applications. The completed application shall be submitted to the Zoning Officer and shall include:
 - (1) a written description of the proposed alteration, addition, reconstruction or rehabilitation; and, where applicable:
 - (2) a site plan at a scale designated by the Zoning Officer;
 - (3) schematic architectural drawings of the proposed construction or alterations;
 - (4) materials list and disposition of existing materials.

4. Administrative Review

Permits for the activities listed herein below may be issued by the Zoning Officer without review by the Historic District Advisory Committee. The Zoning Officer shall provide a record of all administrative approvals to the Historic District Advisory Committee, for their information.

- A. In-kind replacements.
- B. Replacement of slate roofs with slate look-alike products

The color selected should be one (1) that most closely matches the slate to be replaced.

C. Pointing or Repointing of Masonry

§27-1606. Historic District Advisory Committee Review and Recommendations.

1. Completed applications must be submitted to the Zoning Officer to be placed on the agenda for review at a meeting of the Historic District Advisory Committee. Said meeting shall be held within thirty (30) days of receipt of the completed application.
2. Applicant Notification

The applicant shall be notified of the date, time and place at which the Historic District Advisory Committee shall meet to review the application, by the Zoning Officer. The applicant is encouraged to attend to explain the application.
3. Criteria for Deliberation

The Historic District Advisory Committee shall use The Secretary of the Interior's Standards for Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring and Reconstruction Historic Buildings and the design elements set forth in §27-1604.2 of this Chapter. Any proposed work requiring a permit shall be in substantial compliance with the said applicable guidelines and standards.
4. Within fifteen (15) business days of the meeting, the Historic District Advisory Committee shall submit their written recommendation to the Zoning Officer to:
 - A. Approve the permit;
 - B. Deny the permit; or
 - C. Approve the permit subject to specified changes and/or conditions to bring the proposed activity into compliance.
5. The Historic District Advisory Committee's recommendations shall be in writing and shall include findings of fact related to the specific proposal and shall set forth the reasons for the recommendation for approval, with or without conditions, or for denial.
6. The Zoning Officer shall review the recommendations of the Historic District Advisory Committee and shall take action upon the permit application in accordance with the provisions of this Chapter and the Municipalities Planning Code and within the time limits of this Chapter and applicable statutes.

PART 17

SIGNS

§27-1701. Application.

Signs may be erected and maintained only in compliance with this Chapter and any and all regulations of the City of Lock Haven relating in any way to the erection, location, size, height, use, number, lighting, operation, alteration or maintenance of signs.

§27-1702. General Intent.

The sign regulations, controls and provisions set forth in this Part are made in accordance with an overall plan and program for the public safety, area development, preservation of property values and the general welfare of the City of Lock Haven and are intended to aid in traffic control and traffic safety; preserve and protect property values, lessen congestion of land and air space; provide against undue concentrations of signs which distract and endanger traffic safety and traffic flow; establish reasonable standards for commercial and other advertising through the use of signs in order to maintain and encourage business activity and area development; avoid uncontrolled proliferation of signs; recognize the rights of the public in roads, streets, highways; preserve the wholesome and attractive character of the City of Lock Haven and to recognize that the general welfare includes a community plan that shall be beautiful as well as healthy, spacious as well as clean and well balanced in its growth and development.

§27-1703. Signs Permitted In All Zoning Districts (Unless Where Otherwise Restricted).

Signs listed in this §27-1703 of this Chapter are permitted in all Zoning Districts and shall not require permits and shall not be counted when calculating the number of signs on a premises. Such signs must conform with the general regulations for signs enumerated hereafter.

- A. Contractor, engineer or architect signs placed on premises where construction, repair, or renovation is in progress which shall not exceed twelve (12) square feet in sign area. Such signs shall be removed within ten (10) days after final inspection.
- B. Flag, pennant or insignia of any government or of any religious, charitable or fraternal organization.
- C. Fund raising sale signs used by or on behalf of nonprofit organizations indicating the location and occurrence of a special event. The sign area shall not exceed thirty two (32) square feet with no more than two (2) signs per premises. Such signs shall be removed at the completion of the event.
- D. Garage sale, yard sale, porch sale or other similar signs which indicate the location and occurrence of a sale. The sign area shall be limited to no more than four (4) square feet with no more than two (2) signs per property and said signs are to be removed within twenty four (24) hours after the sale completion.
- E. Government signs or signs erected under the direction of a governmental body such as traffic signs, safety signs, approved kiosk or trash receptacle signs and public area identification signs. Special events signs or banners may be erected on a temporary basis after proper approval is granted.

- F. Memorial signs or tablets.
- G. Name plate and/or address identification signs provided that no more than two (2) are erected per premises, with each sign area being no more than two (2) square feet.
- H. Political signs may be erected but shall not exceed twelve (12) square feet in residential zoning districts. In all other zoning districts, political signs shall not exceed two hundred (200) square feet. Political signs must be removed within five (5) days following an election.
- I. Real estate signs (for sale and for rent) located on the property and limited to two (2) per street side, and sign area of not more than eight (8) square feet in residential Zoning Districts and thirty two (32) square feet in all other Zoning Districts. Such signs shall not be illuminated. Sale and rental signs shall be removed within thirty (30) days after the rental of the property.
- J. Traffic, pedestrian or property functional on-premises signs such as parking, no parking, entrance, exit, telephone, restrooms, etc., when the sign area is less than five (5) square feet and bearing no commercial advertising. For sight distance situations, these signs shall be erected to a height either less than three (3) feet or greater than eight (8) feet from ground grade.
- K. **Real Estate Development Signs.** Signs advertising the development of the premises upon which they are erected, may be erected and maintained in connection with the development of the premises by a builder, contractor, developer or other person interested in such sale or development; provided:
 - (1) The size of any such sign shall not exceed twenty (20) feet in area and shall be located not less than fifteen (15) feet from any side property line in a residential district.
 - (2) No such sign may be illuminated nor shall it exceed thirty two (32) square feet in all other Zoning Districts.
 - (3) Not more than two (2) signs may be placed upon any property.
- L. No trespassing signs or other such signs regulating the use of a property, such as "No Hunting", "No Fishing", etc., of no more than two (2) square feet in sign area in residential Zoning Districts and five (5) square feet in all commercial and industrial Zoning Districts.
- M. **Permanent Residential Development.** Signs as major entrances designed to identify a residential subdivision and containing no commercial advertising. Maximum area, thirty two (32) square feet.
- N. **An Identification Sign.** Located on the premises or building which serves only to tell the name or use of any public or semipublic building or recreational place, fire department, lodge, club, church, apartment building, farm or estate, school, hospital, sanitariums or other institution of a similar approved nature may be erected and maintained, provided:
 - (1) The size of any such sign shall not exceed thirty two (32) square feet.
 - (2) No more than one (1) such sign shall be erected on a property in single or separate ownership, which sign may be either freestanding or wall mounted.

- (3) Such signs may be illuminated.

§27-1704. Prohibited Signs.

The following signs shall not be permitted, erected or maintained in any district.

- A. Any sign or sign structure which constitutes a hazard to public safety or health by interfering with the clear site triangle as defined in Part 19 of this Chapter.
- B. Signs which by reason of size, location, content, coloring or manner of illumination obstruct the vision of drivers or obstruct or detract from the visibility or effectiveness of any traffic sign or control device. Signs which contain or are an imitation of an official traffic signal.
- C. Any sign which obstructs free ingress to or egress from a fire escape, door, window or other required exit way.
- D. Signs incorporating misleading or confusing words to traffic. Such words, symbols, or phrases shall include "Stop", "Look", "Danger", etc., or hide from view any traffic street signal or sign.
- E. Discontinued nonconforming signs, and signs becoming obsolete in that they no longer advertise a bona fide business or product sold on the premises shall be removed within one (1) year, except that signs painted on walls shall not be subject to this provisions.
- F. Signs painted on, attached to or supported by a tree, stone, cliff or other natural object, except for signs permitted under garage sales, fund raising sales or similar events.
- G. String lights or bare bulb illumination of signs other than temporary holiday decorations. New and used car lots are exempt from this regulation.
- H. Temporary signs, search lights, banners, streamers or balloons except, for occasions such as grand openings, and then only with special written permission of the Zoning Officer. Such permission shall be limited to a 45 day period and shall not be erected again for a period of thirty (30) days thereafter. Automobile sales lots shall be exempt from the forty five (45) day time period on banners and streamers, provided they are maintained in a safe condition.
- I. No loud, vulgar, indecent, or obscene advertising matter shall be displayed in any manner, including, but not limited to:
 - (a) Any graphic illustration pertaining to specified sexual activities and/or specified anatomical areas.
 - (b) Scenes wherein artificial devices are employed to depict, or drawings are employed to portray any of the prohibited signs, photographs or graphic representations described above.

§27-1705. Signs Requiring Approval of a Special Exception.

The following signs may be permitted in Commercial and Industrial Districts with approval of a special

exception and must adhere to the general and specific sign regulations of §27-1706 and §27-1707 of this Chapter:

- A. **Flashing Signs.** Signs which flash, have moving illumination or which vary in intensity or which vary in color except for digital time and temperature devices and variable message boards.
- B. **Portable Signs (Larger Than 8 Square feet).** Signs constructed on a movable or portable base, sled, trailer vehicles or devices of any type where the principal use of the base, sled, trailer vehicle or device is for the purpose of displaying a sign which is capable of being moved or transported from one (1) location to another.
- C. **Off-Premises Signs.** Signs which are related to a business, use or product not on the property or in a structure on the property. Except as otherwise provided herein, such signs are limited to a maximum sign area of thirty two (32) square feet; must be either freestanding or wall type; and only one (1) is permitted for every sixty (60) feet of lot frontage; provided, however, every lot with less than sixty (60) foot frontage shall be allowed one (1) sign. Off-premises signs located on buildings and above the first floor shall be permitted a sign area of fifty five (55) square feet. In the Industrial District the sign area shall not exceed six hundred seventy two (672) square feet.
- D. Signs which have any visible moving part, visible revolving parts or visible mechanical movement, except barber poles.
- E. Notwithstanding any other provision of this Part, signs for both on and off premise businesses shall be permitted in the Industrial District and in an area south of East Walnut Street, within seventy five (75) feet for the eastern right-of-way line of Paul Mack Boulevard (S.R. 58 Spur G/S.R. 120); provided, that the maximum permitted sign area of any wall sign or the total of all signs on a free standing structure shall not exceed six hundred seventy two (672) square feet with no single dimension exceeding forty six (46) feet, with the minimum distance between signs being five hundred (500) feet.

§27-1706. Sign Regulations In Commercial, Industrial and Public Institutional Zoning Districts.

- 1. No more than five (5) business signs and/or permanent promotional signs may be erected or maintained on any premises except a premises on a corner lot may have one (1) additional sign. Signs permitted in all districts shall not be counted in calculating the total. Premises having a public entrance at the rear or side may have an additional business identification sign for each entrance with sign area to be limited to one (1) square foot per lineal foot of rear or side building dimension, but not to exceed a maximum of thirty two (32) square feet per sign. Each awning, used as a sign, shall be considered one (1) sign and shall be included when calculating the total number of business signs but not in the total square footage for sign area.
- 2. The total sign area of all business signs per premises (excluding signs for rear or side entrances) shall not exceed two (2) square feet per front lineal foot of the main frontage of the premises. A premises which is totally located within another building shall be permitted a total of thirty two (32) square feet of exterior sign area. No premises, however, shall be limited to less than thirty two (32) square feet of total sign area. For corner buildings, the front dimension shall be that towards the street with the greater right-of-way, unless obviously otherwise. If the rights-of-way are equal, the premises owner shall determine the front. In no case shall the total sign area per premises exceed two hundred (200) square feet.
- 3. The total business sign area per premises with no building on the property shall not exceed one

(1) square foot per front lineal foot of the lot. No premises, however, shall be limited to less than thirty two (32) square feet of total sign area. For corner lots, the front dimension shall be towards the street with the greater right-of-way, unless obviously otherwise. If the rights-of-way are equal, the premises owner shall determine the front. In no case shall the total sign area per premises exceed two hundred (200) square feet.

§27-1707. Specific Sign Regulations for Commercial, Industrial and Public Institutional Zoning Districts.

1. Projecting Signs.

- A. No projecting sign shall extend into the public right-of-way, except in those instances where the right-of-way extends to the building face or within five (5) feet of the building face, in which case the sign may extend up to five (5) feet from the building faces.
- B. Signs up to and including eight (8) square feet shall be at least eight (8) feet above grade. Signs nine (9) to twelve (12) square feet shall be at least ten (10) feet above grade.
- C. A sign area shall not exceed twelve (12) square feet and the vertical dimension shall not be greater than six (6) feet.
- D. Only one (1) projecting sign per premises except that corner premises or premises with public entrances on two (2) or more public ways may erect an additional projecting sign toward each public way.

2. Wall Signs.

- A. No wall sign shall extend above the top of the wall upon which it is placed.
- B. No part thereof shall project more than twelve (12) inches from the wall upon which it is placed.
- C. No part thereof shall extend beyond the left and right extremities of the wall to which it is attached.

3. Freestanding Signs.

- A. Every part thereof shall be located entirely behind the property line and shall not project over public right-of-way or other adjoining lands.
- B. The sign area shall be limited to a maximum of fifty five (55) square feet, and a single dimension shall not exceed eleven (11) feet.
- C. No premises shall contain more than one (1) freestanding sign, except that corner premises or premises with a public entrance to two (2) or more public ways may erect an additional freestanding sign for and toward each public way.
- D. No sign or part thereof shall be more than twenty five (25) feet above grade, except in the areas south of East Walnut Street within seventy five (75) feet of the eastern right-of-way line of Paul Mack Boulevard (S.R. 58 Spur G/S.R. 120), in which are no sign or part thereof shall be more than fifty (50) feet above grade.

4. Roof Signs.

- A. Prior to installation, an engineer's or architect's certification must be provided to insure installation will comply with local building codes and standard installation practices. Thereafter, an annual certification by an engineer or architect shall be submitted stating that the sign still satisfies all local code requirements.
- B. Illuminated roof signs must be UL approved.
- C. All roof signs must be constructed to withstand the pressures as calculated in the following table:

**EFFECTIVE VELOCITY PRESSURES
FOR ORDINARY BUILDINGS AND STRUCTURES
BASIC WIND SPEED (MPH)**

Height (Feet)	50	60	70	80	90	100	110	120	130
less than	10	10	10	10	13	16	20	23	27
30-40	10	10	11	14	17	21	27	31	36
40-75	10	10	12	15	19	24	29	34	40
75-125	10	12	17	22	28	34	41	49	58
175-225	10	14	18	24	31	38	46	54	64
225-275	10	15	20	26	33	41	49	59	69
275-325	11	16	21	28	35	43	52	62	77
325-375	11	16	22	29	37	45	55	65	77
375-425	12	17	23	31	39	48	58	69	81
425-475	12	18	24	32	40	50	60	72	84
475-525	13	18	25	33	42	51	62	74	87
527-575	13	19	26	34	43	53	64	76	90
575-625	14	20	27	35	44	55	66	79	92
625-675	14	20	28	36	46	57	69	82	96
675-725	14	21	28	37	47	58	70	83	98
725-775	15	21	29	38	48	59	72	86	100
775-825	15	22	30	39	49	61	73	87	102

- D. One (1) roof sign shall be permitted for every two hundred (200) feet of building frontage; provided, however that every building with less than two hundred (200) feet of frontage shall be allowed one (1) roof sign.

5. Shopping Center Identification Signs.

- A. Such sign shall be limited to two (2) square feet per lineal foot of building structure frontage up to a maximum of three hundred (300) square feet. One (1) additional sign

shall be permitted for either a public side or rear entrance, the size of which signs shall be limited to fifty five (55) square feet.

- B. Signs must be freestanding or wall mounted. The provisions of §27-1707.2 – 3., above, shall apply.
- C. Advertising of individual businesses, in conjunction with the shopping center identification sign, shall be permitted provided the sign area for each individual business does not exceed two (2) square feet.
- D. Portable signs are allowed in private entrances or on private property, advertising a product or service offered on the premises. Such sign shall be limited to two (2) per premises and shall be limited to eight (8) square feet and may also be located on public sidewalks. Portable signs larger than eight (8) square feet are allowed for special events by written approval of the Zoning Officer. Such use is allowed for a period of two (2) weeks and no more than four (4) times per year.

§27-1708. Sign Regulations In All Zoning Districts.

1. Family Daycare Signs, Home Occupation Signs and Bed and Breakfast Signs.

- A. Limited to two (2) per premises, except that corner premises or premises with public entrances on two (2) or more public ways may erect three (3) signs.
- B. Nonilluminated.
- C. Each sign shall be limited to a maximum sign area of six (6) square feet.
- D. No sign shall be larger than six (6) feet in height.

2. Signs for Non-Residential Uses in Residential Zoning Districts.

Unless otherwise specified herein this Chapter

- A. Limited to two (2) per premises, except that corner premises or premises with public entrances on two (2) or more public ways may erect three (3) signs
- B. In no case shall the total sign area per premises exceed twenty (20) square feet.
- C. Freestanding signs shall be limited to a maximum height of six (6) feet.
- D. The use of flashing, pulsating, and moving lights shall be prohibited.
- E. The use of back-lit and internally lit signs shall be prohibited.
- F. The use of external lighting for signs shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the sign or site.
- G. The use of external lighting for signs shall be extinguished at the time of closing such operation until the time of opening.

3. **Signs for Businesses In Other than Residential, Commercial and Industrial Zoning Districts.**

- A. The total sign area per premises shall not exceed one (1) square foot per front lineal foot of the main building on the premises.
- B. In no case shall the total sign area per premises exceed one hundred (100) square feet.
- C. Freestanding signs shall be limited to a maximum height of ten (10) feet.

§27-1709. Permits and Fees.

- 1. All signs except, those enumerated in §1703, "Signs Permitted In All Zoning Districts," require a zoning permit in accordance with Part 22 of this Chapter. Issuance by the Zoning Officer can only be made when such sign complies in every respect with all applicable provisions of this Chapter.
- 2. An application for a sign permit shall be made on a form provided by the Zoning Officer. Any additional relevant information and material may also be required by the Zoning Officer.
- 3. Permits are valid indefinitely unless the sign is structurally altered, moved or replaced. A new permit is required prior to any structural alteration, movement or replacement, and its issuance by a Zoning Officer can only be made when such signs comply in every respect with all applicable provisions of this Chapter.
- 4. Exceptions to permits are as follows:
 - A. Replacing copy or advertising message on an approved sign such as a billboard, theater marquee or similar approved sign device which is specifically designed for the use of replaceable copy. This provision does not apply to painted lettering, symbols, etc., which utilizes a building for the sign surface. Any such sign shall be considered a new sign and requires a permit.
 - B. Maintenance, including cleaning and normal repair, unless a structural change is made.
 - C. Signs in existence when this Chapter was adopted, unless they are structurally altered, moved, replaced or painted.

§27-1710. Miscellaneous.

Nonconforming signs to be replaced, moved or structurally altered shall be considered new signs and must conform in every respect to the provisions of this Chapter. Nonconforming signs which are damaged in excess of fifty (50) percent of their value, as calculated before the damage, shall not be restored or replaced. It must be removed from the premises within three (3) months of damage. However, historically important wall murals and signs will be permitted in Commercial and Industrial districts following documentation of historical accuracy and of being over fifty (50) years old or certified as historically significant by the Clinton County Historical Society Board of Directors.

PART 18**OFF-STREET PARKING, LOADING AND ACCESS REGULATIONS****§27-1801. General Regulations**

1. Required off-street parking, loading and unloading facilities shall be provided in accordance with the specifications in this Part in all zoning districts, except that because of its developed nature and the location of alleys, on-street and public parking, off-street parking, loading, and unloading requirements shall not apply in the CBD Zoning District. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term "parking space" includes either covered garage space or uncovered parking lot space located off or beyond the public right-of-way.

2. Design and Location:

A. Size of Parking Spaces. Every parking space shall consist of not less than one hundred seventy one (171) square feet of usable area exclusive of interior isles, driveways, maneuvering areas, and access drives and shall measure not less than nine (9) feet in width and nineteen (19) feet in length. Minimum length for parallel parking zero (0) degree shall be twenty two (22) feet.

B. Access. The width of all aisles providing direct access to individual parking stalls shall be in accordance with the requirements set forth below. The minimum width of access aisles shall conform with the following requirements:

Parking Angle (Degrees)	Aisle Width One (1) Way Traffic (Feet)	Aisle Width Two (2) Way Traffic (Feet)
0 parallel parking	12	20
30	12	20
45	13.5	20
60	18.5	20
90 perpendicular parking	24	24

- C. Location.

- (1) Off-street parking shall not be permitted in required front yards or in front of principal buildings in the CBD Zoning District, and shall only be permitted in required front yards or in front of principal single family and two family dwellings in residential zoning districts when located on paved driveways. Otherwise, off-street parking is permitted in required front yards and in front of principal buildings in all non-residential zoning districts, provided required screening and buffering standards of Part 19 of this Chapter are met.
- (2) Additional Parking Provisions for CBD Zoning District for both Principal and Accessory Parking

- (a) No new access drives or driveways shall be permitted along East Main Street, between Jay Street and Mill Street.
 - (b) Off-street surface parking lots shall not be located on corner lots, on or adjacent to the intersection of two (2) streets.
 - (c) Off-street surface parking lot access drives and/or driveways shall not extend more than seventy (70) feet in width along any street frontage.
 - (d) Off-street surface parking lots abutting public street right-of-way including alleys, shall be provided with a continuous street-fronting three and one half (3 ½) foot high masonry wall or a perimeter planting at least five (5) feet in depth measured from all sides of the parking area towards the property/street line with a mix of high and low level screening in accordance with Part 19 of this Chapter. Wall breaks for driveways shall be not more than twenty four (24) feet in width.
- (3) Every required parking space shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other vehicle, except for spaces serving single-family or two-family dwellings.
 - (4) All dead-end parking lots shall be designed to provide sufficient backup area for the end parking spaces of the parking area. This shall include designing the end spaces to prevent backing up into an aisle, other than the one (1) on which the end space directly accesses.
 - (5) Except for single-family or two-family dwellings with its access onto a local street right-of-way or parking court, no parking area shall be designed to require or encourage parked vehicles to back into a public street right-of-way, other than an alley, in order to leave a parking space.
 - (6) Except in the residential and CBD zoning districts or as provided in §27-1802.B of this Chapter pertaining to shared parking, parking spaces may be located on a lot other than that containing the principal building or use with the approval as a special exception from the Zoning Hearing Board. Such spaces shall be readily accessible to the building or use served, be located in the same zoning district as the principal building or use, and conform to the following requirements:
 - (a) Required parking spaces shall be located within one hundred fifty (150) feet of the principal building or use when located on the same side of the street.
 - (b) Required parking spaces shall be located within five hundred (500) feet of the principal building or use when linked to a public sidewalk when located on the same side of the street.
 - (c) The distances specified herein shall be measured from the nearest point of the parking lot to the nearest point of the principal building or use that the parking lot is required to serve.
 - (d) The applicant for a zoning permit or use certificate shall submit, with his application, a legal document approved by the City that subjects such parcels of land to parking uses in connection with the principal use to which it is accessory, guaranteeing the spaces are provided during all of the years the use is in operation. Prior to the issuance of a zoning permit, the Zoning Officer shall cause such legal documents to be recorded in the office of the Clinton

County Recorder of Deeds.

- (e) All other requirements of this Part 18 and this Chapter including screening, buffering, shall be met.
- D. A garage or carport may be located wholly or partly inside the walls of the principal building or attached to the outer walls. If separated from the principal building, the garage shall conform to all accessory building requirements. The garage may be constructed under a yard or court. The space above an underground garage shall be deemed to be part of the open space of the lot on which it is located.
- E. Setback, Buffer and Screening:
- (1) All parking spaces, interior isles, driveways, maneuvering areas, and access drives shall be located at least five (5) feet from any buildings located on the lot. The five (5) foot corridor thus established between the parking area and building shall be for the purpose of providing a pedestrian access walkway.
 - (2) All parking spaces, interior isles, driveways, maneuvering areas, and access drives for multi-family residential and non-residential uses shall be at least five (5) feet from any exterior lot line, except where buffer yards are required, in which case such parking spaces may not encroach on the buffer yard area.
 - (3) No off-street parking area shall be located within a public right-of-way.
 - (4) In addition to buffering and screening in accordance with Part 19 of this Chapter, screening must be provided as a view restrictive screen of any parking area of five (5) or more spaces, and adjacent residential use or zoning district, public right-of-way, and any on-premises building to screen first floor windows of said building from the parking area.
- F. Parking Lot Landscaping.
- (1) One (1) deciduous tree shall be required for every fifteen (15) new off-street parking spaces.
 - (2) If a lot will include 30 or more new parking spaces, landscaped islands shall be provided within automobile parking areas. Otherwise, the trees may be planted around the parking area.
 - (3) Trees required by this section shall meet the following standards:
 - (a) Type of Trees Permitted. Required trees shall be chosen from the following list of approved tree species native to or appropriate for Central Pennsylvania, unless the applicant proves to the satisfaction of the Zoning Officer that another type of tree would shade paved areas, be resistant to disease, road salt and air pollution and be attractive.

Botanic Name	Common Name
Acer platanoides	Norway Maple
Celtis occidentalis	Common Hackberry

Fraxinus Pennsylvania	Green Ash
Ginko biloba fastigiata	Maiden Hair Tree (male only)
Gleditsia triacanthos	Honeylocust
Liquidambar styraciflua	Sweet Gum
Quercus	All species of oaks
Sophora japonica	Scholar Tree/Pagoda Tree
Ulmus hybrids	Homestead or Sapporo Autumn Gold
Ulmus parviflora	Chinees or Lacebark Elm
Zelkova set-rata	Zelkova

- (b) Quality of Trees. Required trees shall be of symmetrical growth and free of insect pests and disease.
- (c) Minimum Size. The trunk diameter (measured at a height of six [6] inches above the finished grade level) shall be a minimum of two (2) inches or greater.
- (d) Planting and Maintenance. Required trees shall be:
 - (i) planted in conformance with good landscaping practices, with adequate unpaved surface around each for water and air, and
 - (ii) properly protected by curbs, curbstops, distance or other devices from damage from vehicles.

- G. **Surfacing & Marking.** Any new or enlarged commercial, industrial, or residential off-street parking area shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface, and shall be so arranged as to provide for orderly and safe parking and storage of vehicles. The first ten (10) feet of private property from the public right of way, shall be surfaced with concrete or bituminous concrete. All such paved parking spaces shall be marked with paint, provided with wheel stops/bumpers, or other methods so as to indicate their location. Alternative pavement sections may be considered if properly designed and then approved by the City Engineer.
- H. **Lighting.** All on-site, outdoor lighting of off-street parking areas shall be designed to prevent glare to adjoining properties and public right-of-way by employing hooded, shielded, or screened fixtures that confine glare to the site, rather than the area around it.
- I. **Off-Street Parking Interconnections for Parking Lots with Non Residential and Multi-Family Residential Uses**
 - (1) Where non-residential and/or multi-family residential parking lots abut another non-residential and/or multi-family residential parking lot, they shall be interconnected via internal vehicular connections to one (1) another or connection via a rear alley.
 - (2) Each non-residential and/or multi-family residential parking lot shall provide cross-access easements for its parking areas and access drives guaranteeing access to abutting non-residential and/or multi-family residential parking lots. Interconnections shall be logically placed and easily identifiable to ensure convenient traffic flow.
- J. There shall be adequate provision for ingress and egress to all parking and loading spaces designed to be used by employees, customers, delivery services, sales people and/or the general public.
- K. Handicap parking spaces shall be provided as required by State law.

§27-1802. Parking Reductions.

Except for uses in the residential and CBD zoning districts, this section is a means to meet the minimum off-street parking requirement for uses by alternative means other than providing on-site, off-street parking in accordance with the following provisions:

- A. The use has on-street parking, at a ratio of one (1) parking space for each twenty-two (22) feet of existing lot frontage uninterrupted (not within five [5] feet of a fire hydrant, curb cut for a sidewalk, driveway or access drive) and directly in front of the building.
- B. The use is utilizing shared parking in accordance with the following:
 - (1) Users of shared parking facilities shall be required to show shared parking is reasonably close in proximity to each use in accordance with the following standards:
 - (a.) Less than one hundred (100) feet: For people with disabilities, deliveries, and loading, emergency services, fast food service type restaurant, and convenience store.
 - (b.) Less than six hundred (600) feet: For residents, grocery stores, business and professional services and medical/dental clinics, hospitals
 - (c.) Less than one thousand (1,000) feet: For general retail sales and services, sit down

service type restaurant, taverns/bars, employees, social/fraternal organizations/lodges, places of worship, schools, municipal uses, parks.

- (2) If parking is to be shared by uses located on two (2) or more lots, an agreement in a form acceptable to the City must be presented assuring use of the required parking spaces until or unless the required parking spaces are located on the same lot as the use they serve.
- (3) The minimum amount of shared parking required to be calculated according to the following:
 - (a) Calculate the minimum amount of off-street parking required for each use as if it were a separate use.
 - (b) To determine the peak parking requirements, multiply the minimum parking required for each proposed use by the corresponding percentage in the table below for each of the six (6) time periods:

Uses	Monday - Friday			Saturday and Sunday		
	8 am - 6 pm	6 pm - Midnight	Midnight - 8 am	8 am - 6 pm	6 pm - Midnight	Midnight - 8 am
Residential	60%	100%	100%	80%	100%	100%
Office	100%	10%	5%	5%	5%	5%
Retail Sales/Services	90%	80%	5%	100%	60%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Theatre/Place of Assembly	40%	80%	10%	80%	100%	10%
Entertainment (include Social/Fraternal)	40%	100%	10%	80%	100%	50%
Public/Institutional/School (Non-Place of Worship)	100%	40%	5%	10%	10%	5%
Places of Worship	20%	40%	5%	100%	50%	5%

- (c) Calculate the column total for each of the six (6) time periods
 - (d) The column total (time period) with the highest value shall be the minimum parking requirement.
- C. The use is utilizing overflow parking reservation in accordance with the following:

Overflow parking reservation, which shall include areas of required parking facilities that may remain unpaved, leveled and stabilized in a grass condition, but that also may be constructed with other pervious surfaces acceptable to the City, so as to provide for overflow parking for other, seasonal or event peak times, shall be permitted subject to the following:

- (1) The applicant shall submit a plan showing all required parking spaces, interior driveways, maneuvering areas, access drives, and buffer areas, designed in strict conformance with all other requirements of Part 18 and this Chapter; and

- (a) All those parking related improvements and facilities that are to be constructed.
 - (b) All Overflow parking reservation spaces which shall be delineated on the plan and designated as “reserved for future use,” required to meet the minimum number of required parking spaces but otherwise not to be constructed in full compliance with the requirements of the Chapter.
- (2) Overflow parking reservation spaces shall not exceed twenty (20) percent or more of the minimum required parking spaces.
 - (3) All areas designated as overflow parking reservation shall not count toward any open space or yard requirements.
 - (4) The applicant shall enter into an agreement with the City agreeing to design and construct all parking related improvements, including all related storm water management improvements, which have not been previously constructed within six (6) months of notification from the City. Such agreement shall be in a form acceptable to the City.

§27-1803. Parking Facilities Required.

Off-street parking facilities shall be provided to lessen congestion in the streets. Except as provided, in §27-1802.B pertaining to shared parking and Section 1801 regarding the CBD Zoning District, any structure or building hereafter erected, converted or enlarged for any of the following permitted uses, or if there is any change or expansion in use of the premises, off-street parking shall be provided with not less than the minimum required spaces, as set forth in the following table. Any use or building involving a combination of several uses shall provide the total number of spaces required for each individual use. Said spaces shall be readily accessible to the uses served thereby. Fractional numbers greater than or equal to one half (½) of parking spaces shall be increased to the next whole number.

Permitted Use	Minimum Parking Requirements
Adult Related Uses	One (1) space per two hundred (200) square feet of gross floor area, plus (1 space) per each employee on the largest shift
Aircraft Assembly and Rehabilitation	One (1) space per seven hundred fifty (750) square feet of gross floor area
Aircraft Maintenance and Storage Hanger	One (1) space per four (4) hanger bays, plus one (1) space per employee on the largest shift
Aircraft Sales	One (1) space per fifteen (15) motor powered and non-motored power aircrafts, plus one (1) space per employee
Airport	Required spaces shall be provided in accordance with this schedule for applicable Airport Related Uses.
Airport Office	One (1) per four hundred (400) square feet of gross floor area
Airport Parking	N/A
Airport Runway/Taxiway	N/A
Airport Service Facility	One (1) space per employee on the largest shift
Airport Terminal	One (1) space per five thousand (5,000) square feet of gross floor area, plus one (1) space per employee on the largest shift
Airport Traffic Control Facility	One (1) space per facility

Permitted Use	Minimum Parking Requirements
Animal Hospital/Veterinarian Clinic	One (1) space for every fifteen (15) animals based on maximum animal capacity, plus six (6) spaces per veterinarian.
Automobile Service Station	Two (2) spaces for each one (1) service bay area, plus one (1) space for each one (1) fuel pump, plus one (1) space for each employee on the largest shift. Required off-street parking may be provided at gasoline pumps at a ratio of not more than 2 spaces per each pump (one [1] on each side) and not more than one (1) space per each indoor service bay area.
Automobile, Heavy Equipment, and Similar Motor Vehicle Rental & Sales	One (1) space per fifteen (15) vehicles or units of heavy equipment, plus one (1) space per employee
Automotive Vehicle Repair Center	Two (2) spaces for each one (1) service bay area, plus one (1) space for each employee on the largest shift. Required off-street parking may be provided at gasoline pumps at a ratio of not more than 2 spaces per each pump (one [1] on each side) and not more than one (1) space per each indoor service bay area.
Automotive Wrecking, Junk, Scrap Storage & Sales Establishments	One (1) space per one-half (½) acre, plus one (1) space per employee
Bank	One (1) space per three hundred (300) square feet of gross floor area, plus one (1) space per employee on the largest shift
Bed and Breakfast	Two (2) parking spaces for the principal residence plus one (1) parking space for each bedroom available as a temporary abiding place
Boarding Houses	One and one half (1 ½) spaces per guest/sleeping room, plus one (1) space per employee
Business Service	One (1) space per three hundred (300) square feet of gross floor area
Car Wash	One (1) space per five hundred (500) square feet of gross floor area of office space, plus additional spaces as set forth in Part 20
Cemetery	One (1) space per employee
Coffee house	One (1) space for each one hundred fifty (150) square feet of gross floor area, excluding kitchen and storage areas
Commercial Recreation, Indoor	One (1) space per two hundred (200) square feet of gross floor area, plus one (1) space for each employee on the largest shift
Commercial Recreation, Outdoor	One (1) space per two hundred (200) square feet of gross floor area, plus one (1) space for each employee on the largest shift; or if completely outside of a structure/building one (1) space per each three (3) users at maximum capacity or utilization, plus one (1) space for each employee on the largest shift
Communication Antenna	One (1) space per each employee on the largest shift
Communication Tower	One (1) space per each employee on the largest shift, but in no case less than two (2) total spaces
Contractor's Yard	One (1) space per seventy hundred fifty (750) square feet of gross floor area of office space/administrative space, plus one (1) per employee on the largest shift
Convenience Store, General	One (1) space per one hundred (100) square feet of retail sale and display floor area
Convenience Store, Neighborhood	One (1) space per one hundred seventy-five (175) square feet of retail sale and display floor area
Correctional Facility	One (1) space per each ten (10) cells, plus one (1) space for each employee on the largest shift

Permitted Use	Minimum Parking Requirements
Crafts or Artisan Studio	One (1) space per two hundred (200) square feet of gross floor area, plus (1 space) per each employee on the largest shift
Daycare, Commercial	One (1) per six (6) children enrolled, plus one (1) space per employee on the largest shift
Daycare, Family	Two (2) parking spaces for the principal residence plus one (1) parking space for every non-resident employee and two (2) parking spaces for patron use.
Dwelling, Multi-Family	Three (3) spaces per each dwelling unit
Dwelling, Residential Conversion for Multiple Dwellings	Three (3) spaces per each dwelling unit
Dwelling, Single-Family Attached	Two (2) spaces per dwelling unit
Dwelling, Single-Family Detached	Two (2) spaces per dwelling unit
Dwelling, Single-Family Semi-Detached	Two (2) spaces per dwelling unit
Dwelling, Two-Family	Two (2) spaces per dwelling unit.
Dwelling, Two-Family Conversions	Two (2) spaces per dwelling unit
Dwelling, Upper Floor Apartment Dwelling Units above permitted Non-Residential Use	One (1) space per dwelling unit
Emergency Services	One (1) space for each four hundred (400) square feet of gross floor area, plus 1 space per stored vehicle
Food Service	One (1) space per seven hundred fifty (750) square feet of gross floor area.
Forestry	One (1) space per employee on the largest shift
Funeral Homes	One (1) space per four (4) seats in viewing areas, plus one (1) space per each employee, plus one (1) space per each piece mobile equipment, such as hearses and automobiles
Golf Course	Four (4) spaces per hole (□), plus one (1) space per employee on the largest shift, plus one-half (½) of the spaces normally required for accessory uses listed elsewhere within this schedule
Health and Fitness Clubs	One (1) space per one hundred twenty five (125) square feet of gross floor area, plus one (1) space per employee on the largest shift
Home Improvement Center, Lumber, or Building Materials Sales Facility	One (1) space per three hundred (300) square feet of indoor gross floor area, plus one (1) space per five hundred (500) square feet of outdoor gross floor area accessible to the public, plus one (1) space per employee on the largest shift
Home Occupation	Two (2) parking spaces for the principal residence plus one (1) parking space for every non-resident employee and two (2) parking spaces for patron use.
Hospital	One (1) space per three (3) beds, plus one (1) space for each employee on the largest shift.
Hotel	One (1) space per guest sleeping room, plus one (1) space per each employee on largest shift, plus three quarters (¾) of the spaces normally required for accessory uses listed elsewhere within this schedule
Industrial, General	One (1) space for every eight hundred (800) square feet of total floor area plus one (1) space for every twenty-five (25) employees

Permitted Use	Minimum Parking Requirements
Industrial, Light	One (1) space for every eight hundred (800) square feet of total floor area plus one (1) space for every twenty-five (25) employees
Kennel, Commercial	One (1) space for every fifteen (15) animals based on maximum animal capacity, plus (1 space) per employee
Landscaping Center / Nursery	One space per one thousand (1,000) square feet of retail sales area
Laundromat	One (1) space per each three (3) washing machines
Library	One (1) space per four hundred (400) square feet of gross floor area, plus one (1) space for each employee on the largest shift
Licensed Group Home	One (1) space per two (2) beds, plus one (1) space for each employee on the largest shift.
Licensed Group Residence	One (1) space per resident based on maximum occupancy, plus one (1) space for guest parking for each four (4) residents based on maximum occupancy.
Massage Therapy	One (1) space per two hundred (200) feet of gross floor area
Mini-Storage/Self-Storage Facility	One (1) space per twenty-five (25) units, plus one (1) space for each employee
Mobilehome Park	See Part 20
Motel	One (1) space per guest sleeping room, plus one (1) space per each employee on largest shift, plus three quarters ($\frac{3}{4}$) of the spaces normally required for accessory uses listed elsewhere within this schedule
Neighborhood Retail/Service (other than Convenience Store, Neighborhood)	Three quarters ($\frac{3}{4}$) of the spaces normally required for permitted principal uses for Neighborhood Retail / Service in Part 2 and Part 20 of this Chapter, as listed elsewhere within this schedule
Nursing Home	One (1) space per five (5) beds, plus one (1) space for each employee on the largest shift.
Office, Business	One (1) space per four hundred (400) square feet of gross floor area
Office/Clinic, Medical	Five (5) spaces for each one (1) doctor or dentist, plus one (1) space per employee
Other Commercial/Office Buildings and Uses	One (1) space per four hundred (400) square feet of gross floor, plus one (1) space per employee
Parking Compound	One (1) space for each employee on the largest shift
Parks, playgrounds & playfields	Five (5) spaces per one (1) acre or portion thereof
Personal Care Home	One (1) space per five (5) beds, plus one (1) space for each employee on the largest shift
Personal Service Business	One (1) space per three hundred (300) square feet of gross floor area
Place of Assembly	One (1) space per three (3) seats based on maximum seating capacity, or one (1) space per two hundred fifty (250) square feet of gross floor area, whichever is larger
Place of Worship	One (1) space per three (3) seats based on maximum seating capacity, or one (1) space per two hundred fifty (250) square feet of gross floor area, whichever is larger
Post Office	One (1) space per two hundred (200) square feet of gross floor of public area, plus one (1) space per employee on largest shift

Permitted Use	Minimum Parking Requirements
Private Club Rooms, Lodges, and Social Halls	One (1) space per two hundred (200) square feet of gross floor area, plus one (1) space for each employee on the largest shift.
Public / Private Works Facility	One (1) space for each four hundred (400) square feet of gross floor area, plus one (1) space per stored vehicle
Public Building	One (1) space for each employee on the largest shift, plus one (1) space per one thousand (1,000) square feet of gross floor area.
Rail Yard	One (1) space per one thousand (1,000) square feet of gross floor area of office space, plus one (1) space per employee on the largest shift
Recycling Collection Point, Public	One (1) space per container for each type of material stored
Research and Development	One (1) space per four hundred (400) square feet of gross floor area
Restaurant	One (1) space per fifty (50) square feet of floor area available to the public, plus one (1) space per each employee on the largest shift
Retail Business	One (1) space per two hundred (200) square feet of gross floor area, plus one (1) space per each employee on the largest shift
School, Commercial	One (1) space per two (2) students enrolled, plus one (1) space per employee on the largest shift
Schools, Private and Public (Elementary & Middle School)	One (1) space for each thirty (30) students enrolled, plus one (1) space per employee, plus one (1) space for each thirty (30) seats for auditorium, gymnasium, or multipurpose room
Schools, Private and Public (High School)	One (1) space for each five (5) students enrolled, plus one (1) space per employee, plus one (1) space for each fifteen (15) seats for auditorium, gymnasium, or multipurpose room
Shopping Center	Two hundred (200) square feet of gross floor area
Tavern/Bar	One (1) space per fifty (50) square feet of floor area available to the public, plus one (1) space per each employee on the largest shift
Theatre	One (1) space per three (3) seats based on maximum seating capacity, or one (1) space per two hundred fifty (250) square feet of gross floor area, whichever is larger
Truck Repair/Service Center	Two (2) spaces for each one (1) service bay area, plus one (1) space for each one (1) fuel pump, plus one (1) space for each employee on the largest shift. Required off-street parking may be provided at gasoline pumps at a ratio of not more than 2 spaces per each pump (one [1] on each side) and not more than one (1) space per each indoor service bay area.
Truck Terminal	One (1) space per one thousand (1,000) square feet of gross floor area of the building up to twenty thousand (20,000) square feet, plus (1 space) for each two thousand (2,000) square feet gross floor area of the building up between twenty thousand (20,000) square feet and forty thousand (40,000) square feet, plus (1 space) for each three thousand (3,000) square feet gross floor area of the building in excess of forty thousand (40,000) square feet. In addition to the off-street parking requirements and when there are ten (10) or more loading berths provided, trailer parking spaces shall be provided at one (1) trailer parking space for each four (4) loading berths.
University Housing	One (1) space per two (2) occupants, plus one (1) guest space for every ten (10) dwelling units, plus one (1) space for each employee on the largest shift of the onsite management
University/College	One (1) space per five (5) students enrolled, plus one (1) space per employee, plus one (1) space per fifteen (15) seats in an auditorium and/or gymnasium, plus, one (1) space per two (2) occupants in a dormitory

Permitted Use	Minimum Parking Requirements
Warehousing and wholesale trade establishments	One (1) space per one thousand (1,000) square feet of gross floor area of the building up to twenty thousand (20,000) square feet, plus (1 space) for each two thousand (2,000) square feet gross floor area of the building up between twenty thousand (20,000) square feet and forty thousand (40,000) square feet, plus (1 space) for each three thousand (3,000) square feet gross floor area of the building in excess of forty thousand (40,000) square feet. In addition to the off-street parking requirements and when there are ten (10) or more loading berths provided, trailer parking spaces shall be provided at one (1) trailer parking space for each four (4) loading berths.

§27-1804. Prohibited Uses of a Parking Lot.

Off-street parking lots are for the sole purposes of accommodating the passenger vehicles of persons associated with the use that requires them. Parking lots shall not be used for the following:

1. The sale, display or storage of automobiles or other merchandise;
2. Parking/storage of vehicles accessory to the use;
3. Performing services (including services to vehicles);
4. Loading and unloading purposes, except during hours when business operations are suspended;
5. Temporary storage units and trash/waste disposal (e.g. pallets, cardboard); or
6. Recreational vehicle parking (when vehicles not in store).

§27-1805. Loading and Unloading Space.

1. **Off-Street Loading Requirements.** Off-street loading berths, open or enclosed, are permitted accessory to any use (except single or two-family residences and uses within the CBD Zoning District) subject to the following minimum provisions:
 - A. Accessory off-street loading berths for any use requiring receipt or distribution by vehicles, of material or merchandise shall be provided in accordance with the table below. Any land which is developed as a unit under single ownership and control shall be considered a single lot for the purpose of these minimum loading requirements.

Use	One (1) Berth for Each	One (1) Additional Berth for Each
For a public library, museum or similar quasi-public institution or governmental/public building, hospital, nursing home, institution for children or the aged or school with floor area of	10,000 square feet of floor area	additional 25,000 square feet or fraction thereof
For buildings with professional, governmental or business offices or laboratory establishments	10,000 to 25,000 square feet of floor area	additional 25,000 square feet or fraction thereof up to 100,000 square feet, plus an additional berth for each additional 50,000 square feet or fraction thereof over 100,000 square feet
For buildings with offices and	for 8,000 to 25,000 square	additional 25,000 square feet

Use	One (1) Berth for Each	One (1) Additional Berth for Each
retail sales and service establishments	feet of floor area	of floor area or fraction thereof so used
For funeral homes	Use (shall be at least 10 feet wide, 20 feet long and 14 feet high)	
For hotels and motels	for each 25,000 square feet of floor area	
For manufacturing, wholesale and storage uses	for 5,000 to 10,000 square feet of floor area in such use	additional 20,000 square feet of floor area or fraction thereof so used

- B. **Size of Spaces.** Each required loading berth shall be at least ten (10) feet wide, thirty-five (35) feet long, and fifteen (15) feet high, and for warehouse buildings or buildings accommodating tractor-trailer, the minimum off-street loading/ unloading space size shall be increased to twelve (12) feet wide and seventy (70) long, except as required in §27-1805.E of this Chapter.
- C. **Location and Access.**
- (1) Unobstructed access, at least ten (10) feet wide, to and from a street shall be provided. Such access may be combined with access to a parking lot. All permitted or required loading berths shall be on the same lot as the use to which they are accessory. No entrance or exit for any off-street parking area shall be located within thirty five (35) feet of any street intersection. No off-street loading berth shall be located in any front yard. Required off-street parking space shall not be used for loading and unloading purposes, except during hours when business operations are suspended.
 - (2) All areas for the loading and unloading of vehicles and for the servicing of establishments or shops shall have adequate and unobstructed access from a street, access drive, service driveway or alley and shall be so arranged that they may be used without blocking or otherwise interfering with the use of automobile accessways, parking facilities, fire lanes or sidewalks.
 - (3) All loading and unloading areas shall be designed so vehicles using the loading and unloading spaces are not required to aback into a public street, other than an alley.
 - (4) Screening and buffering shall be provided in accordance with Part 19 of this Chapter.
- D. **Surfacing.** All open off-street loading/ unloading spaces shall be improved with a compacted base, surfaced with bituminous concrete or cement concrete pavement of adequate thickness to support the weight of a fully loaded vehicle.
- E. The Zoning Hearing Board may waive or reduce unloading requirements in certain situations such as proof that the business is of such a nature that deliveries are infrequent or during off hours or made by vehicles smaller than tractor trailers.

§27-1806. Maintenance of Off-Street Parking and Loading Areas.

1. Every parcel of land hereafter used as a public or private off-street parking or loading area shall be maintained in good condition free of hazards and deterioration. All pavement areas, sidewalks, curbs, drainage facilities, lighting, bumpers, guardrails, markings, signs, bicycle parking devices, landscaping and other improvements shall be maintained in workable, safe and good condition.

§27-1807. Access to Lots, Off-Street Parking, and Loading Areas.

In addition to any requirements in the City of Lock Haven Subdivision and Land Development and Street and Sidewalks Ordinances and PennDOT standards regarding, access to lots via access drives, driveways, and curb cuts in, all new driveways, access drives and curb cuts shall comply with the following provisions. Access to and from all off-street parking, loading and vehicle service areas along public right-of-ways shall consist of well defined separate or common entrances and exits and shall comply with the following provisions:

A. Access

- (1) Lot access shall be provided to the street of lesser classification when there is more than one (1) street classification involved, this provision specifically includes alleys.
- (2) Lot access shall generally be provided at the rear of lots for lots abutting alleys.
- (3) Lot access shall generally not be taken from the front of the property for lots abutting alleys.
- (4) New curb cuts shall generally be prohibited along a public street (other than an alley) for lots abutting alleys.
- (5) No new access drives or driveways shall be permitted along East Main Street, between Jay Street and Mill Street.

B. Residential driveway regulations. All single-family and two-family dwelling driveways shall conform to the following:

- (1) The number of driveways may not exceed two (2) per lot on a street frontage.
- (2) Driveways shall be a minimum of ten (10) feet, and shall not exceed twenty (20) feet at the right-of-way line, excluding driveway radii.
- (3) Driveways must be located in safe relationship to sight distance and barriers to vision. The drive may not exceed a slope of four (4) percent within fifty (50) feet of the street right-of-way line. Where a drive enters a bank through a cut, the shoulders of the cut may not exceed fifty (50) percent in slope within twenty-five (25) feet of the point the drive intersects the right-of-way.
- (4) A clear sight triangle in conformance with this Chapter shall be provided for driveways.

C. Multi-Family Residential and Non-Residential Access Drive Requirements.

- (1) Number per lot. Except as specified elsewhere, the number of access drives intersecting with each street shall not exceed two (2) per lot or street frontage.

(2) Setbacks. All access drives shall be set back at least:

- (a) Thirty five (35) feet from any other access drive or driveway located upon the same lot.
- (b) Five (5) feet from any side and/or rear property lines; however, this setback shall be excluded along the property line when a parking interconnections in accordance with §27-1801.I for joint parking lot if shared by adjoining uses.
- (c) Thirty five (35) feet from the nearest curb line of any intersecting public street or highway.
- (d) Access Drive Width. Access drives shall provide a twelve (12) foot-wide cartway for each lane of travel. However, in no case shall any access drive cartway be less than eighteen (18) feet wide.

No. of Lanes	Direction of Travel	Required Access Drive Width
1	One (1) way	12 Feet*
2	One (1) way or Two (2) way	24 Feet*
3	One (1) way or Two (2) way	12 Feet/lane*

* Unless a different standard is required by PennDOT for an entrance to a State road, or the applicant proves to the satisfaction of the Zoning Officer that a wider width is needed for tractor-trailer trucks.

D. Driveway/Access Drive Angle.

- (1) Two (2) Way Operation. Driveways used for two (2) way operation shall intersect the road at an angle to as near ninety (90) degrees as site conditions will permit and in no case will be less than sixty (60) degrees.
- (2) One (1) Way Operation. Driveways used by vehicles in one (1) direction of travel (right turn only) shall not form an angle smaller than forty five (45) degrees with a road, unless acceleration and deceleration lanes are provided.

E. In no case shall there be unrestricted access along a public street, except single family and two family residential uses of four (4) or less off-street parking spaces along alleys.

F. Where a new curb cut for driveway or access drive accessing public streets (other than alleys) is permitted in residential and CBD Zoning Districts, it shall not exceed twenty four (24) feet in width for two (2) way traffic.

G. **Permits.** Any driveway or access drive intersecting with a State-owned road shall require the obtainment of Pennsylvania Department of Transportation Highway Occupancy Permit as set forth in the Pennsylvania Code, Title 67, Transportation, Chapter 441, Access to and Occupancy of Highways by Driveways and Local Roads, as amended prior to obtaining approval for a building/zoning permit. Additionally, any driveway or access drive intersecting with a City-owned road shall require the obtainment of driveway/curb

cut permit prior to obtaining approval for a building/zoning permit

PART 19

GENERAL REGULATIONS

§27-1901. Applicability.

1. In addition to the general provisions for principal, accessory and/or temporary uses within a particular zoning district established in Parts 4 through 13 of this Chapter, and the additional specific provisions for uses established in the Part 20 and elsewhere in the Chapter, this Part sets forth the general standards and regulations that shall be applied generally to all uses in the City. These general use standards and regulations must be satisfied prior to approval of any application for a zoning permit, occupancy permit, temporary permit, special exception and/or conditional use. The applicant shall be required to demonstrate compliance with these standards and regulations and must furnish whatever evidence is necessary to demonstrate such compliance.
2. All principal, accessory and/or temporary uses identified subsequently herein this Part, must comply with the general provisions for uses within a particular zoning district in which the use is to be located, unless different standards are established herein the subsequent sections of Parts 4 through 13, and 20 of this Chapter; in any case, the more restrictive of the general and specific provisions shall apply.

§27-1902. Additional Principal Buildings and Uses.

1. Residential Uses. Individual lots or subdivided parcels one and a quarter (1 ¼) acres or less in size shall have no principal building or buildings in addition to the principal building and use on the same lot used for living purposes. For parcels greater than one and a quarter (1 ¼) acres in size, one (1) additional building on the same lot for living purposes shall be permitted, however there must be a minimum of thirty five (35) feet between buildings:
2. Mobile home park, condominium residential development, and/or multi-family/apartment development. These types of uses may include more than one (1) principal building per lot, provided all other requirements of this and other applicable City ordinances including the City of Lock Haven Subdivision and Land Development Ordinance are met.
3. Condominiums. A condominium form of ownership of individual dwelling units, with a legally binding homeowners association, may be established if the applicant proves to the satisfaction of the Codes Officer, based upon review by the City Solicitor, that there will be appropriate legal mechanisms in place and compliance with applicable State law.
4. Nonresidential Uses. Where a lot or tract is used for a nonresidential purpose, more than one (1) principal building and/or use may be located upon the lot or tract, but only when such building and/or use conform to all open space and yard requirements around the lot for the zoning district in which the lot or tract is located, as though each building and/or use were on an individual lot. In addition, such proposals shall gain approval for a land development plan under the City of Lock Haven Subdivision and Land Development Ordinance.

§27-1903. Required Lot Frontage

For each proposed new lot, all land developments and all principal buildings shall be sited on a lot which complies with the required lot width for the use in the applicable zoning district and which

directly abuts one (1) of the following:

1. A public street including an “alley”;
2. A street proposed to be dedicated to the City by the subdivision plan which created or creates such lot;
3. A private street or access drive which meets all of the requirements of the City of Lock Haven Subdivision and Land Development Ordinance and/or any applicable City construction and materials specifications; or
4. In the case of single family attached dwellings, a mobile home parks, and/or multi-family/apartments, this requirement may be sufficed, if each dwelling unit is provided with vehicle access onto a private parking area which then has access onto a public or private street meeting City standards.

§27-1904. Yards.

1. All required yard areas provided under this Chapter shall be unobstructed by any building or structure, shall be planted with grass, sod, or other vegetative cover excepting in cases where walks, access drives, off-street parking lots, patios, or other types of surfaces are permitted. All required yards shall be maintained and kept free of all debris and rubbish except for permitted accessory buildings and structures in the rear and side yards and fences.
2. The following may project into the required yards as established in this Chapter:
 - A. Handicapped ramps and landings.
 - B. Steps and stoops not exceeding twenty-five (25) square feet.
 - C. Open or lattice enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers, chimneys and flues into the rear yard and side yard not exceeding three and one half (3 ½) feet in width and placed so as not to obstruct light or ventilation.
 - D. Sills, eaves, belt courses, cornices and ornamental features not exceeding two (2) feet in depth.
 - E. Canopies not exceeding five (5) feet projecting into the yard.
 - F. Cellarways and “bilco” doors
 - G. Essential services and other minor public utility structures,
 - H. Parts of ornamentation or decoration including flagpoles and lighting.
 - I. Fences, walls, retaining walls, and hedges in any residential and the CBD zoning districts in the front yard shall not exceed three and one half (3 ½) feet in height and eight (8) feet in other zoning districts.
 - J. Driveways, sidewalks and access drives.
 - K. Decks and unenclosed porches without enclosed habitable foundations shall be permitted to project into front and side yards not more than three (3) feet and into required rear

yard no more than twenty (20) feet, so long as a minimum of five (5) feet remain between the structure and the lot line.

3. The required front yard established may be adjusted in the following cases for all zoning districts, with the exception of the residential and the CBD zoning districts:
 - A. Where forty (40) percent or more of the frontage on one (1) side of a street between two (2) intersecting streets is developed with buildings that have not observed a front yard as described above, then:
 - (1) Where a building is to be erected on a parcel of land that is within one hundred (100) feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two (2) closest front cornices of the adjacent structures on the two (2) sides.
 - (2) When a building is to be erected on a parcel of land that is within one hundred (100) feet of an existing building on one (1) side only, such building may be erected as close to the street as the existing adjacent building.
4. No portion of any open stairs or stair towers may be constructed on the front façade of a building above the first floor, nor may any open stairs or stair towers project beyond the front façade of a building.
5. Off-street parking shall not be permitted in required front yards or in front of principal buildings in the CBD Zoning District, and shall only permitted in required front yards or in front of principal single family and two family dwellings in residential districts when located on paved driveways. Otherwise, off-street parking is permitted in required front yards and in front of principal buildings all non-residential zoning districts, provided required screening and buffering standards of §27-1905 of this Chapter are met.
6. Irregular Lots. Where any main wall of a structure located on any irregularly shaped lot does not parallel the lot line which the wall faces, the yard or minimum distance to the lot line at every point shall be at least equal to the minimum dimension required for the yard or distance to the lot line.
7. Corner Lots. Front yards are required on both street frontages for yards abutting street rights-of-way. For the purposes of determining side and rear yards, one (1) yard shall be deemed to be a rear yard with the other deemed a side yard.

§27-1905. Required Buffering and Screening.

1. Buffer Yards. Unless otherwise required by this Chapter, where any of the following are proposed: non-residential use; multi-family residential use; off-street parking area of five (5) or more spaces; off-street loading area; or outdoor storage and/or sales area; which abut an existing single or two family residential use permitted by right, special exception, or conditional use (excluding non-conforming uses), a buffer strip at least ten (10) feet wide shall be provided and maintained along the entire length of the property line (including any side or rear property line) which separates the above mentioned uses from an existing single or two family residential use permitted by right, special exception, or conditional use (excluding non-conforming uses).
 - A. Permitted uses in a buffer yard include screening (including vegetation and fencing), stormwater management facilities, underground utility facilities and easements, signs (in accordance with Part 17 of this Chapter), and sidewalks/pedestrian ways, driveways and

access drives shall be permitted to cross required buffer yards. Buildings, structures, outdoor storage and/or sales of vehicles, equipment, materials, trash and waste disposal facilities, and off-street loading and off-street parking shall not be permitted in a required buffer yard.

- B. Buffer yards may coincide as part of any required building setback and/or yard area.
 - C. Buffer yards shall not be located in any portion of a public right-of-way or proposed right-of-way.
 - D. Buffer yard areas shall be planted, mulched, and maintained with a vegetative material including grass or other living ground cover on all portions of the buffer yard not occupied by other landscape material including required screen plantings.
 - E. Buffer yards shall be maintained and kept free of all debris and rubbish.
2. Screening. Unless otherwise required by the Chapter, screening shall be provided in all required buffer yards as specified in §27-1905 of this Chapter and where any non-residential use or non-residential zoning district abuts a residential zoning district and/or use, in accordance with the following:
- A. A planted visual barrier and/or landscape screen shall be provided. This screen shall be composed of a combination of shrubs, hedges, deciduous and coniferous trees, all selected to provide a view restrictive screen, arranged to form both a low level and a high level screen. The high level screen shall consist of trees planted with specimens of at least four (4) feet in height, and planted at intervals which will provide an overlapping foliage screen at maturity with a minimum mature height of fifteen (15) feet. The low level screen shall consist of shrubs or hedges planted at an initial height of not less than two (2) feet and spaced at intervals of not less than five (5) feet. The low level screen shall be placed in alternating rows to produce a more effective barrier. All plants not surviving two (2) growing seasons after planting shall be replaced. The screen plantings shall be so placed that at maturity it will be not closer than three (3) feet from any ultimate street right-of-way or property line.
 - B. Fences and walls, and earth mounds, or any combination thereof, may be included with living plant material to provide a view restrictive screen. Fences and walls will, however, have to be maintained at a minimum height of four (4) feet and a maximum height of six (6) feet, unless otherwise specified in this Chapter. Fences and walls shall not be constructed of corrugated metal, corrugated fiberglass or sheet metal.
 - C. A clear sight triangle shall be maintained at all street intersections and at all points where vehicular accessways intersect public streets.
 - D. The screening shall be broken only at points of vehicular or pedestrian access.

§27-1906. Trash and Waste Disposal.

In addition to complying with the City of Lock Haven Solid Waste Ordinance trash and waste disposal facilities/areas, specifically dumpsters, recycling collection containers, compactors, bailers, etc.) for all uses, excluding single and two family residential dwellings, shall comply with the following provisions:

- 1. All trash and waste disposal areas shall be completely enclosed, and the lid shall be kept in place.

2. No trash and waste disposal areas shall be located in any front yard area or in front of the principal building.
3. Required screening shall consist of a combination of fencing or walls at least six (6) feet with a maximum of eight (8) feet high and living vegetative material as set forth in §27-1905.2 of this Chapter shall be provided on three (3) sides. Additionally, any fence and/or walls provided as part of required screening shall be provided with a self-latching door or gate.

§27-1907. Clear Sight Triangle (Except in Central Business District).

In order to prevent the creation of a traffic hazard by limiting visibility at a street intersection, no structure, building, earthen bank or vegetation shall be allowed on a corner lot or at a point of entry on a public road above the height of two and one half (2 ½) feet measured from the center line grades of the intersecting streets; and within the area bounded by the street lot lines of such corner lots and a line joining points on these street lot lines measured as follows:

1. Thirty (30) feet - along right-of-way line of the public right-of-way other than alleys.
2. Fifteen (15) feet - along right-of-way line of an alley.

§27-1908. Height Regulation Exceptions.

1. When permitted in any zoning district other than a residential zoning district, all public, semipublic or public services buildings, hospitals, public institutions or schools may be erected to a height not exceeding sixty (60) feet and places of worship may be erected to a height not exceeding sixty-five (65) feet if the building is setback from each yard line at least one (1) foot for each additional two (2) feet of building height above the height limit, otherwise provided in the zoning district in which the building is located.
2. Special industrial structures such as cooling towers, elevator bulkheads, fire towers, tanks, water towers, and all other towers which require a greater height than provided in the zoning district may be erected to a greater height than permitted providing:
 - A. The structure shall not occupy more than twenty-five (25) percent of the lot area.
 - B. The yard requirements of the district in which the structure is erected shall be increased by one (1) foot for each foot of height over the maximum height permitted.
3. The height limitations of this Chapter shall not apply to flagpoles, church spires, belfries, and chimneys.

§27-1909. General Outdoor Storage and Stockpiling.

No lot or premises shall be used as a outdoor, unenclosed storage or stockpile area for junk automobiles, appliances or the storage or collection of any other similar type miscellaneous items in residential or the CBD Zoning Districts. Additionally any permitted outdoor storage of junk automobiles, appliances or the storage or collection of any other miscellaneous items unless specifically permitted as a junkyard in accordance with Part 20 of this Chapter, shall not occur in the required front yard. Also, no lot or premises shall be used as a garbage dump or a dead animal rendering plant,

nor may manure, rubbish or miscellaneous refuse be stored in an unenclosed fashion within any zoning district. All organic rubbish or storage shall be contained in enclosed, airtight, vermin proof containers.

§27-1910. Regulation of Nuisance Elements.

1. Definition of Elements. No land or building in any zoning district which shall be used or occupied for any purpose shall be operated in such manner so as to create any dangerous, injurious or noxious fire, explosive or other hazard, noise or vibration, smoke, dust, dirt or other form of air pollution, electrical or other disturbance, glare or other substance, condition or element in such amount as to adversely affect the surrounding area or premises (referred to herein as "dangerous or objectionable elements"); provided, that any use permitted by this Chapter may be undertaken and maintained in any zoning district if it conforms to the regulations of the subsection limiting dangerous and objectionable elements at the specified point or points of the determination of their existence.
2. Locations Where Determinations Are to be Made for Enforcement of Performance Standards. The determination of the existence of any dangerous and objectionable elements shall be made at:
 - A. The point or points where such elements shall be most apparent for fire and explosion hazards, for radioactivity and electrical disturbances, for smoke and other forms of air pollution.
 - B. The property lines of the use creating such elements for noise, for vibration, for glare and for odors.

§27-1911. Standards to be Enforced.

1. Radioactivity or Electrical Disturbance. No activities shall be permitted which emit dangerous radioactivity or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.
2. Vibration. No vibration shall be permitted which is detectable without instruments at the points of measurement specified in §27-1910.2. of this Chapter.
3. Glare. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it, so as to not be visible at the points of measurement specified in §27-1910.2. of this Chapter. Additionally, no direct or sky-reflected glare from high-temperature processes such as combustion or welding or otherwise, so as to be visible at the points of measurement specified in §27-1910.2. of this Chapter. This restriction shall not apply to signs otherwise permitted by the provisions of this Chapter.
4. Other Forms of Air Pollution. No emission of fly ash, dust, fumes, vapors, gases and other forms of air pollution shall be permitted which can cause any damage to health, to animals, vegetation or other forms of property, or which can cause any excessive soiling.

PART 20

SUPPLEMENTAL REGULATIONS

§27-2001. Applicability.

1. In addition to the general provisions for principal, accessory and/or temporary uses within a particular zoning district established in Parts 4 through 13 of this Chapter, and the additional general provisions for uses established in the Part 19 and elsewhere in the Chapter, this Part sets forth the specific standards and supplemental regulations that shall be applied to each principal, accessory and/or temporary use identified herein. These specific use standards and supplemental regulations must be satisfied prior to approval of any application for a zoning permit, occupancy permit, temporary permit, special exception and/or conditional use. The applicant shall be required to demonstrate compliance with these standards and regulations and must furnish whatever evidence is necessary to demonstrate such compliance.
2. All principal, accessory and/or temporary uses identified subsequently herein this Part, must comply with the general provisions for uses within a particular zoning district in which the use is to be located, unless different standards are established herein the subsequent sections of Parts 4 through 13 of this Chapter; in any case, the more restrictive of the general and specific provisions shall apply.
3. For the purposes of this Part, any required setbacks shall be measured from the boundary line of the site for which the zoning permit, occupancy permit, temporary permit, special exception and/or conditional use is requested, regardless of whether or not this line corresponds to a property line or a lease line.
4. For uses allowed within a specific zoning district as “Conditional Uses” and/or “Special Exceptions”, see also the procedures and standards in Parts 22 and 23 as applicable of this Chapter.

§27-2002. Additional Supplemental Standards and Requirements for Specific Principal Uses.

1. **Adult Related Uses.** Adult-related uses are permitted, subject to the following criteria:
 - A. No portion of a building occupied by an adult-related use shall be permitted to be located within one thousand (1,000) lineal feet of any other building occupied by an adult-related use.
 - B. No portion of a building occupied by an adult-related use shall be located within two hundred fifty (250) lineal feet of any residential zoning district boundary or any existing residential use.
 - C. No portion of a building occupied by an adult-related use shall be located within one thousand (1,000) lineal feet of any property which contains any one (1) or more of the following specified land uses where minors may congregate:
 - (1) Commercial recreation facility, Indoor/Outdoor;
 - (2) Daycare facility primarily for children;
 - (3) Library;

- (4) Park, Playground, Playfield;
 - (5) Place of Worship/Assembly;
 - (6) School, Private/Public;
 - (7) Swimming Pool, Public; or
 - (8) Other lands, buildings, and uses where minors are permitted to congregate.
- D. No materials, merchandise, or film offered for sale, rent lease, loan, or for view upon the premises shall be exhibited or displayed outside of a building or structure.
- E. Any building or structure used and occupied as an adult-related establishment shall be windowless, or have an opaque covering over all windows or doors of any area in which materials, merchandise, or film are exhibited or displayed, and no sale materials, merchandise, or film shall be visible from outside of the building or structure.
- F. All signs shall comply with Part 17 of this Chapter. No sign shall be erected upon the premises pictorially depicting or giving a visual representation of the type of materials, merchandise or film offered therein.
- G. Each entrance to the premises shall be posted with a notice specifying that persons under the age of eighteen (18) years are not permitted to enter therein and warning all other persons that they may be offended upon entry.
- H. No adult-related use may change to another adult-related use, except upon approval of an additional conditional use.
- I. The use shall not create an enticement for minors because of its proximity to nearby uses where minors may congregate.
- J. No unlawful sexual activity or conduct shall be permitted.
- K. No more than one (1) adult-related use may be located within one (1) building or shopping center.
- L. Screening shall be provided in accordance with Part 19 of this Chapter.
- M. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
- N. All adult-related uses shall comply with all other applicable Federal, State, and City regulations.
2. **Airports.** Airports are permitted, subject to the following criteria:
- A. All facilities shall be designed and operated in strict compliance with all applicable State and Federal laws and regulations.
 - B. The applicant shall furnish evidence of the obtainment of a license from the PennDOT Bureau of Aviation and Federal Aviation Administration (FAA) (if applicable) prior to the

approval of the application.

- C. No part of the take-off/landing strip and/or pad shall be located nearer than three hundred (300) lineal feet from any property line.
3. **Animal Hospital/Veterinary Clinics.** Animal hospital/veterinary clinics are permitted, subject to the following criteria:
- A. Minimum Lot Area - Unless animals are kept inside at all times, each site shall contain at least one (1) acre; otherwise, the minimum lot area requirement of the applicable zoning district shall apply.
 - B. All structures where animals are kept shall be completely enclosed and soundproofed in a manner to prevent sound and odor from traveling outside, such as solid core doors, sound absorbent ceilings and forced air ventilation.
 - C. All structures where animals are kept that are not completely enclosed, and also including any outdoor animal pens, stalls, and runways shall be located within the rear yard. These outside and unenclosed facilities shall be a minimum of fifty (50) lineal feet from all property lines, and one hundred fifty (150) lineal feet any residential zoning district boundary or any existing residential use.
 - D. Within the CBD Zoning District, all activities shall be performed within a completely enclosed building.
 - E. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - F. Where outdoor animal pens, stalls, or runways are permitted, animals shall be permitted to exercise outside daily between the hours of 8:00 am to 8:00 pm.
 - G. Screening shall be provided in accordance with Part 19 of this Chapter
 - H. The applicant shall furnish evidence of effective means of animal and veterinary waste collection and disposal that shall be implemented.
4. **Automated Banking Facility.** Automated banking facilities are permitted subject to the following criteria:
- A. Within the CBD Zoning District, drive-thru facilities shall be prohibited.
 - B. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement a working plan for the cleanup of litter and debris.
 - C. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

- D. All automated teller machines shall be located, or contain convenient parking spaces, so that the movement of vehicles will not be hampered by those cars belonging to persons using the automated teller machines.
 - E. Where practicable, all drive-thru window lanes shall be separated from the parking lot's interior driveways.
 - F. Where practicable, all drive thru window facilities and lanes shall be located on a building wall facing away from an adjoining property within a residential zoning district or any existing, adjacent residential use.
 - G. Where practicable, all drive thru window facilities and lanes shall be located on a building wall facing away from a public street, except alleys.
 - H. Sufficient stacking lanes shall be provided associated with drive-thru windows, to prevent vehicle backups on adjoining streets. A minimum one hundred (100) foot long on-site stacking area for the vehicles shall be provided on the site. No vehicle will be allowed to stack or form on public streets. Furthermore each drive-thru lane shall have on-site directional signs, indicator lights or pavement markings identifying the direction of travel and lane status (ie. open vs. closed).
 - I. Screening shall be provided in accordance with Part 19 of this Chapter for drive-thru facilities.
5. **Automobile, Heavy Equipment and Similar Motor Vehicle Rental and Sales.** Automobile, heavy equipment and similar motor vehicle rental and sales are permitted, subject to the following criteria:
- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan.
 - B. Automobile, heavy equipment and similar motor vehicle display and inventory shall not occupy any part of the existing or future street right-of-way or required off-street parking areas.
 - C. Automobile, heavy equipment and similar motor vehicle display and inventory shall not be permitted to be parked on or occupy sidewalk areas.
 - D. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. No entrance or exit shall be located closer than thirty five (35) lineal feet to an existing street intersection.
 - E. Automobile, heavy equipment and similar motor vehicle display and inventory areas shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface.
 - F. Automobile, heavy equipment and similar motor vehicle display and inventory shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
 - G. Where automobile, heavy equipment and similar motor vehicle display and inventory areas abut a street right-of-way and public sidewalk area, a perimeter landscape strip, a minimum of five (5) feet wide with grass or other living ground cover shall be planted, mulched and maintained on all portions of the perimeter landscape strip, and shall be

provided and protected by permanent curbing.

- H. All authorized accessory activities (i.e., minor incidental repairs, state inspections, oil changes and lubrications, tune-ups, and similar activities) except automobile, heavy equipment and similar motor vehicle display and inventory area, shall be performed within a completely enclosed building.
 - I. All ventilation equipment outlets associated with the authorized accessory service/repair work area(s) including service bay doors shall not be oriented directly toward any adjoining property within a residential zoning district or any existing, adjacent residential use.
 - J. The demolition or junking of automobile, heavy equipment and similar motor vehicles is prohibited.
 - K. The storage automobile, heavy equipment and similar motor vehicle on the property without current registration is prohibited.
 - L. Screening shall be provided in accordance with Part 19 of this Chapter.
 - M. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
6. **Automotive Wrecking, Junk, Scrap Storage & Sales Establishments.** Automotive Wrecking, Junk, Scrap Storage & Sales Establishments are permitted subject to the following criteria:
- A. Minimum lot area shall be five (5) acres.
 - B. All junk shall be at least one hundred (100) lineal feet from any adjoining lot, and no junk, scrap, machinery or equipment of any kind shall be stored in front of the principal building.
 - C. No junk, scrap, machinery or equipment of any kind shall be stored in front, side, or rear yard setback areas. All unpaved yard setback areas shall be covered with grass or similar vegetative material.
 - D. All junk, scrap, machinery and equipment shall be at least two hundred (200) lineal feet from any public street, adjoining property within a residential zoning district or any existing, adjacent residential use.
 - E. All completely enclosed buildings used to store junk shall be set back at least fifty (50) lineal feet from all property lines.
 - F. All materials and activities not within completely enclosed buildings shall be surrounded by a fence or wall at least six (6) but not more than eight (8) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
 - G. All paper, cloth and rags and other fibers, and activities involving the same other than loading and unloading, shall be within fully enclosed building.

- H. All junk shall be stored or arranged so as to permit access by firefighting equipment and to prevent the accumulation of water, and with no junk piled to a height greater than ten (10) feet.
 - I. No material may be stored or stacked so that it is visible from abutting properties or adjoining street rights-of-way.
 - J. No material shall be placed in any establishment in such a manner that it is capable of being transferred off the premises by wind, water or other natural causes.
 - K. No material shall be burned or incinerated at any time.
 - L. No automotive wrecking, junk, scrap storage and sales establishments shall be located on land with a slope in excess of five (5) percent.
 - M. All vehicles within the automotive wrecking, junk, scrap storage and sales establishments shall be completely drained of fuel, lubricants, battery fluid, transmission fluid, brake fluids, coolants, and air conditioning fluids.
 - N. All additional Federal and State laws shall be satisfied.
 - O. All yard setback areas shall at all times be clean, vacant and well maintained.
 - P. The establishment shall at all times be maintained in such a manner as to prevent (i) any menace to public health and safety, (ii) offensive or obnoxious odors, (iii) the breeding, harboring or infestation of rats and other rodents and vermin, and (iv) violation of any health or sanitary law, ordinance, or regulation of the City of Lock Haven or the Commonwealth of Pennsylvania.
 - Q. Every structure erected upon the lot after the effective date of this Chapter shall be of fireproof construction with the exception of fences.
 - R. Screening shall be provided in accordance with Part 19 of this Chapter.
 - S. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
7. **Automotive Service Station.** Automotive service stations are permitted, subject to the following criteria:
- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan.
 - B. No street entrance or exit for vehicles and no portion or equipment of an automotive service station shall be located within one hundred fifty (150) lineal feet of any property which contains any one (1) or more of the following specified land uses where minors may congregate:
 - (1) Commercial recreation facility, Indoor/Outdoor;
 - (2) Daycare facility primarily for children;

- (3) Library;
 - (4) Park, Playground, Playfield;
 - (5) Place of Worship/Assembly;
 - (6) School, Private/Public;
 - (7) Swimming Pool, Public; or
 - (8) Other lands, buildings, and uses where minors congregate.
- C. All structures (including gasoline pump islands; fuel, oil, and lubrication storage facilities and outdoor storage areas for vehicles, but not permitted signs) shall be setback at least thirty (30) lineal feet from any street right-of-way or property line.
- D. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. No entrance or exit shall be located closer than twenty five (25) lineal feet to an existing street intersection.
- E. All ventilation equipment outlets associated with the service/repair work area(s) including service bay doors shall not be oriented directly toward any adjoining property within a residential zoning district or any existing, adjacent residential use. Additionally, ventilation equipment associated with fuel storage tanks shall be setback one hundred (100) lineal feet from an adjoining property within a residential zoning district or any existing, adjacent residential use.
- F. All authorized activities (i.e., minor incidental repairs, state inspections, oil changes and lubrications, tune-ups, and storage of all automobile parts, and similar activities) except those normally required to be performed at the fuel and air pumps, shall be performed within a completely enclosed building.
- G. The outdoor storage of vehicles shall not be permitted in front of the principal service building. No more than three (3) vehicles may be stored per service bay.
- H. No stored vehicle shall occupy any part of the existing or future street right-of-way or required off-street parking areas.
- I. No stored vehicle shall be permitted to be parked on sidewalk areas.
- J. All areas designed for the outdoor storage of vehicles shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface.
- K. No vehicle shall be stored upon the site for more than one (1) month.
- L. No vehicle shall be stored upon the site without current registration.
- M. Fuel delivery shall not impede traffic-flow patterns.
- N. All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 19 of this Chapter.

- O. Screening shall be provided in accordance with Part 19 of this Chapter.
 - P. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - Q. The applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
 - R. All applicable approvals of both State and Federal agencies must be obtained.
8. **Automotive Vehicle Repair Center.** Automotive vehicle repair centers are permitted, subject to the following criteria:
- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan.
 - B. No street entrance or exit for vehicles shall be located within one hundred fifty (150) lineal feet of any property which contains any one (1) or more of the following specified land uses where minors may congregate:
 - (1) Commercial recreation facility, Indoor/Outdoor;
 - (2) Daycare facility primarily for children;
 - (3) Library;
 - (4) Park, Playground, Playfield;
 - (5) Place of Worship/Assembly;
 - (6) School, Private/Public;
 - (7) Swimming Pool, Public; or
 - (8) Other lands, buildings, and uses where minors congregate.
 - C. All structures, excluding including permitted signs, shall be setback at least thirty (30) lineal feet from any street right-of-way or property line.
 - D. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. No entrance or exit shall be located closer than thirty-five (35) lineal feet to an existing street intersection.
 - E. All ventilation equipment outlets associated with the service/repair work area(s) including service bay doors shall not be oriented directly toward any adjoining property within a residential zoning district or any existing, adjacent residential use. Additionally, ventilation equipment associated with fuel storage tanks shall be setback one hundred (100) lineal feet from an adjoining property within a residential zoning district or any existing, adjacent residential use.
 - F. All authorized activities (i.e., major and minor mechanical work, servicing and repairs, and similar activities) shall be performed within a completely enclosed building.

- G. The outdoor storage of vehicles shall not be permitted in front of the principal service building. No more than three (3) vehicles may be stored per service bay.
 - H. No stored vehicle shall occupy any part of the existing or future street right-of-way or required off-street parking areas.
 - I. No stored vehicle shall be permitted to be parked on sidewalk areas.
 - J. All areas designed for the outdoor storage of vehicles shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface.
 - K. No vehicle shall be stored upon the site for more than one (1) month.
 - L. No vehicle shall be stored upon the site without current registration.
 - M. All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 19 of this Chapter.
 - N. Screening shall be provided in accordance with Part 19 of this Chapter.
 - O. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - P. The applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
 - Q. All applicable approvals of both State and Federal agencies must be obtained.
9. **Boarding House.** Boarding houses are permitted, subject to the following criteria:
- A. In residential districts, any permitted boarding house use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
 - B. Building height and setbacks shall be consistent with surrounding development in the neighborhood.
 - C. Fire escapes, where required, shall be located in the rear of the building and shall not be located on any wall facing a street right-of-way, excluding alleys.
 - D. All guest rooms available for boarding shall be located within the principal building.
 - E. All guest rooms shall contain a minimum of ninety (90) square feet of habitable floor area per person, exclusive of common areas.
 - F. Accommodations shall be limited to no more than five (5) guest rooms for rent, accommodating not more than ten (10) tenants/guests in a residential zoning district; and

ten (10) guest rooms for rent, accommodating not more than twenty (20) tenants/guests in other zoning districts.

- G. All guest rooms shall be limited to two (2) persons each.
 - H. Meals for compensation shall be provided only to registered tenants of the boarding house. No cooking facilities shall be provided or permitted in the individual guest rooms.
 - I. All off-street parking shall comply with Part 18 of this Chapter, shall not be located in front of the principal building, and shall be set back a minimum of ten (10) lineal feet and be screened from adjoining property within a residential zoning district or any existing, adjacent residential use.
 - J. Screening shall be provided in accordance with Part 19 of this Chapter.
 - K. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - L. All uses must comply with City building, health, housing, rental, safety, property and other applicable code requirements.
 - M. All uses must comply with Pennsylvania Department of Labor and Industry requirements.
10. **Car Wash.** Car washes are permitted, subject to the following criteria
- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan.
 - B. No car wash use shall be located within two hundred (200) lineal feet of any residential zoning district boundary or any existing residential use.
 - C. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. On-lot traffic circulation channels and parking areas shall be clearly marked.
 - D. Provide separate entrance and exit facilities with paved driveways. Minimum width of access drives and stacking lanes for waiting cars shall be provided in accordance with Part 18 of this Chapter.
 - E. No entrance or exit shall be located closer than thirty five (35) lineal feet to an existing street intersection.
 - F. No street entrance or exit for vehicles shall be located within one hundred fifty (150) lineal feet of any property which contains any one (1) or more of the following specified land uses where minors may congregate:
 - (1) Commercial recreation facility, Indoor/Outdoor;
 - (2) Daycare facility primarily for children;
 - (3) Library;
 - (4) Park, Playground, Playfield;

- (5) Place of Worship/Assembly;
 - (6) School, Private/Public;
 - (7) Swimming Pool, Public; or
 - (8) Other lands, buildings, and uses where minors congregate.
- G. All uses must provide sufficient off-street parking, standing, and stacking for waiting motor vehicles. The parking, standing, and stacking area shall be situated on the property outside the washing facilities and be of sufficient size to accommodate at least one third (1/3) the hourly capacity (or hourly turn-over) of the car wash plus a reserve of twenty (20) percent of the hourly capacity to accommodate peak demand periods. Hourly capacity in all instances shall mean the greatest number possible of motor vehicle washes that can be provided in one (1) hour.
- H. Provide an area of at least eight hundred (800) square feet beyond the exit end of the washing building to be used for hand finishing operations of the washing process.
- I. All structures housing washing apparatuses shall be set back twenty five (25) lineal feet from any street right-of-way, any rear property line, and any side property line.
- J. All vacuuming equipment facilities shall be located at least fifty (50) lineal feet from adjoining property within a residential zoning district or any existing, adjacent residential use.
- K. The applicant shall provide evidence that adequate measures will be in place to prevent pollutants from being washed into the groundwater or waterways. Any chemicals that may be hazardous to aquatic life shall be stored within an area that will completely contain any leaks or spills.
- L. Gray water recycling is mandatory.
- M. Water from the car wash operation shall not flow onto sidewalks or streets in such a manner as could cause ice hazards.
- N. Screening shall be provided in accordance with Part 19 of this Chapter.
- O. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
- P. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement a working plan for the cleanup of litter and debris.
- Q. The applicant shall provide a site plan prepared by either a registered surveyor or a professional engineer of the proposed car wash operation showing the location of entrances and exits, the building housing the washing equipment, the parking areas for waiting vehicles and employees, the distance to nearest street intersection, property lines and required setback side yard and rear yard lines, plus type of screening to be used.

11. **Cemeteries.** Cemeteries are permitted subject to the following criteria:

- A. The minimum lot area shall be five (5) acres.
 - B. The total impervious coverage shall not exceed ten (10) percent of the lot area.
 - C. All burial plots and all structures shall be located at least thirty (30) lineal feet from any property or street right-of-way line.
 - D. No burial plot shall be permitted in any floodplain or flood fringe area.
 - E. The applicant shall file a site plan with the City to demonstrate the design and layout of the proposed cemetery or cemetery expansion specifically illustrating: the proposed drainage plan, the internal circulation plan, and the location of accessory building(s).
 - F. The owner(s) and operator(s) of a cemetery shall incorporate Best Managements Practices as outlined in the Pennsylvania Handbook of Best Management Practices for Developing Areas to minimize negative impacts of erosion, siltation and surface water and groundwater contamination.
 - G. At no time shall a corpse be exposed or visible from a public right-of-way or adjacent property.
 - H. Screening shall be provided in accordance with Part 19 of this Chapter.
 - I. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - J. Any escrow account provided for by state or federal law shall be established in favor of the City.
 - K. Shall demonstrate compliance with all applicable state laws.
12. **Club Rooms, Club Grounds, or Meeting Halls, Private.** Private club rooms, club grounds and meeting halls are permitted subject to the following criteria:
- A. All outdoor recreation/activity areas shall be set back at least fifty (50) lineal feet from any adjoining property within a residential zoning district or any existing, adjacent residential use.
 - B. Hours of operation and activities must be appropriately scheduled to protect the existing neighborhood from detrimental noise, disturbance, and interruption.
 - C. The owner(s) and operator(s) shall be responsible for the conduct and safety of the members and their guests.
 - D. Screening shall be provided in accordance with Part 19 of this Chapter.
 - E. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

13. **Communications Antenna, Tower and Equipment Building.** Communications antenna, tower and equipment buildings are permitted, subject to the following criteria:
- A. Unless co-located upon another existing structure, the applicant shall demonstrate that the proposed location is necessary for the efficient operation of the system.
 - B. All towers and guy wire anchors shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate.
 - C. No new site shall be located within two hundred fifty (250) lineal feet of any adjoining property within a residential zoning district or any existing, adjacent residential use;
 - D. No new communication towers shall be located at least one-half (½) mile from any other communication towers;
 - E. For any new site adjacent to any other properties, all structures shall be set back from each property line a distance equal to its height, but in no case shall any structure be permitted to be located within any required minimum setback.
 - F. The applicant must be licensed by the Federal Communication Commission (FCC).
 - G. No tower shall be artificially lighted except when required by the Federal Aviation Administration (FAA). Any required lighting alternatives and design chosen must cause the least disturbance to the surrounding views.
 - H. The application shall submit notice of approval for the proposed installation from the FAA and the FCC.
 - I. The applicant shall submit expert testimony that the communication tower or antenna is the minimum height required to function satisfactorily.
 - J. Any utilities extended to the tower site shall be placed underground.
 - K. The applicant shall submit a plan for the removal of the communication tower and the communication antenna when they become functionally obsolete or are no longer in use. The applicant shall be responsible for the removal of the facility within three (3) months from the date the applicant ceases use of the facility or the facility becomes obsolete.
 - L. In order to reduce the number of antenna support structures needed in the City in the future, any proposed support structure shall be designed to accommodate the maximum load of carriers and equipment, including but not limited to, police, fire and emergency services;
 - M. If an antenna site is fully automated, two (2) off-street parking spaces shall be required. If the site is not automated, the number of required parking spaces shall equal the number of people on the largest shift, but in any event, may not be less than two (2) off-street parking spaces.
 - N. The maximum size of an equipment shelter shall not be larger than two hundred fifty (250) square feet.
 - O. Existing vegetation on and around the site shall be preserved to the greatest extent possible.

- P. Communication towers shall be painted with silver or have a galvanized finish retained in order to reduce visual impact. Support structures may be painted green up to the height of nearby trees to lessen visual impact. All support structures shall meet all applicable Federal Aviation Administration regulations. No communication tower may be artificially lighted, except when required by the Federal Aviation Administration, State regulations or by City requirements.
 - Q. A site plan, prepared by either a registered surveyor or a professional engineer, with elevations prepared by a professional engineer, shall be required for communication tower sites showing the communication tower, buildings, fences, buffering, access, and any accessory structures.
 - R. Prior to a zoning permit being issued, the applicant shall provide an engineer's certification that the tower is constructed as designed, and shall submit the same to the Zoning Officer.
14. **Contractor's Yard.** Contractor's yards are permitted, subject to the following criteria:
- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan.
 - B. That portion of the lot intended or utilized for storage of contractor's equipment or building materials shall be located at least twenty five (25) lineal feet in any direction from any adjoining lot line.
 - C. Outdoor storage and inventory areas shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
 - D. All outdoor storage and inventory areas shall be completely enclosed by surrounded by a fence or wall at least six (6) but not more than eight (8) feet in height.
 - E. A contractor's yard that adjoins a property within a residential zoning district or any existing, adjacent residential use shall not begin mechanical operations until 7:00 A.M. and shall cease all mechanical operations by 10:00 P.M.
 - F. Screening shall be provided in accordance with Part 19 of this Chapter.
 - G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
15. **Convenience Store, General.** General convenience stores are permitted, subject to the following criteria:
- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan.
 - B. No street entrance or exit for vehicles and no portion or equipment for fueling shall be located within one hundred fifty (150) lineal feet of any property which contains any one (1) or more of the following specified land uses where minors may congregate:
 - (1) Commercial recreation facility, Indoor/Outdoor;

- (2) Daycare facility primarily for children;
 - (3) Library;
 - (4) Park, Playground, Playfield;
 - (5) Place of Worship/Assembly;
 - (6) School, Private/Public;
 - (7) Swimming Pool, Public; or
 - (8) Other lands, buildings, and uses where minors congregate.
- C. All structures (including gasoline pump islands; fuel, oil, and lubrication storage facilities and outdoor storage areas for vehicles, but not permitted signs) shall be setback at least thirty (30) lineal feet from any street right-of-way or property line.
- D. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. No entrance or exit shall be located closer than thirty five (35) lineal feet to an existing street intersection.
- E. All ventilation equipment outlets associated with the service/repair work area(s) including service bay doors shall not be oriented directly toward any adjoining property within a residential zoning district or any existing, adjacent residential use. Additionally, ventilation equipment associated with fuel storage tanks shall be setback one hundred (100) lineal feet from an adjoining property within a residential zoning district or any existing, adjacent residential use.
- F. All authorized activities except those normally required to be performed at the fuel and air pumps, shall be performed within a completely enclosed building.
- G. Fuel delivery shall not impede traffic-flow patterns.
- H. Screening shall be provided in accordance with Part 19 of this Chapter.
- I. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
- J. The applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
- K. All applicable approvals of both State and Federal agencies must be obtained.
16. **Correctional Facilities.** Correctional facility uses are permitted, subject to the following criteria:
- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan.
 - B. Minimum lot size shall be five (5) acres.
 - C. No correctional facility shall be located within five hundred (500) lineal feet of any

residential zoning district boundary or any existing residential use.

- D. No correctional facility shall be located within five hundred (500) lineal feet of any property which contains any one (1) or more of the following specified land uses:
 - (1) Daycare facility primarily for children;
 - (2) Hospital;
 - (3) Library;
 - (4) Nursing home;
 - (5) Park, Playground, Playfield;
 - (6) Place of Worship/Assembly;
 - (7) School, Private/Public;
 - (8) Swimming Pool, Public.
 - E. If more than one building shall be contained on the parcel there must be a minimum of thirty-five (35) lineal feet between buildings.
 - F. A minimum of thirty (30) percent of the total tract area shall be designated and maintained as common open space. The landowner shall be responsible for maintenance of the open space area.
 - G. The correctional facility operator shall meet all state and federal rules and regulations for correctional facilities. All necessary licenses or permits issued by County, State or Federal agencies shall be provided by the applicant and required licenses, certificates, or permits shall be a condition for approval
 - H. The correctional facility shall submit a copy of its emergency operations plan (EOP) to the local and county emergency management agency coordinator. The EOP shall include detailed information regarding solid, medical and hazardous materials and waste handling, including a listing of all medical and hazardous materials and wastes used and generated on site and evidence indicating the disposal of all materials and wastes will be accomplished in a manner that complies with state and federal regulations.
 - I. All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 19 of this Chapter.
 - J. Screening shall be provided in accordance with Part 19 of this Chapter.
 - K. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
17. **Daycare, Commercial.** Commercial daycares are permitted, subject to the following criteria:
- A. No portion of a day care facility shall be located within three hundred (300) lineal feet

from any potentially hazardous land use or activity which could pose a threat to the safety of the children, staff, or other occupants of the facility.

- B. Off-street parking areas shall not be used as outdoor play areas. Outdoor play areas shall include secure fencing around outdoor play areas. Outdoor play areas shall not be located within the front yard and screening shall be in compliance with Part 19 of this Chapter, but vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.) All outdoor play areas must provide a means of shade, such as a shade tree(s), pavilion(s), etc.
 - C. Outdoor play areas of a daycare center involving the care of twenty five (25) or more children at any one (1) time be set back a minimum of twenty five (25) lineal feet and be screened from adjoining property within a residential zoning district or any existing, adjacent residential use.
 - D. Enrollment shall be defined as the largest number of students and/or children under daycare supervision at any one (1) time during a seven (7) day period.
 - E. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site. At a minimum passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
 - F. Building height and setbacks shall be consistent with surrounding development in the neighborhood.
 - G. In residential districts, any permitted commercial daycare use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted unless required by the Building Code or applicable Commonwealth agency.
 - H. Screening shall be provided in accordance with Part 19 of this Chapter.
 - I. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - J. All commercial daycare facilities shall obtain and maintain the proper licensure from the Commonwealth.
18. **Farmer/Flea Market.** Farmer/flea markets are permitted, subject to the following criteria:
- A. The retail sales area shall be considered to be that of the smallest rectangle, or other regular geometric shape which encompasses all display stands, booths, tables or stalls, plus any adjoining aisles and/or walkways from which consumers can inspect items for sale. The retail sales shall include all indoor and/or outdoor areas as listed above.
 - B. The retail sales area shall be set back at least twenty (20) lineal feet from all property lines, and shall be calculated as part of the maximum permitted lot coverage, regardless of its surface treatment.

- C. Off-street parking and loading shall be provided in accordance with Part 18 of this Chapter.
 - D. All outdoor display and sales of merchandise shall begin no earlier than 6:00 a.m., and be completed no later than official sunset.
 - E. No machinery, equipment, or materials shall be stored in the required front, side, or rear yard setback areas.
 - F. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
 - G. Exterior trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
 - H. Screening shall be provided in accordance with Part 19 of this Chapter.
 - I. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
19. **Forestry.** Forestry or commercial timber harvesting, excluding the cutting of trees for the personal use of the landowner or for pre-commercial timber stand improvement, is permitted subject to the following criteria:
- A. Timber harvesting shall be setback a minimum of one hundred (100) lineal feet from any property line.
 - B. Timber harvesting shall be setback a minimum of one hundred fifty (150) lineal feet from adjoining property within a residential zoning district or any existing, adjacent residential use.
 - C. All timber harvesting practices must protect nearby structures and utility lines. No uncontrolled felling shall be allowed in developed areas.
 - D. To avoid traffic congestion and sound disturbance, all activities should start after 7:00 a.m. and end by 6:00 p.m. during the working week. No forestry activities shall take place between the hours of 6:00 pm and 7:00 am neither on weekdays nor at any time on weekends or holidays.
 - E. Notification of Commencement or Completion

For all timber harvesting operations that are expected to exceed one-half (1/2) acres, the landowner shall notify the Zoning Officer at least thirty (30) business days before the operation commences and within fifteen (15) days before the operation is completed. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and shall specify the land on which harvesting will occur, the expected size of the harvest area and, as applicable, the anticipated starting or completion date of the operation and logging plan. This written notification shall also specify any roads affected, dates of affect, plans to restore any damages to roads and contact information for the logging operations submitted to owners abutting the road used to access the logging site.

F. Preparation of a Logging Plan

Every landowner on whose land timber harvesting is to occur shall prepare a written logging plan in the form specified in this subsection. No timber harvesting shall occur until the plan has been prepared and proper notification of commencement is provided to the City. The provisions of this plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the City Zoning Officer upon request.

G. Responsibility for Compliance

The landowner and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

H. Contents of the Logging Plan

(1) As a minimum, the logging plan shall include the following:

- (a) Design, construction, maintenance and retirement of the access system, including haul roads, skid roads, skid trails and landings.
- (b) Design, construction and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips and water bars.
- (c) Design, construction and maintenance of stream and wetland crossings.
- (d) The general location of the proposed operation in relation City roadways and state highways, including any accesses to those roadways and highways.

(2) Each logging plan shall include a site map containing the following information:

- (a) Site location and boundaries, including both the boundaries of the property on which the timber harvest will take place and the boundaries of the proposed harvest area within that property.
- (b) Significant topographic features related to potential environmental problems.
- (c) Location of all earth disturbance activities such as roads, landings and water control measures and structures.
- (d) Location of all crossing of waters of the Commonwealth.
- (e) The general location of the proposed operation to City roadways and state highways, including any accesses to those roadways and highways.

I. Compliance with Applicable Regulations

The logging plan shall address and comply with the requirements of all applicable state laws and regulations and City ordinances, including, but not, limited to, the following:

- (1) Soil Erosion and Sedimentation control regulations and standards of the Clinton County Conservation District and/or PA DEP requirements.

- (2) Stream crossing and wetlands protection regulations of PA DEP and/or the U.S. Army Corps of Engineers.
- (3) Stormwater management plans and regulations issued pursuant to the City of Lock Haven Subdivision and Land Development Ordinance.

J. Relationship of State Laws, Regulations, and Permits to the Logging Plan

Any permits required by state laws and regulations shall be attached to and become part of the logging plan. A soil erosion and sedimentation control plan that satisfies the requirements of Section 25 Pennsylvania Code, Chapter 102 shall also satisfy the minimum requirements for the logging plan and associated map specified previously, provided that all information required by these subsections is included or attached.

K. Responsibility for Road Maintenance and Repair; Road Bonding

The landowner and the operator shall be responsible for repairing any damage to City roads caused by traffic associated with the timber harvest operation pursuant to the provisions of Section 67 Pennsylvania Code, Chapter 189, hauling in excess of posted weight limit. The City may require the landowner and/or operator to furnish a bond to guarantee the repair of any such damage, pursuant to the said provisions of the Pennsylvania Code.

20. **Funeral Home.** Funeral homes, are permitted subject to the following criteria:

- A. Sufficient off-street stacking area for the formation of the funeral procession shall be provided on the site. A minimum one hundred (100) foot long on-site stacking area for the funeral procession shall be provided on the site. No funeral procession will be allowed to form on public streets.
- B. All off-street parking and off-street loading must be provided on the lot shall be provided in accordance with Part 18 of this Chapter.
- C. In residential districts, building length and setbacks shall be consistent with surrounding development in the neighborhood.
- D. In residential districts, any permitted funeral home use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
- E. All rooms available for funerals and viewing shall be located within the principal building.
- F. Screening shall be provided in accordance with Part 19 of this Chapter.
- G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
- H. The applicant shall demonstrate proof of an approved means of disposal of all solid, medical, and hazardous wastes.

21. **Halfway House.** Halfway houses are permitted subject to the following criteria:

- A. A halfway house must be licensed where required by an appropriate federal, state, county or other government agency(s) and shall be in compliance with all applicable rules and regulations of the licensing body(s). Prior to a zoning permit being issued, the applicant shall provide a copy of any required license to the Zoning Officer prior to beginning the use.
- B. A halfway house shall be directly affiliated with a parent institution or organization, which shall provide full-time supervision and administration to the residents of the house.
- C. A common cooking and eating area must be provided; no cooking or dining facilities shall be provided in individual rooms or suites.
- D. The residents of the halfway house shall reside on the premises to benefit from the services provided.
- E. No portion of a building occupied by a half-way house use shall be permitted to be located within one thousand (1,000) lineal feet of any other building occupied by a half-way house use.
- F. No portion of a building occupied by a half-way house use shall be located within one thousand (1,000) lineal feet of any property which contains any one (1) or more of the following specified land uses where minors may congregate:
 - (1) Commercial recreation facility, Indoor/Outdoor;
 - (2) Daycare facility primarily for children;
 - (3) Library;
 - (4) Park, Playground, Playfield;
 - (5) Place of Worship/Assembly;
 - (6) School, Private/Public;
 - (7) Swimming Pool, Public; or
 - (8) Other lands, buildings, and uses where minors congregate.
- G. Each application shall be accompanied by a statement describing the following:
 - (1) The composition of the halfway house;
 - (2) The policies and goals of the halfway house and the means proposed to accomplish those goals;
 - (3) The characteristics of the residents and number of residents to be served;
 - (4) The operating methods and procedures to be used; and
 - (5) Any other facts relevant to the proposed operation of the halfway house.

- H. Any use permit granted for the halfway house shall be bound to the type and number of offenders listed on the application. Any change in the type or number of offenders being housed shall require a new review and subsequent consideration for approval.
- I. Screening shall be provided in accordance with Part 19 of this Chapter.
- J. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

22. **Health and Fitness Clubs.** Health and fitness clubs are permitted subject to the following criteria:

- A. All outdoor recreation/activity areas shall be set back at least fifty (50) lineal feet from the street right-of-way and one hundred (100) lineal feet any adjoining property within a residential zoning district or any existing, adjacent residential use, otherwise they shall comply with the underlying zoning district setbacks.
- B. Any accessory eating or retail use shall not be directly accessible without passing through the main clubhouse building.
- C. Exterior trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
- D. Screening shall be provided in accordance with Part 19 of this Chapter.
- E. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

23. **Home Improvement Center, Lumber, or Building Materials Sales.** Home improvement center, lumber, or building materials sales facilities are permitted subject to the following criteria:

- A. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. No entrance or exit shall be located closer than thirty-five (35) lineal feet to an existing street intersection
- B. All outdoor storage, sales, display, and inventory areas shall be set back at least twenty-five (25) lineal feet from the street right-of-way line and property lines, and shall not be permitted in required front, side, or rear yard setback areas. All unpaved yard setback areas shall be covered with grass or similar vegetative material.
- C. Outdoor storage, sales, display, and inventory areas shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface.
- D. Outdoor storage, sales, display, and inventory areas shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
- E. Outdoor storage, sales, display, and inventory areas shall be all areas open for public

display, including, but not limited to, shelves, racks, bins, stalls, tables, and booths, plus any adjoining aisles or walkways from which consumers can inspect items for sale. The retail sales area shall include both interior and exterior areas, as listed above.

- F. All outdoor storage, sales, display, and inventory areas shall be completely enclosed by surrounded by a fence or wall at least six (6) but not more than eight (8) feet in height.
- G. Any drilling, cutting, sawing, mixing, crushing, or some other preparation of building materials, plus any testing or repair of motorized equipment, shall be conducted within a completely-enclosed building;
- H. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
- I. Exterior trash and recycling receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
- J. Screening shall be provided in accordance with Part 19 of this Chapter.
- K. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

24. **Hospitals.** Hospitals are permitted subject to the following criteria:

- A. The facility operator shall meet all state and federal rules and regulations for hospital facilities. All necessary licenses or permits issued by County, State or Federal agencies shall be provided by the applicant and required licenses, certificates, or permits shall be a condition for approval
- B. Primary visitor or passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site.
- C. Emergency entrances shall be located on a building wall facing away an adjoining property within a residential zoning district or any existing, adjacent residential use.
- D. Sufficient off-street stacking area for the movement of the emergency vehicles shall be provided on the site. A minimum one hundred (100) foot long on-site stacking area for the emergency vehicles shall be provided on the site. No emergency vehicle will be allowed to stack or be stored on public streets
- E. The institution shall submit a copy of its emergency operations plan (EOP) to the local and county emergency management agency coordinator. The EOP shall include detailed information regarding solid, medical and hazardous materials and waste handling, including a listing of all medical and hazardous materials and wastes used and generated on site and evidence indicating the disposal of all materials and wastes will be accomplished in a manner that complies with state and federal regulations.
- F. Screening shall be provided in accordance with Part 19 of this Chapter.
- G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to

prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

25. **Hotels.** Hotels are permitted subject to the following criteria:

- A. Any accessory eating, drinking, retail, or meeting room use shall be directly accessible by passing through the principal hotel building subject to the following:
 - (1) No drive-thru or take out services shall be permitted; and,
 - (2) One (1) additional freestanding signs (other than those permitted for the principal hotel use) shall be permitted.
- B. Each rental unit/room shall have its own toilet and bathing or shower facilities.
- C. Sufficient off-street stacking area for guest vehicles shall be provided on the site. No guest vehicles will be allowed to form or stack on public streets.
- D. Screening shall be provided in accordance with Part 19 of this Chapter.
- E. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

26. **Indoor Commercial Recreation Facilities.** Indoor commercial recreation facilities are permitted subject to the following criteria:

- A. All activities shall take place in a completely enclosed building.
- B. All structures where indoor commercial recreation occurs shall be soundproofed in a manner to prevent sound from traveling outside, such as solid core doors, sound absorbent ceilings and forced air ventilation
- C. Screening shall be provided in accordance with Part 19 of this Chapter.
- D. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

27. **Industrial, General Uses.** General industrial uses are permitted subject to the following criteria:

- A. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - (1) The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any by-products. In addition the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
 - (2) The general scale of the operation in terms of its market area, specific floor space

requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size.

- (3) Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including, but not limited to, those of Part 19 of this Chapter.
 - B. No machinery, equipment, or materials of any kind shall be stored in front of the principal building.
 - C. No machinery, equipment, or materials shall be stored in required front, side, or rear yard setback areas. All unpaved yard setback areas shall be covered with grass or similar vegetative material.
 - D. All machinery, equipment, or materials and activities not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) but not more than eight (8) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
 - E. All machinery, equipment, or materials shall be stored or arranged in an orderly fashion so that circulation for fire safety can be maintained at all times.
 - F. Screening shall be provided in accordance with Part 19 of this Chapter.
 - G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
28. **Industrial, Light Uses.** Light industrial uses are permitted subject to the following criteria:
- A. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - (1) The nature of the on-site processing operations, the materials used in the process, the products produced, and the generation and methods for disposal of any by-products. In addition the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
 - (2) The general scale of the operation in terms of its market area, specific floor space requirements for each step of the industrial process, the total number of employees on each shift, and an overall needed site size.
 - (3) Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by

applicable laws and ordinances, including, but not limited to, those of Part 19 of this Chapter.

- B. All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 19 of this Chapter.
 - C. No machinery, equipment, or materials of any kind shall be stored in front of the principal building.
 - D. No machinery, equipment, or materials shall be stored in required front, side, or rear yard setback areas. All unpaved yard setback areas shall be covered with grass or similar vegetative material.
 - E. All machinery, equipment, or materials and activities not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) but not more than eight (8) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. No fence may be permitted in any yard setback area. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
 - F. All machinery, equipment, or materials shall be stored or arranged in an orderly fashion so that circulation for fire safety can be maintained at all times.
 - G. Screening shall be provided in accordance with Part 19 of this Chapter.
 - H. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
29. **Kennel, Commercial.** Commercial kennels are permitted, subject to the following criteria:
- A. Minimum Lot Area - Unless animals are kept inside at all times, each site shall contain at least one (1) acre; otherwise, the minimum lot area requirement of the applicable zoning district shall apply.
 - B. All structures where animals are kept shall be completely enclosed and soundproofed in a manner to prevent sound and odor from traveling outside, such as solid core doors, sound absorbent ceilings and forced air ventilation.
 - C. All structures where animals are kept that are not completely enclosed, and also including any outdoor animal pens, stalls, and runways shall be located within the rear yard. These outside and unenclosed facilities shall be a minimum of fifty (50) lineal feet from all property lines, and one hundred fifty (150) lineal feet any residential zoning district boundary or any existing residential use.
 - D. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - E. Where outdoor animal pens, stalls, or runways are permitted, animals shall be permitted to exercise outside daily between the hours of 8:00 am to 8:00 pm.

- F. Screening shall be provided in accordance with Part 19 of this Chapter.
 - G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - H. The applicant shall furnish evidence of effective means of animal and veterinary waste collection and disposal that shall be implemented.
 - I. The kennel shall be operated in full compliance with the State Animal Welfare Act and applicable state kennel regulations.
30. **Landscaping Center/Nursery.** Landscaping centers/nurseries are permitted, subject to the following criteria:
- A. The display and sale of items not grown on the premises shall be incidental to the nursery operation. The display area for these items shall not exceed twenty-five (25) percent of the total gross display and sales area on the subject property. The display, sale or repair of motorized nursery or garden equipment may be permitted as an accessory use.
 - B. All outdoor storage, sales, display, and inventory areas shall be set back at least twenty-five (25) lineal feet from the front property line and any street right-of-way line.
 - C. Outdoor storage, sales, display, and inventory areas shall be graded for proper drainage and shall be surfaced so as to provide a durable and dustless surface, such as concrete or bituminous concrete surface.
 - D. Outdoor storage, sales, display, and inventory areas shall be aligned and displayed in an orderly fashion so that circulation for fire safety can be maintained at all times.
 - E. Outdoor storage, sales, display, and inventory areas shall be all areas open for public display, including, but not limited to, shelves, racks, bins, stalls, tables, and booths, plus any adjoining aisles or walkways from which consumers can inspect items for sale. The retail sales area shall include both interior and exterior areas, as listed above.
 - F. All outdoor storage, sales, display, and inventory areas shall be completely enclosed by a fence or wall at least six (6) but not more than eight (8) feet in height.
 - G. Any drilling, cutting, sawing, mixing, crushing, or some other preparation of building materials, plus any testing or repair of motorized equipment, shall be conducted within a completely-enclosed building;
 - H. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
 - I. Exterior trash and recycling receptacles shall be provided amid any outdoor sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
 - J. Screening shall be provided in accordance with Part 19 of this Chapter.

- K. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

31. **Licensed Group Home.** Licensed group homes are permitted, subject to the following criteria:

- A. In a narrative form, a statement of the proposed use, including its location, number of residents, name, telephone number and contact person of the sponsoring agency.
- B. A statement that all required approvals, permits and licenses have been granted from the federal, state and county governments or other public agencies.
- C. The group home shall comply with all zoning regulations in the district in which the group home is located.
- D. In residential districts, any permitted licensed group home uses shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
- E. Building height and setbacks shall be consistent with surrounding development in the neighborhood.
- F. Fire escapes, where required, shall be located in the rear of the building and shall not be located on any wall facing a street right-of-way, excluding alleys.
- G. Occupants of the group home shall live as a family unit.
- H. Accommodations shall be limited to no more than four (4) persons (which includes full time staff and/or supervision) in the R-1, and R-L residential zoning districts; and no more than eight (8) residents (in addition to any in full time staff and/or supervision) in the RM, and RH residential zoning districts.
- I. Under no circumstances shall any uses qualifying for or falling under the definition of "halfway house" be considered a group home.
- J. All uses must comply with City building, health, housing, building, safety, property and other applicable code requirements.

32. **Licensed Group Residence.** Licensed group residence uses are permitted, subject to the following criteria:

- A. In a narrative form, a statement of the proposed use, including its location, number of residents, name, telephone number and contact person of the sponsoring agency.
- B. A statement that all required approvals, permits and licenses have been granted from the federal, state and county governments or other public agencies.
- C. The licensed group residences shall comply with all zoning regulations in the district in which the licensed group residence is located.
- D. All off-street parking shall comply with Part 18, shall not be located in front of the principal building, and shall be set back a minimum of ten (10) lineal feet and be

screened from adjoining property within a residential zoning district or any existing, adjacent residential use.

- E. Screening shall be provided in accordance with Part 19 of this Chapter.
 - F. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - G. Under no circumstances shall any uses qualifying for or falling under the definition of “halfway house” be considered a group home.
 - H. All uses must comply with City building, health, housing, building, safety, property and other applicable code requirements.
33. **Mini-Storage/Self Storage Facilities.** Mini-storage/self storage facilities are permitted, subject to the following criteria:
- A. All storage units shall be of fire-resistant construction.
 - B. Outdoor storage shall be limited to recreational vehicles, boats and trailers parked on paved areas. All such items stored outside of an unenclosed building must be licensed and inspected, if applicable, and in operable condition.
 - C. All permitted outdoor storage shall be completely enclosed by a fence or wall at least six (6) but not more than eight (8) feet in height.
 - D. The storage inoperable, unlicensed, or inspected motor vehicles outside of a completely enclosed building shall be prohibited
 - E. Mini-storage/self storage facilities shall be used solely for the dead storage of property. The following lists examples of uses expressly prohibited upon the site:
 - (1) Auctions, commercial wholesale or retail sales, or garage sales.
 - (2) The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawn mowers, appliances, or other similar equipment.
 - (3) The operation of power tools, spray-painting equipment, table saws, lathes, compressors, welding equipment, kilns, or other similar equipment.
 - (4) The establishment of a transfer and storage business.
 - (5) The storage of trash, radioactive or highly toxic substances, garbage, refuse, explosives or flammable materials, hazardous substances, animal carcasses or skins, or similar items that are dangerous, noxious or offensive because of odors, dust, noise, fumes, or vibrations.
 - F. The applicant shall adequately demonstrate that all mini-storage/self storage rental and/or use contracts shall specifically prohibit these uses.
 - G. All garage doors or outdoor storage areas shall not be located directly facing toward any adjoining property within a residential zoning district or any existing, adjacent residential

use.

- H. Nothing shall be stored in interior traffic aisles, required off-street parking areas, loading areas or accessways.
 - (1) Minimum separation between buildings shall be twenty (20) lineal feet, which shall allow passage by emergency vehicles.
 - (2) No building shall be longer than two hundred (200) lineal feet.
- I. The applicant shall submit a working plan for the collection, recycling and disposal of litter and wastes.
- J. Screening shall be provided in accordance with Part 19 of this Chapter.
- K. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

34. **Mobile Home Parks.** Mobile home parks are permitted subject to the following criteria:

- A. Minimum lot area shall be five (5) acres.
- B. Maximum density in a mobile home park shall be (7) units per acre.
- C. All mobile home lots or areas shall contain at least four thousand, two hundred fifty (4,250) square feet.
- D. Each mobile home lot shall have a minimum:
 - (1) Lot width of forty (40) feet
 - (2) front yard of twenty (20) feet,
 - (3) rear yard of fifteen (15) feet, and
 - (4) two (2) side yards of ten (10) feet each.
- E. In no case shall the distance between any two (2) mobile homes be less than twenty (20) lineal feet (these setbacks shall also apply to the mobile home park office, service, utility, or other buildings).
- F. No mobile home lot shall be within twenty-five (25) lineal feet of a park boundary, nor within thirty-five (35) lineal feet of an outside street right-of-way. This area shall constitute the mobile home park boundary area;
- G. Each mobile home space shall contain no more than one (1) mobile home, nor more than one (1) family;
- H. Each mobile home shall be placed on a six (6) inch thick poured concrete pad over a six (6) inch stone base, the length and width of which shall be at least equal to the length and width of the mobile home it is to support. Every mobile home shall be anchored to the mobile home pad where it is located, prior to the unit being occupied, and no more than

seven (7) days from the arrival of the mobile home. The anchoring system shall be designed by a registered professional engineer to prevent tilting of the unit, and resist a minimum wind velocity of ninety (90) miles per hour; and,

- I. Each mobile home lot shall be provided with a permanent frost-free foundation and each lot will have available adequate provisions, such as anchor bolts and tie-down straps, to assure that each mobile home has available to it a means of securing the home to its site
- J. Protective skirting shall be placed around the area between the stand surface and the floor level of each mobile home so as to prevent that area from forming a harborage for rodents, creating a fire hazard, or exposing unsightly conditions;
- K. Individual mobile home owners may install accessory or storage sheds, extensions and additions to mobile homes, and exterior patio areas. Any such facilities so installed shall not intrude into any required front, side, or rear yard, and, in every case, shall substantially conform in style, quality, and color to the existing mobile homes.
- L. Each mobile home shall be erected and connected to utilities in accordance with the most recent versions of the City of Lock Haven Building Code, Subdivision and Land Development Ordinance, and all applicable state and federal requirements.
- M. All mobile homes shall abut on a street of the mobile home park's internal private street system. In no case shall access to such mobile homes and mobile home lots be provided directly to or abut adjoining public roads.
- N. All internal streets shall, as a minimum, comply with marginal access street standards of the City of Lock Haven Subdivision and Land Development Ordinance
- O. Interior mobile home park roads with no on-street parking shall be designed and constructed in accordance with the City of Lock Haven Subdivision and Land Development Ordinance for marginal access streets. An additional width of ten (10) feet shall be provided for each lane of on-street parking.
- P. Each mobile home shall be provided with a minimum of two (2) paved parking spaces containing at least one hundred eighty (180) square feet of bituminous or concrete surface, which shall be located on the mobile home lot. If on-street parking is not provided, one (1) additional off-street parking space per unit shall be provided in a common visitor parking compound. Such visitor parking lots shall be sized, arranged, and located so that the spaces are within three hundred (300) feet walking distance to any unit served.
- Q. Curbs, gutters and sidewalks shall be constructed and installed on both sides of each street with the mobile home park (whether public or private)., in addition to installation of Street trees, in accordance with the City of Lock Haven Subdivision and Land Development Ordinance
- R. There shall be a minimum of fifteen (15) percent of the gross acreage of the mobile home park devoted to active and/or passive common recreational facilities. Responsibility for maintenance of the recreational areas shall be with the landowner and/or the operator.
- S. Screening shall be provided in accordance with Part 19 of this Chapter.
- T. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures

that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

- U. Deed restrictions or covenants should be included to provide for the creation of a property owners association or board of trustees for the proper protection and maintenance of the development improvements in the future; at a minimum, all development improvements relating to internal streets, sidewalks, curbs, parks, parking areas, etc. shall remain private and the responsibility of the landowner and/or the operator. Should the a property owners association or board of trustees, or landowner and/or the operator neglect to maintain the designated improvements, as depicted on the plan, the City may then maintain said areas and assess the responsible party for any costs incurred.

35. **Motels.** Motels are permitted subject to the following criteria:

- A. Any accessory eating, drinking, retail, or meeting room use shall be physically attached to the principal motel building subject to the following:
 - (1) No drive-thru shall be permitted; and,
 - (2) One (1) additional freestanding signs (other than those permitted for the principal motel use) shall be permitted.
- B. Each rental unit/room shall have its own toilet and bathing or shower facilities.
- C. Screening shall be provided in accordance with Part 19 of this Chapter.
- D. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

36. **Multi-Family Dwellings.** Multi-family dwellings are permitted subject to the following criteria:

- A. Individual lots or subdivided parcels one and one quarter (1 ¼) acres or less in size shall have no building or buildings in addition to the principal building on the same lot used for living purposes. For parcels greater than one and one quarter (1 ¼) acres in size one (1) additional building on the same lot for living purposes shall be permitted, however, there must be a minimum of thirty five (35) lineal feet between buildings.
- B. All off-street parking shall comply with Part 18, shall not be located in front of the principal building, and shall be set back a minimum of ten (10) lineal feet and be screened from adjoining property within a residential zoning district or any existing, adjacent residential use.
- C. A minimum of thirty (30) percent of the total tract area shall be designated and maintained as common open space. Responsibility for maintenance of the open space area shall be with the landowner.
- D. Building height and setbacks shall be consistent with surrounding development.
- E. Any permitted multi-family dwelling use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
- F. Screening shall be provided in accordance with Part 19 of this Chapter.

- G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
37. **Neighborhood Retail/Service:** Neighborhood Retail/Service establishments are permitted subject to the following criteria:
- A. Hours of operation and activities shall be limited to between 7:00 am and 11:00 pm to protect the existing neighborhood from detrimental noise, disturbance or interruption
 - B. Building height and setbacks shall be consistent with surrounding development.
 - C. In residential districts, any permitted neighborhood retail/service use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
 - D. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement a working plan for the cleanup of litter and debris.
 - E. Screening shall be provided in accordance with Part 19 of this Chapter.
 - F. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
38. **Nursing Homes.** Nursing homes are permitted subject to the following criteria:
- A. No more than eighteen (18) occupants per acre shall be permitted, excluding the staff of the facility.
 - B. A minimum of thirty (30) percent of the lot shall be suitable and developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks.
 - C. The facility operator shall meet all state and federal rules and regulations for health-care facilities. All necessary licenses or permits issued by County, State or Federal agencies shall be provided by the applicant and required licenses, certificates, or permits shall be a condition for approval
 - D. Primary visitor or passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site.
 - E. Sufficient off-street stacking area for the movement of the visitor and emergency vehicles shall be provided on the site. A minimum one hundred (100) foot long on-site stacking area for the visitor and/or emergency vehicles shall be provided on the site. No visitor or emergency vehicle will be allowed to stack or be stored on public streets
 - F. The institution shall submit a copy of its emergency operations plan (EOP) to the local and county emergency management agency coordinator. The EOP shall include detailed information regarding solid, medical and hazardous materials and waste handling,

including a listing of all medical and hazardous materials and wastes used and generated on site and evidence indicating the disposal of all materials and wastes will be accomplished in a manner that complies with state and federal regulations.

- G. Screening shall be provided in accordance with Part 19 of this Chapter.
 - H. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
39. **Outdoor Commercial Recreation Facilities:** Outdoor commercial recreation facilities are permitted subject to the following criteria:
- A. Minimum lot size shall be five (5) acres.
 - B. All outdoor recreation/activity areas shall be set back at least fifty (50) lineal feet from the street right-of-way and one hundred (100) lineal feet any adjoining property within a residential zoning district or any existing, adjacent residential use, otherwise they shall comply with the underlying zoning district setbacks.
 - C. The facility shall be operated only between the hours of 8:00 a.m. and 11:00 p.m.
 - D. Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
 - E. Exterior trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
 - F. Screening shall be provided in accordance with Part 19 of this Chapter.
 - G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
40. **Parking Compounds:** Parking compounds are permitted subject to the following criteria
- A. Driveways, access drives or other points of ingress/egress for motor vehicle shall generally be taken from alleys.
 - B. No ingress or egress points shall be taken from Main Street, Church Street, or Water Street in the CBD Zoning District.
 - C. Off-street surface parking lots shall not be located on corner lots, on or adjacent to the intersection of two (2) streets.
 - D. Off-street surface parking lots abutting public street right-of-way including alleys, shall be provided with a continuous street-fronting three and one half (3 ½) foot high masonry wall or a perimeter planting at least five (5) feet in depth measured from all sides of the parking area towards the property/street line with a mix of high and low level screening

in accordance with Part 19 of this Chapter. Wall breaks for driveways shall be not more than twenty four (24) feet in width.

- E. All above ground off-street parking garage and buildings shall comply with all provisions for principal buildings zoning district where the parking structures and building is proposed.
 - F. Parking garages and structures located along any street right-of-way line shall be provided with a continuous street-fronting, ground-level, non-residential space and use, except for ingress and egress points necessary for retail store entrances, vehicle entrance and exit lanes, and pedestrian entrances to stairs and elevator lobbies into the garage or structure.
 - G. Screening shall be provided in accordance with Part 19 of this Chapter.
 - H. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
41. **Parks, Playgrounds, and other Non-Commercial Recreational Uses:** Parks, playgrounds, and other non-commercial recreational uses are permitted subject to the following criteria:
- A. Parks shall be developed in a manner that preserves natural features, watercourses, unique rock outcrops, slopes of greater than fifteen (15) percent, and vegetation.
 - B. Hours of operation and activities shall comply with all applicable City policies and regulations relating to parks and public outdoor facilities.
 - C. Exterior trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.
42. **Personal Care Centers and Personal Care Homes:** Personal care center and personal care homes shall be permitted subject to the following criteria:
- A. In residential districts, any permitted personal care home use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
 - B. Building height and setbacks shall be consistent with surrounding development in the neighborhood.
 - C. All individual resident/patient rooms shall be located within the principal building.
 - D. Accommodations for personal care homes shall be limited to no more than four (4) individual resident/patient rooms in a residential zoning district; and eight (8) individual resident/patient rooms in other zoning districts.
 - E. No cooking facilities shall be provided or permitted in the individual resident/patient rooms.

- F. All off-street parking shall comply with Part 18, shall not be located in front of the principal building, and shall be set back a minimum of ten (10) lineal feet from the property lines and be screened from adjoining property within a residential zoning district or any existing, adjacent residential use.
- G. Screening shall be provided in accordance with Part 19 of this Chapter.
- H. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
- I. All uses must comply with City building, health, housing, safety, property and other applicable code requirements.
- J. All personal care facilities shall obtain and maintain the proper licensure from the Commonwealth.

43. **Place of Assembly:** Places of assembly are permitted subject to the following criteria:

- A. Hours of operation and events shall be scheduled to minimize negative impacts on the surrounding neighborhood.
- B. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site. At a minimum passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.
- C. All places of assembly with primary assembly areas providing a seating capacity of two hundred-fifty (250) or more persons shall front and have access to an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan
- D. In residential districts, any permitted place of assembly use shall maintain an exterior appearance that is compatible with any existing dwellings in the neighborhood.
- E. Building height and setbacks shall be consistent with surrounding development in the neighborhood.
- F. Screening shall be provided in accordance with Part 19 of this Chapter.
- G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

44. **Place of Worship:** Places of worship are permitted subject to the following criteria:

- A. Hours of operation and events shall be scheduled to minimize negative impacts on the surrounding neighborhood.
- B. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site. At a

minimum passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.

- C. All places of worship with a seating capacity of two hundred-fifty (250) or more persons shall front and have access to an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan
- D. In residential districts, any permitted place of worship use shall maintain an exterior appearance that is compatible with any existing dwellings in the neighborhood.
- E. Building height and setbacks shall be consistent with surrounding development in the neighborhood.
- F. Screening shall be provided in accordance with Part 19 of this Chapter.
- G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

45. **Public Building:** Public buildings are permitted subject to the following criteria:

- A. In residential districts, any permitted public building shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
- B. In any residential district, the outdoor storage of vehicles or equipment shall not be permitted.
- C. Screening shall be provided in accordance with Part 19 of this Chapter.
- D. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

46. **Public/Private Works Facility:** Public/private works facilities are permitted subject to the following criteria:

- A. The applicant must demonstrate that the selected location is necessary for public service and the use cannot be supplied if located elsewhere.
- B. In residential districts, any permitted public/private works facility shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood.
- C. In any residential district, the outdoor storage of vehicles or equipment shall not be permitted.
- D. Principal buildings and structures shall be setback one hundred (100) lineal feet from an adjoining property within a residential zoning district or any existing, adjacent residential use.

- E. The applicant shall demonstrate that environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts beyond the subject property fall within acceptable levels as regulated by applicable laws and ordinances, including, but not limited to, those of Part 19 of this Chapter.
- F. Screening shall be provided in accordance with Part 19 of this Chapter.
- G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

47. **Rail Yards:** Rail yards are permitted subject to the following criteria:

- A. Minimum lot area shall be five (5) acres.
- B. All outside storage shall be at least two hundred (200) lineal feet from any public street, adjoining property within a residential zoning district or an existing, adjacent residential use.
- C. All yard setbacks shall at all times be clean, vacant and well maintained.
- D. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - (1) The applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
 - (2) Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust litter, glare, vibration, electrical disturbance, waste water, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish expert evidence that the impacts generated by the proposed use fall within acceptable levels as regulated by applicable laws and ordinances, including, but not limited to, those of Part 19 of this Chapter.
- E. All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 19 of this Chapter.
- F. No machinery, equipment, or materials shall be stored in required front, side, or rear yard setback areas. All unpaved yard setback areas shall be covered with grass or similar vegetative material.
- G. All machinery, equipment, or materials and activities not within a completely enclosed buildings shall be surrounded by a fence or wall at least six (6) but not more than eight (8) feet in height. Such fence shall be completely sight obscuring and maintained in good condition. No fence may be permitted in any yard setback area. Any gate in a fence shall be similarly constructed and maintained and shall be kept securely locked at all times when the establishment is not in operation.
- H. All machinery, equipment, or materials shall be stored or arranged in an orderly fashion

so that circulation for fire safety can be maintained at all times.

- I. Screening shall be provided in accordance with Part 19 of this Chapter.
 - J. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the buildings, rather than the area around it.
48. **Recycling Collection Point, Public:** Recycling collection point, public are permitted subject to the following criteria:
- A. All materials shall be kept in appropriate containers, with appropriate sanitary measures and frequent enough emptying to prevent (i) any menace to public health and safety, (ii) offensive or obnoxious odors, (iii) the breeding, harboring or infestation of rats and other rodents and vermin, and (iv) violation of any health or sanitary law, ordinance, or regulation of the City of Lock Haven or the Commonwealth of Pennsylvania.
 - B. Adequate provision shall be made for movement of trucks if needed and for off-street parking.
 - C. Materials to be collected shall be of the same character as the following materials: paper, cardboard, plastic, steel/tin, aluminum and glass. No garbage shall be stored as part of the use, except for that generated on site and that accidentally collected with the recyclables. Only materials clearly being actively collected for recycling may be stored on site. Used tires shall not be stored on site.
 - D. The use shall only include the following operations: collection, sorting, baling, loading, weighing, routine cleaning and closely similar work. No burning or landfilling shall occur. No mechanical operations shall routinely occur at the site other than operations such as the baling of cardboard.
 - E. Screening shall be provided in accordance with Part 19 of this Chapter.
 - F. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
49. **Residential Conversions for Multiple Dwellings:** Residential conversions for multiple dwellings are permitted subject to the following criteria:
- A. The structure must be a single-family detached dwelling that existed on the effective date of this Chapter, and contained (at that time) at least four thousand (4,000) square feet of habitable floor area.
 - B. In residential districts, all principal structures permitted to be residential conversion to multiple dwelling units shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
 - C. Building height and setbacks shall be consistent with surrounding development in the neighborhood.

- D. No more than four (4) total dwelling units shall be permitted per lot.
 - E. Fire escapes, where required, shall be located in the rear of the building and shall not be located on any wall facing a street right-of-way, excluding alleys.
 - F. All dwelling units shall be located within the principal building.
 - G. All dwelling units must have separate kitchen and bathroom facilities as well as living/sleeping spaces.
 - H. All floors above grade shall have direct means of escape to ground level.
 - I. All off-street parking shall comply with Part 18, shall not be located in front of the principal building, and shall be set back a minimum of ten (10) lineal feet from the property lines and be screened from adjoining property within a residential zoning district or any existing, adjacent residential use.
 - J. Screening shall be provided in accordance with Part 19 of this Chapter.
 - K. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
 - L. All uses must comply with City building, health, housing, rental, safety, property and other applicable code requirements.
 - M. The applicant shall obtain any required land development approvals.
50. **Restaurants:** Restaurants are permitted subject to the following criteria:
- A. Outdoor play areas shall be completely enclosed by a minimum six (6) foot and maximum of eight (8) foot high fence.
 - B. In addition to other provisions in this Part 20 of this Chapter relating to accessory outdoor café/seating, where accessory outdoor café/seating may be permitted, exterior speaker/microphone systems shall be oriented away from and/or screened to prevent objectionable noise impact on abutting properties.
 - C. In residential and the CBD zoning districts, accessory drive-thrus are not permitted. Otherwise, where accessory drive thrus are permitted, drive thru lane shall have minimum of one hundred (100) feet of on-site stacking preceding the order location. No vehicle will be allowed to form or stack on public streets.
 - D. Adequate provision for the collection and disposal of greases shall be demonstrated.
 - E. Hours of operation and events shall be scheduled to minimize negative impacts on the surrounding neighborhood.
 - F. Screening shall be provided in accordance with Part 19 of this Chapter.
 - G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures

that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

51. **Schools, Commercial:** Commercial schools are permitted subject to the following criteria:

- A. Within the CBD Zoning district all maintenance, repair, rebuilding, testing, construction of mechanical devices, storage of materials, equipment, etc. shall be conducted within a completely-enclosed building.
- B. All ventilation outlets shall be located at least one hundred (100) lineal feet and shall be oriented away from any adjoining property within a residential zoning district or any existing, adjacent residential use.
- C. Hours of operation and events shall be scheduled to minimize negative impacts on the surrounding neighborhood.
- D. Screening shall be provided in accordance with Part 19 of this Chapter.
- E. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
- F. All height, area, setback and coverage standards within the underlying zoning district shall apply except that:
 - (1) all off-street parking lots shall be set back twenty-five (25) feet and screened from adjoining property lines;
 - (2) all buildings shall be set back at least fifty (50) feet from any adjoining land within a residential zoning district boundary or any existing residential use.

52. **Schools, Public/Private:** Public and private schools are permitted subject to the following criteria:

- A. In residential districts, any permitted school shall maintain an exterior appearance that is compatible with any existing dwellings in the neighborhood.
- B. In residential districts, building height and setbacks shall be consistent with surrounding development in the neighborhood. In all other districts, all height, area, setback and coverage standards within the underlying zoning district shall apply except that:
 - (1) all off-street parking lots shall be set back twenty-five (25) feet and screened from adjoining property lines;
 - (2) all buildings shall be set back at least fifty (50) feet from any adjoining land within a residential zoning district boundary or any existing residential use.
- C. Hours of operation and events shall be scheduled to minimize negative impacts on the surrounding neighborhood.
- D. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site. At a minimum passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the

surrounding neighborhood. A minimum one hundred (100) foot long on-site stacking area vehicles shall be provided on the site. No vehicle will be allowed to form or stack on public streets.

- E. All schools with an enrollment of two hundred-fifty (250) or more students shall front and have access to an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan.
- F. Screening shall be provided in accordance with Part 19 of this Chapter.
- G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

53. **Shopping Centers:** Shopping centers are permitted subject to the following criteria:

- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan, and all access drives shall be set back at least two hundred (200) lineal feet from the intersection of any street rights-of-way.
- B. Minimum lot size shall be three (3) acres.
- C. Minimum lot width shall be two hundred (200) feet.
- D. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets. On-lot traffic circulation channels and parking areas shall be clearly marked.
- E. The shopping center shall be permitted to erect one (1) planned shopping center sign along each of the center's frontages. At least fifty (50) percent of the total sign area shall be devoted to advertisement of the shopping center's name. The size of such sign shall not exceed one (1) square foot for each four (4) feet of frontage contained within the shopping center. In no case shall a planned center sign exceed a maximum size of one hundred (100) square feet nor an overall height of twenty (20) feet. In addition, individual uses within the shopping center may have signs; however, such signs shall be flat wall, wall projecting, or roof signs as described in Part 17 of this Chapter.
- F. Screening shall be provided in accordance with Part 19 of this Chapter.
- G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

54. **Single-Family Attached Dwellings:** Single-family attached dwellings are permitted subject to the following criteria:

- A. In residential districts, any permitted single-family attached dwelling shall maintain an exterior appearance that is compatible with any existing dwellings in the neighborhood.
- B. Building height and setbacks shall be consistent with surrounding development in the neighborhood.

- (1) Minimum lot area shall be two thousand five hundred (2,500) square feet per unit whether on a common lot or individual lots
 - (2) Minimum lot width shall be twenty five (25) feet for common and interior lots (attached units) and forty five (45) feet for end units
 - (3) Minimum side yard shall be zero (0) feet for common and interior lots (attached units) and fifteen (15) feet for end units
 - (4) Minimum rear yard shall be thirty (30) feet.
 - (5) Maximum lot coverage shall be sixty five (65) percent.
 - (6) Maximum dwelling units in a row shall be six (6), but if four (4) or more are in a row, then no more than sixty (60) percent shall have the same setback. The minimum variation shall be four (4) feet.
- C. All off-street parking shall comply with Part 18, shall not be located in front of the principal building, and shall be set back a minimum of ten (10) lineal feet from the property lines and be screened from adjoining property within a residential zoning district or any existing, adjacent residential use.
- D. Screening shall be provided in accordance with Part 19 of this Chapter.
- E. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
55. **Taverns/Bars.** Taverns and bars are permitted subject to the following criteria:
- A. Taverns and bars shall be located in accordance with the provisions of the Pennsylvania Liquor Control Board.
 - B. Hours of operation and events shall be scheduled to minimize negative impacts on the surrounding neighborhood.
 - C. The owner(s) and operator(s) of a tavern/bar shall be responsible for the conduct and safety of the patrons.
 - D. Trash receptacles shall be provided and routinely emptied to prevent the scattering of litter, and the applicant shall furnish and implement a working plan for the cleanup of litter and debris.
 - E. Adequate provision for the collection and disposal of greases shall be demonstrated.
 - F. In addition to other provisions in this Part 20 of this Chapter relating to accessory outdoor café/seating, where accessory outdoor café/seating may be permitted, exterior speaker/microphone systems shall be oriented away from and/or screened to prevent objectionable noise impact on abutting properties.
 - G. Screening shall be provided in accordance with Part 19 of this Chapter.
 - H. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to

prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

56. **Truck Terminal:** Truck Terminals are permitted subject to the following criteria:

- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan;
- B. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
- C. No entrance or exit shall be located closer than one hundred fifty (150) lineal feet to an existing street intersection.
- D. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - (1) The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
 - (2) The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift and an overall needed site size.
 - (3) Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Part 19 of this Chapter.
- E. Screening shall be provided in accordance with Part 19 of this Chapter.
- F. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

57. **University/College:** Universities and/or colleges are permitted subject to the following criteria:

- A. All height, area, setback, and coverage standards within the underlying zoning district shall apply except that:
 - (1) all off-street parking lots shall be set back twenty-five (25) feet and screened from adjoining property lines; and
 - (2) all buildings shall be set back at least fifty (50) feet from any adjoining land within a residential zoning district boundary or any existing residential use.
- B. Individual lots or subdivided parcels one and one quarter (1 ¼) acres or less in size shall

have no building or buildings in addition to the principal building on the same lot. For parcels greater than one and one quarter (1 ¼) acres in size additional buildings on the same lot shall be permitted, however, there must be a minimum of thirty five (35) lineal feet between buildings.

- C. A minimum of thirty (30) percent of the total tract area shall be designated and maintained as common open space. The landowner shall be responsible for maintenance of the open space area.
- D. Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site. At a minimum passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood. A minimum one hundred (100) foot long on-site stacking area vehicles shall be provided on the site. No vehicle will be allowed to form or stack on public streets.
- E. The institution shall meet all state and federal rules and regulations for universities and/or colleges. All necessary licenses or permits issued by County, State or Federal agencies shall be provided by the applicant and required licenses, certificates, or permits shall be a condition for approval
- F. The institution shall submit a copy of its emergency operations plan (EOP) to the local and county emergency management agency coordinator. The EOP shall include detailed information regarding solid, medical and hazardous materials and waste handling, including a listing of all medical and hazardous materials and wastes used and generated on site and evidence indicating the disposal of all materials and wastes will be accomplished in a manner that complies with state and federal regulations.
- G. All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 19 of this Chapter.
- H. Screening shall be provided in accordance with Part 19 of this Chapter.
- I. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the buildings, rather than the area around it.

58. University Housing: University housing is permitted subject to the following criteria:

- A. All height, area, setback, and coverage standards within the underlying zoning district shall apply, except that all buildings shall be set back at least one hundred (100) feet from any adjoining land within a residential zoning district boundary or any existing residential use.
- B. Individual lots or subdivided parcels one and one quarter (1 ¼) acres or less in size shall have no building or buildings in addition to the principal building on the same lot. For parcels greater than one and one quarter (1 ¼) acres in size one (1) additional building on the same lot shall be permitted, however, there must be a minimum of thirty five (35) lineal feet between buildings.
- C. A minimum of thirty (30) percent of the total tract area shall be designated and maintained as common open space. The landowner shall be responsible for maintenance

of the open space area.

- D The institution shall submit a copy of its emergency operations plan (EOP) to the local and county emergency management agency coordinator. The EOP shall include detailed information regarding solid, medical and hazardous materials and waste handling, including a listing of all medical and hazardous materials and wastes used and generated on site and evidence indicating the disposal of all materials and wastes will be accomplished in a manner that complies with state and federal regulations.
 - E. All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 19 of this Chapter.
 - F. Screening shall be provided in accordance with Part 19 of this Chapter.
 - G. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the buildings, rather than the area around it.
59. **Warehousing, Distributing, and Wholesaling:** Warehousing, distributing, and wholesaling is permitted subject to the following criteria:
- A. The subject property shall front on an arterial or collector road as provided in the most recent version of the City of Lock Haven Comprehensive Plan;
 - B. Traffic flow and ingress-egress shall not cause traffic hazards on adjacent streets.
 - C. No entrance or exit shall be located closer than one hundred fifty (150) lineal feet to an existing street intersection
 - D. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - (1) The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations.
 - (2) The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift and an overall needed site size.
 - (3) Any environmental impacts that are likely to be generated (e.g. odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Part 19 of this Chapter.
 - E. Screening shall be provided in accordance with Part 19 of this Chapter.

- F. All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.

§27-2003. Additional Supplemental Standards and Requirements for Specific Accessory Uses, Buildings and Structures.

1. Accessory Uses, Buildings, and Structures

- A. **Bed and Breakfast.** Bed & breakfast uses are permitted, subject to the following criteria:

- (1.) The building must be the principal residence of the owner.
- (2.) The bed and breakfast must be operated by the owner of the building or a manager.
- (3.) The operator must offer the individuals temporarily abiding at the bed and breakfast not less than one (1) meal per day.
- (4.) The premises must be inspected not less than annually by the City of Lock Haven Code, Zoning and Health Officers for compliance with City zoning and code ordinances and State regulations regarding places serving food or drink other than any requirement for use of commercial equipment. The zoning permit shall specify the maximum number of rooms for guests for which the premises is approved and may be amended, from time to time, upon the annual inspection.
- (5.) Individuals temporarily abiding at the bed and breakfast shall not abide there in excess of fourteen (14) consecutive days.
- (6.) Signs shall be in conformance with Part 17 of this Chapter.

- B. **Café/Outdoor Dining.** Café/outdoor dining uses are permitted, subject to the following criteria:

- (1.) Outdoor furnishings shall be limited to tables, chairs, umbrellas, benches, outdoor heaters, and reservation podium.
- (2.) Outdoor furnishings shall be stored in an enclosed facility after normal operating hours.
- (3.) The limits of the outdoor dining area shall be defined. In addition to decorative fencing and landscaping, decorative planters, posts with ropes, and other removable enclosures, as well as reservation podium are encouraged as a way of defining the area occupied by the outdoor dining area.
- (4.) Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
- (5.) Exterior trash and recycling receptacles shall be provided amid any outdoor retail sales area. Such trash receptacles shall be routinely emptied so as to prevent the scattering of litter and debris. All applications shall include a description of a working plan for the cleanup of litter.

- (6.) Advertising or promotional features, other than permitted signs in accordance with Part 17 of this Chapter, shall be limited to umbrellas and canopies.
 - (7.) Outdoor dining shall not impede public sidewalks. Where permission is granted by the entity having jurisdiction over the public right-of-way in which the outdoor dining is proposed, a minimum of six (6) feet uninterrupted (obstacle free) pathway can be continuously maintained, public sidewalks may be utilized for outdoor dining areas.
 - (8.) All reasonable provisions shall be made to prevent or minimize noise, odor, and vibration, light or electrical interference adjoining property within a residential zoning district or any existing, adjacent residential use in accordance with Part 19 of this Chapter.
 - (9.) All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
- C. **Daycare, Accessory.** Accessory daycares as defined in this Chapter are exempted from zoning/building permit requirements, except that the principal residential dwelling must comply with all other applicable requirements of this Chapter.
- D. **Daycare, Family.** Family daycare uses are permitted, subject to the following criteria:
- (1.) All family day-care facilities shall be conducted within a single-family detached dwelling.
 - (2.) A family day-care facility shall offer care and supervision to no more than six (6) different non-resident minors during any calendar day.
 - (3.) An outdoor play area no less than three hundred ninety (390) square feet in area shall be provided. Such play area shall not be located within the front yard nor any vehicle parking lot.
 - (4.) No portion of a day care facility shall be located within three hundred (300) lineal feet from any potentially hazardous land use or activity which could pose a threat to the safety of the children, staff, or other occupants of the facility.
 - (5.) Off-street parking areas shall not be used as outdoor play areas. Outdoor play areas shall include secure fencing around outdoor play areas. Outdoor play areas shall not be located within the front yard and screening shall be in compliance with Part 18 of this Chapter, but vegetative materials located within the outdoor play areas shall be of a non-harmful type (poisonous, thorny, allergenic, etc.) All outdoor play areas must provide a means of shade, such as a shade tree(s), pavilion(s), etc.
 - (6.) Enrollment shall be defined as the largest number of students and/or children under day-care supervision at any one (1) time during a seven (7) day period.
 - (7.) Primary passenger “drop-off” and “pickup” areas should be provided on site and arranged so that the passengers do not have to cross traffic lanes on or adjacent to the site. At a minimum passenger “drop-off” and “pickup” areas shall be located in a manner that minimizes detrimental traffic impacts (both pedestrian and vehicular) on the surrounding neighborhood.

- (8.) Building height and setbacks shall be consistent with surrounding development in the neighborhood.
 - (9.) In residential districts, any permitted family daycare use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted unless required by the City of Lock Haven Building Code or applicable Commonwealth agency.
 - (10.) All family day-care facilities with enrollment of more than three (3) minors shall obtain, furnish, and maintain a valid Registration Certificate for the proposed use, issued by the Pennsylvania Department of Public Welfare.
 - (11.) All signs shall comply with Part 17 of this Chapter.
- E. **Drive Thru.** Drive thrus are permitted as an accessory use to a permitted principal use, subject to the following criteria:
- (1.) Where practicable, all drive-thru window lanes shall be separated from the parking lot's interior driveways.
 - (2.) Where practicable, all drive thru window facilities and lanes shall be located on a building wall facing away from an adjoining property within a residential zoning district or any existing, adjacent residential use.
 - (3.) Where practicable, all drive thru window facilities and lanes shall be located on a building wall facing away from a public street, except alleys.
 - (4.) All automated teller machines shall be located, or contain convenient parking spaces, so that the on-site movement of vehicles will not be hampered by those cars belonging to persons using the automated teller machines.
 - (5.) Sufficient stacking lanes shall be provided associated with drive-thru windows, to prevent vehicle backups on adjoining streets. A minimum one hundred (100) foot long on-site stacking area for the vehicles shall be provided on the site. No vehicle will be allowed to stack or form on public streets. Furthermore each drive-thru lane shall have on-site directional signs, indicator lights or pavement markings identifying the direction of travel and lane status (ie. open vs. closed).
 - (6.) Any exterior microphone/speaker system shall be oriented, arranged and/or screened to prevent any objectionable noise impact on adjoining properties.
 - (7.) Within the CBD Zoning District, drive thrus shall be prohibited.
 - (8.) Screening shall be provided in accordance with Part 19 of this Chapter.
 - (9.) All on-site, outdoor lighting of buildings and surrounding areas shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site, and security lighting should be directed toward the building, rather than the area around it.
- F. **Essential Services.** Essential services as defined in this Chapter shall be permitted in all

zoning districts and shall conform to, design, yard area, setback and height. Where necessary and appropriate, screening shall be provided in accordance with Part 19 of this Chapter.

G. **Home Occupation.** Home occupation uses are permitted, subject to the following criteria:

- (1.) The use shall be clearly incidental to the principal use of the premises as a single-family detached and semi-detached dwelling for living purposes.
- (2.) No more than three (3) persons, at least one (1) of whom shall be a resident of the dwelling, may be engaged in the home occupation use.
- (3.) No more than one (1) home occupation may be located in any dwelling unit.
- (4.) Any permitted home occupation use shall maintain an exterior appearance that resembles and is compatible with any existing dwellings in the neighborhood. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
- (5.) No mechanical equipment shall be employed in a home occupation, other than that customarily utilized for hobby or domestic purposes.
- (6.) No sales of any goods or merchandise shall occur on the premises other than those goods or merchandise which are produced on the premises.
- (7.) No manufacturing shall occur on the premises other than the products of customary hobbies and fabrication of garments by a seamstress.
- (8.) No goods shall be displayed so as to be visible from the exterior of the premises.
- (9.) Activities associated with the home occupation shall be conducted in such a way that no noise, odor, vibration, electromagnetic interference, or smoke shall be noticeable at or beyond the property line.
- (10.) Home occupations shall be limited to not more than twenty-five (25) percent of the gross floor area of the dwelling unit, or five hundred (500) square feet of gross floor area, whichever is less.
- (11.) No accessory building or structure shall be utilized as a home occupation.
- (12.) Signs shall be provided in accordance with Part 17 of this Chapter
- (13.) The applicant shall submit evidence of all applicable State and City approvals.
- (14.) All off-street parking shall comply with Part 18 of this Chapter.

H. **Keeping of Pets.** Keeping of pets outdoors is permitted subject the following criteria:

- (1.) Horses may be kept outdoors in any residential zoning district provided:
 - (a.) The lot contains at least three (3) acres of pasture per horse.
 - (b.) Manure is not stored within one hundred fifty (150) lineal feet of any lot

line.

(c.) The pasture is completely enclosed with a fence at least six (6) feet in height.

(2.) Dogs may be kept outdoors any zoning district provided:

(a.) Not more than three (3) dogs per lot may be kept outdoors.

(b.) Not permitted in the front of the principal building or front yard area.

(c.) Any greater number of dogs stored outdoors shall comply with the provisions relating to kennels in accordance with this Part 20 of this Chapter.

(d.) All dogs kept outside shall comply with the City of Lock Haven Animal Ordinance, and other applicable health and safety codes, as well as any applicable State regulations.

I. **No-Impact Home Occupation.** No-impact home occupation uses are permitted, subject to the following criteria:

(1.) The business activity shall be compatible with the residential use of the property and surrounding residential uses.

(2.) The business shall employ no employees other than family member residing in the dwelling.

(3.) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

(4.) There shall be no outside appearance of a business use, including but not limited to, parking, signs or lights.

(5.) The business activity may not use any equipment or process which creates noise, vibrations, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

(6.) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is normally associated with residential use in the neighborhood.

(7.) The business activity shall be conducted only within the dwelling and may not occupy more than twenty five (25) of the habitable floor area.

(8.) The business may not involve any illegal activity.

J. **Storage of Recreational Vehicles and Recreational Equipment.** Recreational vehicles and recreational equipment as defined within the terms of this Chapter may be parked or stored, subject to the following requirements.

(1.) Camping and recreational equipment belonging to persons other than the owner of the property may be temporarily parked on a residential property in residential zoning districts. Temporary trailer parking shall be limited to a maximum of one

(1) consecutive six (6) week period in any one (1) calendar year.

- (2.) Permanent parking and storing of camping and recreational equipment shall be limited to the interior of private, automobile garages or other available onlot accessory buildings, or to the side or rear of the lot.

K. **Accessory Buildings.** No accessory building shall be constructed upon a lot until the construction of the principal building has been actually commenced and except as provided elsewhere in this Chapter. Unless otherwise specified elsewhere in this Chapter, accessory buildings, such as but not limited to detached private garages, barns, storage buildings, garden structures and greenhouses (not used for commercial purposes), may be erected in accordance with the following requirements:

- (1.) Accessory buildings of not more than one hundred forty four (144) square feet in ground floor area and ten (10) feet in height are exempted from zoning/building permit requirements; provided, however, the building does not involve any electrical, plumbing or mechanical installation.
- (2.) No accessory building shall be used for residential living purposes. Provided, however, that one (1) residential unit for a caretaker may be permitted in conjunction with any industrial establishment. Accessory buildings shall only be permitted in the side and rear yard areas.
- (3.) Accessory buildings shall not be permitted in front of the principal building or any front yard area.
- (4.) Unless a greater distance is specified in accordance with required buffer yards in Part 19 of this Chapter, all accessory buildings shall be set back a minimum of five (5) lineal feet from any side lot line.
- (5.) Where a rear yard opens onto an alley or a street, including a corner lot, detached private garages and detached carports shall be set back a minimum of ten (10) lineal feet from the right-of-way line. Otherwise the minimum set back shall be five (5) feet.
- (6.) Any accessory building(s) shall not cover more than forty (40) percent of the rear yard area. In no case shall the footprint or building coverage of an accessory building exceed the footprint or building coverage of the principal building.
- (7.) Any accessory building shall be no less than five (5) lineal feet from the principal building on the lot to which is accessory.
- (8.) All accessory buildings in residential zoning districts shall not be higher than one and one half (1 ½) stories or fifteen (15) feet, whichever is less. Otherwise, in all other zoning districts, accessory buildings are permitted to be constructed to the maximum height requirements of principal buildings in the zoning district.

L. **Fences and Walls.** Fences and walls are permitted subject to the following criteria:

- (1.) Fences and walls may be erected, altered and maintained within the yards and along the boundaries of a lot.
- (2.) In any residential and the CBD zoning districts, any such fence or wall in the front yard shall not exceed three and one half (3 ½) feet in height. In all other zoning

districts, fences or walls in front yards shall not exceed eight (8) feet in height.

- (a.) On a corner lot at the intersection of two (2) streets in residential and the CBD zoning districts, the maximum height of a fence shall be three and one half (3 ½) abutting both streets, except that the maximum height as be as specified below, shall be achieved only within an area that is behind the rear of the principal building.
- (3.) In any residential zoning district, any fence or wall in the side or rear yard may be a maximum of six (6) feet in height. In all other zoning districts, fences or walls in the side or rear yard shall not exceed eight (8) feet in height.
- (4.) All yard areas used for the outdoor storage of any materials and equipment needed for the operation or conduct of an industrial or commercial enterprise shall be enclosed by a solid wall, uniformly painted board fence, chain link fence in conjunction with a screen planting in accordance with Part 19 of this Chapter on all sides which adjoin property within a residential zoning district or any existing, adjacent residential use.
- (5.) For fences constructed of wood cover on wood frame, the framework must face onto the interior of the lot, unless the fence is so designed as to provide equal frame and cover area to adjoining yards.
- (6.) For fences constructed open metal mesh, supported by posts and frame of either pipe or wood, the posts and frames must be on the interior of the mesh.
- (7.) For fences constructed of masonry construction, a finished surface must be provided on the exterior side.
- (8.) No fence shall be constructed in any street or alley right-of-way.
- (9.) All fences must meet the intersection visibility requirements set forth in this Chapter.

M. Private Swimming Pools. Private swimming pools are permitted, subject to the following criteria

- (1.) The pool is intended to be used by the occupants of the principal use of the property on which it is located.
- (2.) It may be located only in the rear yard or side yard of the property on which it is an accessory use.
- (3.) Swimming pools, including any accessory structures adjacent thereto, shall not be located closer than ten (10) lineal feet to any property line of the property on which the swimming pools is located.
- (4.) No permanent swimming pool structure shall be permitted without an operable filtration system utilizing chlorine, bromine or some other antibacterial agent.
- (5.) Conventional wading pools less than the area and depth requirements of item above shall be exempt.
- (6.) All swimming pools shall comply with the requirements of the City's Building Code.

- (7.) No water from a pool shall be discharged directly onto or within twenty (20) lineal feet of any public right-of-way or adjacent property without the owner's consent.
- (8.) All on-site, outdoor lighting shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site.

N. **Tennis Courts:** Tennis courts are permitted subject to the following criteria.

- (1.) All tennis courts in residential zones shall include an open mesh permanent fence ten (10) feet in height behind each baseline. Such fence shall extend parallel to said baseline at least ten (10) lineal feet beyond the court's playing surface, unless the entire court is enclosed.
- (2.) All on-site, outdoor lighting shall be designed to prevent glare to adjoining properties by employing hooded, shielded, or screened fixtures that confine glare to the site.

§27-2004. Additional Supplemental Standards and Requirements for Temporary Uses.

- A. **Temporary Uses.** Only the following uses are permitted temporarily (from a period of one [1] up to six [6] weeks in one [1] calendar year):
 - (1.) Christmas tree sales in any zoning district.
 - (2.) Carnival, circus, street fairs or bazaar type events in any zoning district.
 - (3.) Mobile amusement and lighting equipment for promotion, advertisement and grand openings in commercial and industrial districts.

PART 21

NONCONFORMITIES

§27-2101. Continuation of a Nonconformities.

All lawful uses of land, buildings, signs, or other structures existing on the effective date of this Chapter, may be continued, altered, resorted, reconstructed, sold, or maintained in accordance with the provisions of this Chapter, even though such uses of land, buildings, signs, or other structures do not conform to the regulations established for the zoning district in which it is located.

§27-2102. Registration of Nonconformities.

- A. Nonconforming uses and structures may be reported to the Zoning Officer by the owner, user, lessor, or lessee, and be registered by the Zoning Officer within one (1) year of the effective date of this Chapter. The Zoning Officer, upon proof of a legal nonconformity, may certify the existence of the nonconforming uses and/or structures.
- B. Should a nonconforming use or building not be reported or identified within one (1) year, the owner of the nonconforming use or structure shall have the right to show by a preponderance of the evidence to the Zoning Officer that the use or building was nonconforming upon the effective date of this Chapter.

§27-2103. Change of Nonconforming Uses.

One (1) classification of nonconforming use cannot be changed to another less restrictive use classification. Use classification, as herein described shall mean the various zoning district classifications with residential-single-family being the most restrictive and industrial the least restrictive. For example, a nonconforming use may be changed to another nonconforming use of the same or more restricted classification, but only upon approval of a special exception by the Zoning Hearing Board in accordance with Part 23 of this Chapter. Before granting a special exception for the replacement of one (1) nonconforming use by another, the Zoning Hearing Board must determine that the proposed nonconforming use will have no more adverse effect upon adjacent property than the existing nonconforming use. In making this determination, the Board should consider particularly the effect upon adjacent property of the following:

- A. Signs and lighting.
- B. Extent and appearance of structures.
- C. Traffic generation and movement.
- D. Parking and loading.
- E. Emission of noise, odors, fumes, glare, vibration, smoke, vapors, gases, wastes or storm water runoff.
- F. Fire, explosion or other hazards.

§27-2104. Alterations to Nonconforming Buildings or Structures.

1. A nonconforming building or structure may be altered, improved or repaired provided the work does not exceed fifty (50) percent of the fair market value of the building or structure as determined by the most current assessment of the Clinton County Assessor or by a private real estate broker, whichever may be greater.
2. A nonconforming building or structure may be altered, improved or repaired in excess of fifty (50) percent of the fair market value of the building or structure, but not exceeding one hundred (100) percent of the fair market value as determined by the most current assessment of the Clinton County Assessor or by a private real estate broker, whichever may be greater. Any alteration which exceeds fifty (50) percent of the fair market value of the building shall be approved as a special exception by the Zoning Hearing Board upon a determination that the six (6) factors enumerated under §27-2103.A – F. have been met.
3. A nonconforming building or structure may be altered to the extent necessary if such alteration is intended and will result in the conversion to a conforming use.

§27-2105. Extension or Expansion.

1. The Zoning Hearing Board may authorize as a special exception the following types of extensions, expansions, or enlargements for nonconforming use and buildings existing on the effective date of this Chapter.
 - A. The extension of a nonconforming use of land upon a lot occupied by such use.
 - B. The extension or enlargement of a conforming building occupied by a nonconforming use.
 - C. The extension or enlargement of a nonconforming building occupied by a nonconforming use.
 - D. The extension or enlargement of a nonconforming building occupied by a conforming use.
2. In addition to the standards and procedures in Part 23 of this Chapter, regarding special exception, the applicant for the expansion or extension of nonconforming use must demonstrate compliance with the following:
 - A. **Expansion Confined to Lot.** That expansion of nonconformity be confined to the lot on which the use is located on the effective date of this Chapter. The total of all such expansions or extensions shall not exceed an additional fifty (50) percent of the actual area of those buildings, structures or land devoted to the nonconforming use, as they existed on the date on which such buildings, structures or land first became nonconformities. The applicant shall furnish conclusive evidence as to the extent of the nonconformity when it was created. The above maximum increase shall be measured in aggregate over the entire life of the nonconformity. All expansions of the nonconforming use and/ or building(s) that occurred since the use originally became nonconforming shall count toward the above maximum increase.
 - B. **Access, Parking and Loading.** Provision of access drives, off-street parking and off-street loading consistent with standards required by this Chapter for that newly expanded portion of the building or use.

- C. **Yards, Height and Building Area.** Provision of yards, building height and building area are consistent with the standards required for permitted uses in the zone in which the nonconforming use in question is located for that newly expanded portion of the building or use.
- D. **Appearance.** That appearance is harmonious with surrounding properties. This feature includes, but is not limited to, landscaping, enclosure of principal and accessory uses, height control, sign control, architectural control and maintenance in good condition of all improvements and open spaces.
- E. **Buffers and Screens.** Buffers and screens as necessary to adequately protect neighboring properties including, but not limited to, fences, walls, planting and open spaces.
- F. **Additional Requirements.** Such additional requirements as may be necessary to assure that the proposed expansion will not impair the use or development of neighboring properties.

§27-2106. Restoration.

A building, damaged by fire, explosion or other casualty, and which does not comply with the use, area or height regulations of this Chapter, shall not be restored, except in conformity with the regulations for the zoning district in which such building is located if said damage exceeds more than seventy five (75) percent of the building's fair market value (at the time of the damage) as determined by the most current assessment of the Clinton County Assessor or a private real estate broker, whichever may be greater. If said damage exceeds than seventy five (75) percent of the building's fair market value (at the time of damage) a variance may be issued by the Zoning Hearing Board provided the appropriate findings of facts are made as enumerated under Part 23 of this Chapter. Any nonconforming building properly authorized for reconstruction shall not exceed the height, area or volume of the original building. This provision shall not apply to buildings located in the any floodplain area as set forth in Part 15 of this Chapter regarding flood damage control standards. Any such buildings located in any floodplain area as set forth in Part 15 of this Chapter that are damaged by fire, explosion or other casualty shall be regulated under terms of Part 15 of this Chapter.

§27-2107. Repairs and Maintenance of Nonconformities.

- 1. Notwithstanding any of the above regulations, nothing in this Part shall be deemed to prevent normal maintenance and repair of any use or building, or the carrying out upon the issuance of a building permit of major structural alterations or demolitions in the interest of public safety. In granting such a building permit, the Code Enforcement Officer shall state the precise reason for such alterations.
- 2. Nothing in this Chapter shall prevent the strengthening or restoring to a safe condition of any portion of a building declared unsafe by a proper authority.

§27-2108. Abandonment and Discontinuance of Nonconformities.

- 1. A nonconforming use shall be presumed abandoned when operations associated with the nonconforming use have ceased by an apparent act or failure to act on the part of the tenant or owner to reinstate such use within one (1) year from the date the activity stopped and the use is not actively advertised for sale or lease. Such nonconforming use shall not thereafter be reinstated except in conformance with this Chapter.

2. A nonconforming building or land, which is actively marketed, but has not been sold or leased, shall not be considered abandoned. The applicant shall be responsible to provide evidence that the nonconformity was not abandoned.
3. Notwithstanding any other provision in this Chapter, a nonconforming use shall be considered abandoned when it has been replaced by a conforming use. No nonconforming use shall, if once changed into a conforming use, be changed thereafter to be a nonconforming use.

§27-2109. Unlawful Use Not Authorized.

Nothing in this Chapter shall be interpreted as authorization for or approval of the continuance of the illegal use of a structure or premises in violation of zoning controls in existence at the time of enactment of this Chapter.

§27-2110. District Changes.

Whenever the boundaries of a zoning district shall be changed so as to transfer an area from one (1) zoning district to another zoning district of a different classification, the foregoing provisions of this Part shall apply to any nonconforming uses existing therein.

§27-2111. Construction Approved Prior to Legal Enactment of Chapter.

Any permit issued prior to enactment of this Chapter shall remain valid and be subject to the usual provisions concerning the time period of validity for the permit and any rights to extend the permit for a lengthier time.

§27-2112. Nonconforming Lots of Record..

1. In any zoning district, a building or use of land for a permitted principal use and customarily accessory use permitted in the applicable zoning district may be erected or conducted on any single lot of record at the effective date of adoption or amendment of this Chapter. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership.
2. If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Chapter, and if all or part of the lots do not meet the requirements for lot width and area in the respective zoning district, the lands involved shall be considered to be an undivided parcel for the purpose of this Chapter, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this Chapter, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this Chapter.

PART 22

ADMINISTRATION AND ENFORCEMENT

§27-2201. Administration.

- A. The provisions of this Chapter shall be enforced by an agent, to be appointed by the City Council who shall be known as the Zoning Officer. The Zoning Officer may have designated an employee of the City of Lock Haven as his/her Assistant, who shall exercise all the powers of the Zoning Officer during the temporary absence or disability of the Zoning Officer.
- B. The duties of the Zoning Officer shall be:
1. Administer the Zoning Ordinance (this Chapter) in accordance with its literal terms;
 2. To receive, examine and process all applications and permits as provided by the terms of this Chapter. The Zoning Officer shall also issue zoning permits for special exception and conditional uses, or for variances after the same have been approved;
 3. To record and file all applications for zoning permits or certificates of occupancy, and accompanying plans and documents, and keep them for public record;
 4. To inspect properties to determine compliance with all provisions of this Chapter as well as conditions attached to the approval of variances, special exceptions, conditional uses and curative amendments;
 5. Determine the date before which steps for compliance must be commenced and the date before which the steps must be completed. The Zoning Officer shall determine an appropriate duration of time for compliance of the specified activity, not to exceed thirty (30) days. Extensions up to a total of 90 days from the date of receipt of the enforcement notice may be granted at the discretion of the Zoning Officer if applied for in writing;
 6. Upon the request of the City Council or the Zoning Hearing Board, present to such bodies facts, records, and any similar information on specific requests, to assist such bodies in reaching their decisions;
 7. To be responsible for keeping this Chapter and the Official Zoning Map up to date, including any amendments thereto;
 8. To revoke a permit or approval issued under the provisions of this Chapter in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based or for any other cause set forth in this Chapter, or otherwise permitted by law;
 9. To review proposed subdivisions and land developments for compliance with this Chapter; and
 10. To take enforcement actions as provided by the PA MPC, as amended.

§27-2202. Permits & Certificates.

- A. A Zoning Permit indicates that a zoning application complies with this Chapter to the best knowledge of the Zoning Officer or his/her designee. No zoning permit or certificate of use and occupancy shall be granted by him/her for any purpose except in compliance with the literal provisions of this Chapter. The Zoning Officer may be authorized to institute civil enforcement proceedings as a means of enforcement when acting within his/her scope of employment.
1. A Zoning Permit is required to be issued prior to the start of any of the following activities:
 - a. Erection, construction, movement, placement, razing, demolition, removal, alteration or expansion (vertical or horizontal) of a structure, building or sign;
 - b. Change of the type of use or expansion of the use of a structure or area of land
 - c. Creation of a new use
 - d. Demolition of a building
 - e. Other activities required to have a permit by this Chapter
 - f. The alteration or development of any improvement or unimproved real estate, including, but not limited to, mining, dredging, filling, grading, paving, excavation or drilling operations for underground utilities provided the final grade is not altered.
 - g. The erection or alteration of any signs specified in Part 17 of this Chapter;
 - h. No zoning permit shall be required for repairs or maintenance of any structure or land provided such repairs do not change the use or the exterior dimensions of the structure, or otherwise violate the provisions of this Chapter;
 2. The City of Lock Haven may, at its option, issue combined or separate Building Permits and Zoning Permits and/or may utilize a single or separate application for the permits.
 3. The only determination by the Zoning Officer that shall be official shall be a written determination after the Zoning Officer receives a duly submitted written official application.
 4. Such zoning permits shall be granted or refused within ninety (90) days from date of application.
 5. No zoning permit shall be issued except in conformity with:
 - a. All applicable regulations of this Chapter;
 - b. Any conditions imposed upon the site by the Zoning Hearing Board or the City Council; and
 - c. Any recorded subdivision or land development plan.
 6. In all instances in which the Zoning Officer expresses a reasonable doubt as to the ability of a proposed use to meet all of the above-described requirements, it will be

incumbent upon the applicant to furnish adequate evidence in support of his application. If such evidence is not presented, the zoning permit will be denied.

7. Application for a zoning permit shall be made by the Owner or Lessee of any building or structure, or the agent of either; provided, however, that if the application is made by a person other than the Owner or Lessee, it shall be accompanied by a written authorization of the Owner or the qualified person making the application, that the proposed work is authorized by this Owner. The full names and addresses of the Owner, Lessee, Applicant, and of the responsible officers, if the Owner or Lessee is a corporate body, shall be stated in the application.
8. The Zoning Officer may call upon other City of Lock Haven staff and/or municipal appointed consultants in the review of submitted materials for applications;
9. The Zoning Officer may revoke a permit or approval issued under the provisions of this Chapter in case of any false statement or misrepresentation of fact in the application or on the plans which the permit or approval was based or for any other cause set forth in this Chapter.
10. Where a zoning permit is required by this Chapter, but the work is commenced or changed prior to obtaining such permit, and after notice by the City of Lock Haven the fees set by ordinance or resolution of the City Council for such permit shall be doubled. The doubling of the permit fee shall be required to reflect the additional expense incurred by the City of Lock Haven resulting from the need to inspect the property, respond to any complaints, issue any enforcement notices and/or process the application as soon as it is received. The payment of such increased permit fee shall not relieve any person from complying with all requirements of this Chapter or any other applicable the City of Lock Haven ordinances or from any penalties or enforcement actions authorized by this Chapter.

11. Issuance of Permits

Upon receiving the application, the Zoning Officer shall examine the same within a reasonable time after filing. If the application or plans do not conform to the provisions of all pertinent local laws, he shall reject such application in writing, stating the reasons therefore. He shall inform the applicant of his right to appeal to the Zoning Hearing Board in the event such application is rejected. If satisfied that the proposed work and/or use conforms to the provisions of this Chapter and all laws and ordinances applicable thereto, and that the certificate of use and occupancy as required herein has been applied for, he shall issue a permit therefore as soon as practical but not later than ninety (90) days from receipt of the application.

12. Reconsideration of Application

An applicant whose request for a permit has been denied by the Zoning Officer may make a later application for a permit provided all deficiencies which were the basis for the prior denial of the permit have been eliminated. Additional fees may apply as set by the City Council.

13. Expiration of Zoning Permit

The permit shall expire after one (1) year from the date of issuance; provided, however, that the same may be extended one (1) time for one (1) additional year, upon written request by the applicant on a form provided by the City of Lock Haven.

14. Compliance with Chapter

The permit shall be a license to proceed with the work and should not be construed as authority to violate, cancel, or set aside any of the provisions of this Chapter, except as stipulated by the Zoning Hearing Board.

15. Compliance with Permit and Plot Plan

All work or uses shall conform to the approved application and plans for which the permit has been issued as well as the approved plot plan.

16. Display of Zoning Permit

All approved zoning permits shall be prominently displayed on the subject property during construction, renovation, reconstruction, repair, remodeling or the conduct of other site improvements. Such permit displays shall occur within five (5) days of permit issuance, or prior to the commencement of actual work on the site, whichever occurs first. Such permit display shall be continuous until the site receives its certificate of occupancy.

17. Inspections

Inspections of the property in question by the Zoning Officer or other duly appointed official may be required at various intervals during the construction process. By submitting an application for a zoning permit, the landowner authorizes the City of Lock Haven to perform such inspections as required.

§27-2203. Certificate of Use and Occupancy.

- A. It shall be unlawful to use and/or occupy any structure, sign, land area or portion thereof for which a Zoning Permit is required until a Certificate of Use and Occupancy for such activity has been issued by the Zoning Officer.
- B. The City of Lock Haven staff may permit the Zoning Permit application to serve as the application for the Certificate of Use and Occupancy.
- C. The Certificate of Use and Occupancy shall only be issued by the Zoning Officer if the Zoning Officer determines that the activity complies with this Chapter, to the best knowledge of the Zoning Officer.
- D. The applicant shall keep a copy of the Certificate of Use and Occupancy available for inspection.
- E. Upon request of the applicant, the Zoning Officer may issue a temporary Certificate of Use and Occupancy. Such temporary Certificate may permit as activity to occur in all or part of a structure before the entire work covered by the zoning permit has been completed.
 - 1. However, such temporary Certificate shall only be issued if the applicant proves to the Zoning Officer that the activity or occupancy can occur safely without endangering public health or safety.

2. The temporary Certificate shall establish in writing a maximum time period under which it is valid. A six (6) month maximum time period shall apply if not otherwise specified.
 3. Failure to receive a permanent Certificate of Use and Occupancy within such time period shall be a violation of this Chapter.
 4. The temporary Certificate may be conditioned upon compliance with certain specific requirements within certain time periods.
- F. The Zoning Officer shall inspect any structure, building, or sign within ten (10) days upon notification that the proposed work that was listed under a zoning permit has been completed and if satisfied that the work is in conformity and compliance with the work listed in the issued permit and all other pertinent laws, he shall issue a Certificate of Use and Occupancy for the intended use listed in the original application. Where a building permit is required under the City of Lock Haven Building Code, a certificate of use shall not be issued until a final inspection by the Building Code Official is complete and found to be satisfactory.

§27-2204. Sign Permit.

- A. A Sign Permit for a temporary or permanent sign may be issued by the Zoning Officer for signs in accordance with § 1709 of this Chapter.
- B. No permanent or temporary sign as described in this Chapter shall be erected until a permit therefore has been issued by the Zoning Officer, unless specified in Part 17 of this Chapter
- C. The party erecting a sign shall be the applicant for a sign permit. Application to the Zoning Officer shall be processed within 1 week upon receipt of the written request to erect a sign and payment of a fee is predetermined from a fee schedule adopted by the City Council; provided, the size and nature of the sign is in conformity with the provisions of this Chapter and all other effective and applicable ordinances. Refusal for a sign permit shall include a written statement to the applicant citing specific Sections of this Chapter containing the reasons for denial.

§27-2205. Temporary Uses and Structures Permit.

- A. A permit for a temporary or permanent use or structure may be issued by the Zoning Officer for any of the following:
 1. Customary, routine and accessory short-term special events including but not limited to:
 - a. Christmas tree sales in any zoning district;
 - b. Carnival, circus, street fairs or bazaar type events in any zoning district; and
 - c. Mobile amusement and lighting equipment for promotion, advertisement, and grand openings in non-residential zoning districts;
- provided that only a well-established nonprofit organization or a permitted place of worship proposing a temporary use demonstrates clearly that the proposed use will primarily serve a charitable, public service or religious purpose in order to be eligible

to receive approval for commercial-type activities in a district where a commercial use would not otherwise be permitted.

2. Temporary storage and office trailers that are necessary to serve on-site construction, while such construction is actively underway;
 3. Such other activities that the applicant proves are routine, customary and temporary.
- B. The Zoning Officer may require reasonable safeguards to be made so that the temporary use or structures does not endanger the health, safety and welfare of the public.
- C. Time Period
- The Zoning Officer shall state a reasonable maximum time period on the temporary permit. If no time limit is stated, then a six (6) week maximum period shall apply. A temporary permit may be renewed for a maximum of two (2) additional weeks during any one (1) calendar year for just cause, unless otherwise specified in this Chapter.
- D. There shall be no fee required.

§27-2206. Types of Uses.

- A. Permitted By Right Uses.

The Zoning Officer shall issued a zoning permit under this Chapter in response to an application for a use that is “permitted by right” if it meets all of the requirements of this Chapter.

- B. Special Exception Use.

A zoning permit under this Chapter for a use requiring a Special Exception Permit shall be issued by the Zoning Officer only in response to a written approval by the Zoning Hearing Board, following a hearing, and compliance with any conditions by the Zoning Hearing Board and any conditions required by this Chapter.

- C. Conditional Use.

A zoning permit under this Chapter for a use requiring a Conditional Use Permit shall be issued by the Zoning Officer only in response to a written approval by the City Council, following a hearing, and compliance with any conditions by the City Council and any conditions required by this Chapter.

- D. Application Requiring a Variance.

A permit under this Chapter for a use requiring a Variance shall be issued by the Zoning Officer only in response to a written approval by the Zoning Hearing Board, following a hearing, and compliance with any conditions by the Zoning Hearing Board.

§27-2207. Applications for Zoning Permits.

- A. Submittal.

All applications for a Zoning Permit shall be made in writing on a form provided by the City of Lock Haven. Such completed application, with required fees, shall be submitted to the Zoning Officer.

B. Site Plan.

The applicant shall submit a minimum of two (2) copies of a site plan with the application if the application involves a new principal building, expansion of a principal building or addition of three (3) or more parking spaces. The site plan shall be drawn to scale and show the following:

1. Locations, dimensions and uses of existing and proposed structures, parking and loading areas, and location of existing and proposed uses of areas of land, with existing features clearly distinguished from proposed features.
2. Notes showing the dimensions of all buildings from lot lines and street rights-of way.
3. Location of any watercourses and any one hundred (100) year floodplain.
4. Proposed lot areas, lot widths and other applicable dimensional requirements.
5. Locations and widths of existing and proposed sidewalks.

C. Additional Information.

Any application under this Chapter shall include the following information, unless the Zoning Officer determines such information is unnecessary to determine compliance with this Chapter:

1. Address of the lot.
2. Name and address of the applicant, and of the owner of the property if different from the applicant.
3. Description of the proposed use of the property.
4. All other applicable information listed on the official the City of Lock Haven application form.
5. Such additional information that the Zoning Officer may determine is reasonably necessary to determine compliance with this Chapter.
6. Applications for Zoning Permits in All Residential and the CBD Zoning Districts

In addition to the information, required in §27-2207 of this Chapter, applications for the construction of new principal buildings or additions / alterations to existing principal buildings in all residential and the CBD zoning districts shall be submitted with the following information:

- a. A complete set of calculations (i.e. averages of heights, setbacks, etc.) used to determine and demonstrate compliance with all applicable standards set forth in the Dimensional Requirements of Parts 4 – 8 of this Chapter.
- b. A schematic architectural drawing of the principal building's front façade.

D. Application for Zoning Permits for Uses in All Commercial and Industrial Zones (excluding demolition permits) shall include the following:

1. A location plan showing the tract to be developed, zone boundaries, adjoining tracts, significant natural features, and streets for a distance of two hundred (200) lineal feet from all tract boundaries;
2. A plot plan certified by a professional surveyor or engineer of the lot showing the location of all existing and proposed buildings, driveways, parking lots showing access drives, circulation patterns, curb cut accesses, parking stalls, access from streets, screening fences and walls, waste disposal fields or other methods of sewage disposal, other construction features on the lot, and the location of all topographical features;
3. A description of the operations proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, vibration, fire hazards, safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation;
4. Evidence that the disposal of materials and wastes will be accomplished in a manner that complies with State and Federal regulations. Such evidence shall, at a minimum, include copies of contracts with waste haulers licensed to operate within the City of Lock Haven which have been contracted to dispose of the materials used and wastes generated on-site. The zoning permit shall remain valid only so long as such contracts remain in effect and all materials and wastes are properly disposed of on a regular basis. Should the nature of the use change in the future such that the materials used or wastes generated change significantly, either in type or amount, the owner shall so inform the Zoning Officer, and shall provide additional evidence demonstrating continued compliance with the requirements of this section;
5. Engineering plans for the handling of traffic, noise, glare, air pollution, water pollution, vibration, fire hazards, or safety hazards, smoke, or emission of any potentially harmful or obnoxious matter or radiation;
6. Designation of the manner by which sanitary sewage and storm water shall be disposed and water supply obtained;
7. The proposed number of shifts to be worked and the maximum number of employees on each shift;
8. Where use by more than one (1) firm is anticipated, a list of firms which are likely to be located in the center, their floor area, and estimated number of employees; and
9. Submission, approval and recordation of a Subdivision or Land Development plan, as required.

E. Areas Subject to Flooding.

If the proposed development, excavation or construction is located within an area subject to regulation by Part 15 of this Chapter Flood Damage Control Standards Overlay, the following information is specifically required to accompany all applications, as prepared by a licensed professional:

1. The accurate location and elevation of the 100 year floodplain and floodway.

2. The elevation, in relation to the datum referenced on the effective maps, of the lowest floor, including basements.
3. The elevation, in relation to the datum referenced on the effective maps, to which all structures and utilities will be flood-proofed or elevated.
4. Where floodproofing is proposed to be utilized for a particular structure, the zoning permit application shall be accompanied by a document certified by a licensed professional engineer registered by the Commonwealth of Pennsylvania, or a licensed professional architect registered by the Commonwealth of Pennsylvania certifying that the flood-proofing methods used meet all applicable codes and ordinances.

F. City of Lock Haven Building Code.

Where the proposed use is regulated under the City of Lock Haven Building Code, the applicant shall submit an application of building permit concurrently with the zoning permit. A zoning permit will not be issued until satisfactorily meeting the requirements of the City of Lock Haven Building Code.

G. Submittals for Special Exception or Conditional Uses.

In addition to the information listed above, an application for a Special Exception or Conditional Use requiring a site plan and action by the Zoning Hearing Board or City Council shall also include the following information, unless the Zoning Officer determines that such information is not necessary to determine compliance with this Chapter:

1. Present zoning district and major applicable lot requirements.
2. For non-residential use:
 - a. Description of the proposed non-residential operations and storage in sufficient detail to indicate potential nuisances and hazards regarding noise, large truck traffic, glare, odors, dust, fire or toxic or explosive hazards or other significant public health and safety hazards.
 - b. Maximum hours of operation.
3. Existing directions of stormwater flow (and any proposed revisions) and any proposed methods of stormwater management.
4. Listing of any sections of this Chapter from which a Variance is being requested.
5. Approximate locations of principal buildings and locations of streets and alleys and zoning district boundaries within one hundred (100) lineal feet of the boundaries of the tract, and description of uses of adjoining properties (such as “funeral home” or “single-family detached dwelling”).
6. Heights, locations, methods of illumination and intensity of exterior lighting and sign lighting.
7. Name and address of person who prepared the site plan.
8. Signed acknowledgement of the site plan by the applicant.

9. Such additional information required under applicable sections of this Chapter.

§27-2208. Issuance of Permits.

- A. At least one (1) copy of each zoning permit application and any other zoning approvals shall be retained in the City of Lock Haven files.
- B. PennDOT Permit

Where necessary for access onto a State road, a City of Lock Haven zoning or building permit shall be automatically conditioned upon issuance of a PennDOT Highway Occupancy Permit.

§27-2209. Revocation of Permits; Appeal of Permit or Approval.

- A. Revocation.

The Zoning Officer shall revoke, withhold or suspend a permit or approval issued under the provisions of this Chapter in the case of one (1) or more of the following:

1. Any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based. (Note: The Pennsylvania Criminal Code provides for penalties for providing false information to a municipal employee in the carrying out of his/her duties).
2. Upon violation of any condition lawfully imposed by the Zoning Hearing Board for a Special Exception Use or a Variance.
3. Upon violation of any condition lawfully imposed by the City Council for a Conditional Use.
4. Any work being accomplished or use of land or structures in such a way that does not comply with this Chapter or an approved site plan or approved permit application.
5. Any other just cause set forth in this Chapter.

- B. Appeals

A party with legitimate standing, or as otherwise provided by State law, may appeal decisions made under this Chapter within the provisions of the PA MPC. Such appeal shall occur within the time period established by the MPC.

§27-2210. Compliance with the City of Lock Haven Subdivision and Land Development Ordinance.

- A. If an application under this Chapter would also be regulated by the City of Lock Haven Subdivision and Land Development Ordinance (“SALDO”) Chapter 22, then any permit or approval under this Chapter shall automatically be conditioned upon compliance with the SALDO.
1. For example, if an applicant applies for a permit for a single-family detached dwelling on a proposed new lot, the construction permit for such dwelling shall not be valid

until after the lot is granted final subdivision and land development approval and the lot is officially recorded by the Clinton County Recorder of Deeds.

§27-2211. General Procedure for Permits.

- A. After receiving a proper application, the Zoning Officer shall either:
 - 1. issue the applicable permit(s); or
 - 2. deny the application(s) as submitted, indicating one (1) or more reasons in writing to the applicant.
- B. After the permit under this Chapter has been issued, the applicant may undertake the action specified in the permit, in compliance with other City of Lock Haven ordinances. However, it is recommended that applicants wait 30 days to begin construction if there is a possibility of an appeal by another party to have the permit revoked. Any commencement of construction or a use within this thirty (30) day appeal period shall be at the risk of the applicant.

§27-2212. Enforcement, Violations and Penalties.

All of the enforcement, violations and penalty provisions of the PA MPC, are hereby incorporated into this Chapter by reference.

A. Violations.

Any person who shall commit or who shall permit any of the following actions violates this Chapter:

- 1. Failure to secure a Zoning Permit prior to a change in use of land or structure, or the erection, construction or alteration of any structure or portion thereof, or the excavation of land to prepare for the erection, construction or alteration of any structure or portion thereof.
- 2. Placement of false statements on or omitting relevant information from an application for a Zoning Permit.
- 3. Undertaking any action in a manner which does not comply with an approved Zoning Permit.
- 4. Violation of any conditions imposed by a decision of the Zoning Hearing Board in granting a Variance, Special Exception or other approval.
- 5. Violation of any condition imposed by a decision of the City Council in granting a Conditional Use.

B. Causes of Action; Enforcement; Remedies

- 1. Enforcement.

If it appears to the City of Lock Haven that a violation of this Chapter has occurred, the City of Lock Haven shall initiate enforcement proceedings by sending an enforcement

notice. Prior to sending an official enforcement notice, the Zoning Officer may at his/her option informally request compliance.

2. 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 that parcel, and to any other person requested in writing by the owner of record. An enforcement notice shall state the following, at minimum:

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

3. Evidence & Fees.

In any appeal of an enforcement notice to the Zoning Hearing Board, the City of Lock Haven shall have the responsibility of presenting its evidence first. Any filing fees paid by a party to an appeal to an enforcement notice to the Zoning Hearing Board shall be returned to the appealing party by the City of Lock Haven if the Zoning Hearing Board, or any court in a subsequent appeal, rules in the appealing party's favor.

4. Cause of Action.

If the enforcement notice is not complied with, within the specified time period, the Zoning Officer, City Solicitor, or other officer of the City of Lock Haven may notify the City Council. With the consent of the City Council, the City of Lock Haven Solicitor or other officer of the City of Lock Haven 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.

5. Violations and Penalties.

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Chapter shall, upon being found liable therefore in a civil enforcement proceeding commenced by the City of Lock Haven, pay a judgment of not more than five hundred dollars (\$500) plus all court costs, including the reasonable

attorney's fees incurred by the City of Lock Haven as a result thereof. No judgment shall commence or be imposed, levied or be 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 City of Lock Haven may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless a 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 Chapter to have believed that there was no such violation, in which event there shall be deemed to have been only one (1) such violation until the fifth day following the date of the determination by the District Justice, and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney's fees collected for the violation of this Chapter shall be paid over to the City of Lock Haven. Imprisonment shall not be authorized by this Chapter.

§27-2213. Fees.

A. Determination.

The City Council may, by resolution, establish fees for the administration of this Chapter. All fees shall be determined by a schedule that is made available to the general public. The City Council may reevaluate the fees schedule and make necessary alterations to it. Such alterations shall not be considered an amendment to this Chapter and may be adopted at any public meeting of the City Council.

§27-2214. Amendments.

A. Power of Amendment.

The City Council may from time to time, amend, supplement, change or repeal this Chapter including the Official Zoning Map. Any amendment, supplement, change or repeal may be initiated by the City Planning Commission, the City Council or by a petition to the City Council by an interested party.

B. Hearing and Enactment Procedures for Zoning Amendments:

1. **Public Hearing.** Before hearing and enacting Zoning Ordinance and/or Zoning Map amendments, the City Council shall conduct a public hearing to inform the general public of the nature of the amendment, and to obtain public comment. Such public hearing shall be conducted after public notice (as defined herein and listed below) has been given.
2. **Public Notice.** Before conducting a public hearing, the City Council shall provide public notice as follows:
 - a. Notice shall be published once each week for two (2) successive weeks in a newspaper of general circulation in City. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days, and the second publication shall not be less than seven (7) days from the date of the hearing. Publication of the proposed amendment shall include either the full text thereof or the title and brief summary, prepared by the municipal solicitor and setting forth all the provisions in reasonable detail.

- b. For Zoning Map amendments, public notice shall also include the posting of a sign at conspicuous locations along the perimeter of the subject property; these sign(s) shall be posted at least one (1) week prior to the hearing and will exhibit the nature, date, time, municipality, location of the hearing.
- c. In addition to the requirement, that notice be posted on the subject property, where the proposed amendment involves a zoning map change, notice of the public hearing shall be mailed by City 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 real property located within the area being rezoned, as evidenced by tax records within the possession of City. The notice shall include the location, date and time of the public hearing. The provisions of this section shall not apply when the rezoning constitutes a comprehensive rezoning.
- d. For curative amendments, public notice shall also indicate that the validity of the Chapter and/or map is in question, and shall give the place where and the times when a copy of the request including any plans, explanatory material or proposed amendments may be examined by the public.,
- e. If, after any public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the City Council shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

3. Enactment Notice.

In addition to the public notice requirements defined herein, the City Council must publish a reference to the time and place of the meeting at which passage of the Chapter or amendment will be considered, and a reference to a place within City where copies of the proposed Chapter or amendment may be examined without charge, or obtained for a charge not greater than the cost thereof. Enactment notice shall be published at least once in one (1) newspaper of general circulation in City not more than sixty (60) days nor less than seven (7) days prior to passage. The published content of the enactment notice shall be the same as that required for public notice described in the preceding subsection.

4. City Planning Commission Referrals.

For amendments proposed by parties other than the City Planning Commission, the City Council shall submit each amendment at least thirty (30) days prior to public hearing to the City Planning Commission for review and comment. The City Planning Commission shall submit a report of its review, together with any recommendations, to the City Council within forty-five (45) days from the date of said referral. The recommendation of the City Planning Commission may include a specific statement as to whether or not the proposed amendment is in accordance with the intent of this Chapter and any officially adopted Comprehensive Plan of City. The City Council cannot act upon the amendment until it has received a recommendation from the City Planning Commission; however, should the City Planning Commission fail to submit its recommendation within forty-five (45) days, the City Council may proceed without its recommendation.

5. Clinton County Planning Commission Referrals.

All proposed amendments shall be submitted to the Clinton County Planning Commission at least thirty (30) days prior to public hearing on such amendments. The Clinton County Planning Commission may submit recommendations to the City Council within forty-five (45) days of such referral. The City Council cannot act upon the amendment until it has received a recommendation from the Clinton County Planning Commission; however, should the Clinton County Planning Commission fail to submit its recommendation within forty-five (45) days, the City Council may proceed without its recommendation.

6. Adjournment of Public Hearing.

If during the public hearing process, the City Council needs additional time to understand the proposal, inform the public, receive public comment, and/or render a decision, it may adjourn the public hearing to a specific time and place.

7. Within thirty (30) days after enactment, a copy of the amendment to this Chapter shall be forwarded to the Clinton County Planning Commission.

C. Amendment Initiated by the City Planning Commission.

When an amendment, supplement, change or repeal is initiated by the City Planning Commission, the proposal shall be presented to the City Council which shall then proceed in the same manner as with a petition to the City Council which has already been reviewed by the City Planning Commission.

D. Amendment Initiated by the City Council.

When an amendment, supplement, change or repeal is initiated by the City Council, such amendment, supplement, change or repeal shall follow the procedure prescribed for a petition under §2214.B. of this Chapter.

E. Amendment Initiated by a Petition from an Interested Party.

A petition for amendment, supplement, change or repeal for a portion of this Chapter shall include an accurate legal description and surveyed plan of any land to be rezoned, and all of the reasons supporting the petition to be considered. The petition shall also be signed by at least one (1) record owner of the property in question whose signature shall be notarized attesting the truth and correctness of all the facts and information presented in the petition. A fee to be established by City Council shall be paid upon the filing of such petition for change and for the purpose of defraying the costs of the proceedings prescribed herein. The City Council may require duplicate sets of petition materials.

F. Curative Amendment by a Landowner.

A landowner, who desires to challenge on substantive grounds the validity of this Chapter or the Official 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 City Council, including all of the reasons supporting the request to be considered, with a written request that his challenge and proposed amendment be heard and decided as provided in the PA MPC. The City Council shall commence a hearing thereon within sixty (60) days of the request. The curative amendment shall be referred to the Clinton County Planning Commission as provided for in § 2214.B. of this Chapter and public notice of the hearing shall be provided as defined herein.

1. In reviewing the curative amendment, the City Council may deny the request, accept the request as submitted, or may adopt an alternative amendment which will cure the challenged defects. The City Council shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider.
 - a. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.
 - b. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the Chapter or map.
 - c. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodland, wetlands, floodplains, aquifers, natural resources and other natural features.
 - d. The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts.,
 - e. The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.
2. The City Council shall render its decision within forty-five (45) days after the conclusion of the last hearing.
3. If the City Council fails to act on the landowner's request within the time limits referred to above, a denial of the request is deemed to have occurred on the forty-sixth (46th) day after the close of the last hearing.
4. Public notice of the hearing shall include notice that the validity of the Chapter or Zoning Map is in question and shall give the place where and the times when a copy of the request including any plans, explanatory material or proposed amendments may be examined by the public.
5. The challenge shall be deemed denied when:
 - a. The City Council fails to commence the hearing within sixty (60) days.
 - b. The City Council notified the landowner that it will not adopt the curative amendment.
 - c. The City Council adopts another curative amendment which is unacceptable to the landowner. or
 - d. The City Council fails to act on the request forty-five (45) days after the close of the last hearing on the request, unless the time is extended by mutual consent by the landowner and municipality.
6. Where, curative amendment proposal is approved by the grant of a curative amendment application by the City Council pursuant to this section or a validity challenge is sustained by the Zoning Hearing Board or the court acts finally on appeal

from denial of a curative amendment proposal or a validity challenge, and the proposal or challenge so approved requires a further application for subdivision or land development, the developer shall have two (2) years from the date of such approval for a subdivision, land development or planned residential development. Within the two (2) year period, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. Upon the filing of the preliminary or tentative plan, the provisions of the PA MPC shall apply.

7. Where the proposal appended to the curative amendment application or the validity challenge is approved but does not require further application under the City of Lock Haven Subdivision and Land Development Ordinance, the developer shall have one (1) year within which to file for a zoning permit. Within the one (1) year period, no subsequent change or amendment in the zoning, subdivision or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of applicant as granted in the curative amendment or the sustained validity challenge. During these protected periods, the court shall retain or assume jurisdiction for the purposes of awarding such supplemental relief as may be necessary.

G. Curative Amendment by the City Council

1. The City Council, by formal action, may declare this Chapter or portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within thirty (30) days following such declaration proposal, the City Council shall:
 - a. By resolution, make specific findings setting forth the declared invalidity of the Chapter or portions thereof which may include:
 - (1) references to specific uses which are either not permitted or not permitted in sufficient quantity;
 - (2) references to a class of use or uses which require revision; or
 - (3) references to the entire Chapter which requires revisions.
 - b. Begin to prepare and consider a curative amendment to the Chapter to correct the declared invalidity.
2. Within one hundred eighty (180) days from the date of the declaration and proposal, the City Council shall enact a curative amendment to validate or reaffirm the validity of this Chapter pursuant to the provisions required by the PA MPC in order to cure the declared invalidity of the Chapter.
3. Upon the date of the declaration and proposal, the City Council shall not be required to entertain or consider any curative amendment filed by a landowner. Nor shall the Zoning Hearing Board be required to give a report, upon request, for a challenge to the validity of the Chapter subsequent to the declaration and proposal, based upon the grounds identical to or substantially similar to those specified in the resolution required by this Section. Upon the enactment of a curative amendment to, or the reaffirmation of the validity of this Chapter, no rights to a cure by amendment or challenge shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the

substantive invalidity of the City of Lock Haven Zoning Ordinance for which the City Council propose to prepare a curative amendment.

4. The City Council, having utilized the procedures as set forth in this Section, may not again utilize said procedures for a thirty-six (36) month period following the date of the enactment of a curative amendment, or reaffirmation of the validity of the Chapter; provided however, that if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon City by virtue of a decision by any Court of competent jurisdiction, the City Council may utilize the provisions of this Section to prepare a curative amendment to the Chapter to fulfill this duty or obligation.

H. Authentication of Official Zoning Map.

Whenever there has been a change in the boundary of a zone or a reclassification of the zone adopted in accordance with the above, the change on the Official Zoning Map shall be made, and shall be duly certified by the City Clerk / Manager and shall thereafter be refilled as part of the permanent records of City.

§27-2215. Conditional Uses.

The City Council shall hear and decide requests for Conditional Use upon application as provided for and following the procedures set forth in this Section of this Chapter and subject to all applicable requirements, including but not limited to:

A. General Criteria.

Each applicant must demonstrate compliance with the following:

1. The proposed use shall be consistent with the purpose and intent of this Chapter.
2. The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties.
3. The proposed use will not effect a change in the character of the subject property's neighborhood.
4. Adequate public facilities are available to serve the proposed use (e.g. schools, fire, police and ambulance protection, sewer, water, and other utilities, vehicular access, etc.).
5. The proposed use complies with Part 15 of this Chapter regarding flood damage control standards;
6. The proposed use shall comply with those criteria specifically listed in Part 20 of this Chapter. In addition, the proposed use must comply with all other applicable regulations of this Chapter.
7. The proposed use will not substantially impair the integrity of the City of Lock Haven Comprehensive Plan.

B. Filing of Conditional Use.

In addition to the information required on the zoning permit application, the Conditional Use application must show:

1. Ground floor plans and elevations of proposed structures.
2. Names and addresses of adjoining property owners including properties directly across a public right-of-way.
3. A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Chapter.
4. A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Chapter.

C. Referral to City Planning Commission.

All applications for a conditional use shall be referred to the City of Lock Haven Planning Commission at least thirty (30) days prior to the hearing held upon an application to provide the City Planning Commission an opportunity to submit recommendations. However, the City Council shall meet the time limits for a decision provided in this Part, regardless of whether the City Planning Commission has provided comments.

D. Conditions.

The City Council in approving Conditional Use applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. These conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions shall constitute a violation of this Chapter.

E. Site Plan Approval.

Any site plan presented in support of the Conditional Use shall become an official part of the record for said Conditional Use. Approval of any Conditional Use will also bind the use in accordance with the submitted site plan; therefore, should a change in the site plan be required as part of the approval of the use, the applicant shall revise the site plan prior to the issuance of a zoning permit. Any subsequent change to the use on the subject property not reflected on the originally approved site plan shall require the obtainment of another Conditional Use approval.

F. Hearing Procedures.

The hearing shall be conducted by the City Council or the City Council may appoint any member or an independent attorney as a hearing officer. The decision, or, where there is no decision, the findings shall be made by the City Council. However, the appellant or the applicant, as the case may be, in addition to City, may, prior to the decision of the hearing, waive decision or findings by the City Council and accept the decision or findings of the hearing officer as final.

G. Application.

1. All action before the City Council shall be initiated by a written application for hearing which shall be filed with the Zoning Officer at least three (3) weeks prior to the meeting at which time the matter is to be heard along with all maps, plans and text which may be relevant to the request. All applications shall be made on forms specified by the City

Council. No application shall be accepted unless the same shall be fully and legibly completed and unless all exhibits and supplemental material required by the application shall be attached and until all fees required shall have been paid.

2. The Zoning Officer shall transmit the request and any information received therewith, along with his file on said issue forthwith to the City Council.

H. Fees.

The City Council may prescribe reasonable fees with respect to hearings before the City Council. Fees for said hearings may include compensation for the secretary, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the City Council, expenses for engineering, architectural or other technical consultants or expert witness costs.

I. Hearing Schedule.

The City Council may conduct hearings and make decisions at any regular or special meeting. In no instance will a hearing be scheduled later than sixty (60) days from the date of the applicant's request for a hearing, unless the applicant has agreed in writing to an extension of time.

J. Notification of Hearing.

1. Whenever a hearing has been scheduled, public notice shall be given to the general public by means of publication once each week for two (2) successive weeks in a newspaper of general circulation within the community. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days prior to the date of the hearing.
2. Written notice shall be given to the applicant, the City Planning Commission, the Zoning Officer and to any person who has made timely request for such notice.
3. In addition to the notice provided herein, the Zoning Officer shall conspicuously post notice of said hearing on the affected tract of land no less than seven (7) days prior to the date of the hearing.
4. The applicant shall, at least 5 days prior to the time appointed for said hearing, give personal notice to all owners of property within two hundred (200) lineal feet of the affected property by either handing a copy thereof to the said property owner(s) or by leaving a copy at their usual place of abode or by sending written notification by certified mail/return receipt requested to the last known address of the property owner(s).
 - (1) Where the owner(s) are a partnership, service upon any partner as above provided shall be sufficient, and where the owner(s) are corporations, service upon any officer as above set forth, shall be sufficient.

K. Conduct of Hearing. The hearing shall be conducted by the City Council. The decision, or where no decision is called for, the findings, shall be made by the City Council; however, the appellant or the applicant, as the case may be, in addition to the City, may, prior to the decision of the hearing, waive decision or findings by the City Council and accept the decision or findings of the hearing as final.

1. Order of Hearing.

- A. Hearing called to order.
- B. Chairman's statement of reason for hearing.
- C. Chairman's statement of parties to hearing.
- D. Identification of other parties wishing to be heard.
- E. Outline of procedures to be followed during hearing.
- F. Applicant's presentation of their case.
 - (1) Objectors cross-examine applicant's witnesses.
 - (2) City Council cross-examines applicant's witnesses.
- G. Statement of the Zoning Officer.
 - (1) Applicant's cross-examination.
 - (2) Objector's cross-examination.
 - (3) City Council's cross-examination.
- H. Objector's presentation of their case.
 - (1) Applicant cross-examines objector's witnesses.
 - (2) City Council cross-examines objector's witnesses.
- I. Other testimony and evidence.
- J. Rebuttal by applicant.
- K. Rebuttal by objectors.
- L. Concluding remarks and notice of when decision is expected to be made.
- M. Adjournment of hearing.

2. Record.

The City Council shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the City Council. A transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost. The cost of the original transcript shall be paid by the City Council if the transcript is ordered by the City Council or shall be paid by the person appealing from the decision of the City Council 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

3. Parties.

The parties to the hearing shall be the City, any person affected by the application who has made timely appearance of record before the City Council and any other person, including civic or community organizations permitted to appear by the City Council. All persons who wish to be considered parties shall enter appearances, in writing, on forms provided by the City Council for that purpose. Persons aggrieved shall not be denied standing because they do not reside nor have a property interest within the municipal boundaries.

4. Representation.

All parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument, and to cross-examine adverse witnesses on all relevant issues.

5. Witnesses.

All witnesses shall testify under oath. The chairman or acting chairman of the City Council 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.

6. Evidence.

The City Council shall not be bound by strict rules of evidence, but it may exclude irrelevant, immaterial, incompetent or unduly repetitious testimony or evidence. The Chairman shall rule on all questions relating to the admissibility of evidence, which may be overruled by a majority of the City Council.

7. Communication.

The City Council 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, shall not take notice of any communication, reports, staff memoranda or other materials, except advice from the City Solicitor, 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.

8. Decisions.

- A. The City Council shall render a written decision or when no decision is called for, make written findings within forty five (45) days after the last hearing before the City Council. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with reasons therefore. Conclusions based on any provisions of this Chapter or the MPC 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.
- B. The City Council shall conduct its deliberations and vote on all matters in public session at the meeting in which evidence is concluded. If additional time for deliberation is necessary, the City Council shall reschedule the deliberations to a date within the allotted forty five (45) day time limit.

- C. All matters shall be decided by a roll call vote. Decisions on any matter before the City Council shall require the affirmative vote of those present and voting unless otherwise specified herein.
- D. No member of the City Council shall sit in hearing or vote on any matter in which he is personally or financially interested. Said member shall not be counted by the City Council in establishing the quorum for such matters.
- E. No member of the City Council shall vote on the adjudication of any matter unless he has attended the public hearing thereon.
- F. A tie vote shall be considered a rejection of the application under consideration. However, if a person aggrieved has appealed the grant of a permit or approval, a tie vote upholds the prior approval.
- G. 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 next business day following its date. To all other persons who have filed their name and address with the City Council not later than the last day of the hearing, the City Council shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

9. Continuances.

On its own motion, or by any party to the proceeding or on approval of requests by applicant, appellants or their authorized agents, the City Council may provide for continuances of cases on which hearings have begun. Such continuances shall be permitted only for good cause, stated in the motion and, unless time and place is stated, shall require new public notice, with fees paid by applicants or appellants if continuances are at their request or result from their actions. A notice of the place, date and time of the continued hearing shall also be posted prominently at the municipal office where the hearing will be continued.

10. Failure to Hold Hearing or Render Decision.

Where the City Council fails to render a decision within the period required, or fails to hold a hearing within the period required, the decision shall be deemed to have been rendered in favor of the applicant unless otherwise specified in the MPC. However, failure to act on a validity challenge results in a deemed denial. When a decision has been rendered in favor of the applicant because of the failure of the City Council to meet or render a decision, the City Council shall give public notice of deemed approval within ten (10) days from the last day it could have met to render a decision in the same manner as in subsection (4) herein above.

L. Time Limitation

- 1. If a Conditional Use is granted, the necessary permit shall be secured and the authorized action begun within two (2) years after the date when the Conditional Use is finally granted, and the building or alteration, as the case may be, shall be completed within three (3) years of said date. For good cause, the City Council may at any time, upon application in writing, extend either of these deadlines.

2. Should the appellant or applicant fail to obtain the necessary permits within said two (2) year period, or having obtained the permit should he fail to commence work thereunder within such two (2) year period, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his application, and all approvals and permits granted to him shall be deemed automatically rescinded by the City Council.
3. Should the appellant commence construction or alternation within said two (2) year period, but should he fail to complete such construction or alteration within said three (3) year period, the City Council may, upon ten (10) days notice in writing, rescind or revoke the granted Conditional Use, if the City Council finds that no good cause appears for the failure to complete within such three (3) year period, and if the City Council further finds that conditions have altered or changed in the interval since the granting of the Conditional Use that revocation or rescission of the action is justified.
4. As an alternative to the preceding, an applicant can request, as part of the original application before the City Council the granting of a timetable associated with the request which would supersede the deadlines imposed in this Part. In so doing, the applicant must demonstrate that the times requested are logically related to normal and expected progress of the project. In approving a timetable under this section, the City Council must establish and bind a definite time frame for (1) issuance of a zoning permit, and (2) completion of construction of the project.

PART 23

ZONING HEARING BOARD

§27-2301. Creation and Appointment.

A. Zoning Hearing Board Members

A Zoning Hearing Board is hereby created, which Board shall have all of the powers and duties as set forth in the MPC or this Chapter. The membership of said Board shall consist of five residents of the City appointed by City Council. The terms of office of each member of the Board shall be five (5) years and shall be so fixed that the term of office of one member of the Board shall expire each year. The Board shall promptly notify City Council of any vacancies which occur. Appointment to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other office (including appointed or elected) in the City, including membership on the Planning Commission and Zoning Officer.

B. Alternate Members

The City Council may appoint by resolution at least one but no more than three (3) residents of the City to serve as alternate members of the Zoning Hearing Board. The term of office of an alternate member shall be five (5) years. When seated in accordance with §2303.B of this Chapter, an alternate shall be entitled to participate in all proceedings and discussions of the Zoning Board to the same and full extent as provided by law for Zoning Hearing Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth on this Chapter and otherwise provided by law. Alternates shall hold no other office in the City, including membership on the Planning Commission and Zoning Officer. Any alternate may participate in any proceeding or discussion of the Zoning Board but shall not be entitled to vote as a member of the Zoning Board nor be compensated pursuant to §2304.B. of this Chapter unless designated as a voting alternate member pursuant to §2303.B. of this Chapter.

§27-2302. Removal of Members.

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

§27-2303. Organization of Zoning Hearing Board.

- A. The Zoning Hearing 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 and the taking of any action, a quorum shall be not less than a majority of all members of the Zoning Hearing Board, but the Zoning Hearing 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 Zoning Hearing Board as provided in Article IX, §908 of the MPC.

- B. If, by reason of absence or disqualification of a member, a quorum is not reached, the chairman of the Board shall designate as many alternate members of the Board to sit on the Board as may be needed to provide a quorum. Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final determination of the matter or case. Designation of an alternate pursuant to this Section shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.
- C. The Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the City and laws of the Commonwealth. The Board shall keep full public records of its business, which records shall be the property of the City, and shall submit a report of its activities to City Council as requested by City Council.

§27-2304. Expenditures For Services.

- A. The City Council shall make provision in its budget for appropriate funds for the operation of the Zoning Hearing Board. Within the limits of funds appropriated by the City Council, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services.
- B. Members of the Zoning Hearing Board may receive compensation for the performance of their duties, as may be fixed by the City Council, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the City Council. Alternate members of the Board may receive compensation, as may be fixed by the City Council, for the performance of their duties when designated as alternate members § 2303.B of this Chapter, but in no case shall such compensation exceed the rate of compensation authorized to be paid to the members of the City Council.

§27-2305. Powers and Duties.

- 1. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:
 - A. Substantive challenges to the validity of any land use ordinance, except those brought before City Council pursuant to §609.1 and 916.1(a)(2) of the MPC.
 - 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. Where the ordinance appealed from is the initial zoning ordinance of the City 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 thereof, 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 a City 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 this Chapter or such provisions within a land use ordinance, pursuant to §910.2 of the MPC.
 - F. Applications for special exceptions under this Chapter or such provisions within a land use ordinance, pursuant to §912.1 of the MPC.
 - G. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of this Chapter.
 - H. Appeals from the Zoning Officer's determination under §916.2 of the MPC.
 - I. Appeals from the determination of the Zoning Officer or City 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 application of the MPC.
2. The Zoning Hearing Board shall hear requests for variances from the requirements of this Chapter where it is alleged that the provisions of this Chapter inflict unnecessary hardship upon the application following the procedures set forth in §2306 of this Chapter.
- A. The Zoning Hearing Board may grant a variance provided 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 Chapter 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 Chapter and that the authorization of variance is therefore necessary to enable the reasonable use of the property.
 - (3). That such unnecessary hardship has not been created by the appellant.
 - (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.
 - (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.
 - B. Conditions. The Zoning Hearing Board in approving variance applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. These conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions will constitute a violation of this Chapter.

- C. Filing Requirements. In addition to the required zoning permit each variance applications shall include the following:
 - (1). Ground floor plans and elevations of existing and/or proposed structures.
 - (2). Names and addresses of adjoining property owners, including properties directly across a public right-of-way. This information is provided by the City staff based on the current tax records.
 - (3). A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Chapter.
 - (4). A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Chapter.
 - D. Site Plan Approval. Any site plan presented in support of a Variance shall become an official part of the record for said Variance. Approval of any Variance will also bind the use in accordance with the submitted site plan.
3. The Zoning Hearing Board shall hear and decide requests for special exceptions upon the application as provided for and following the procedures set forth in §2306 in this Chapter and subject to all applicable requirements, including, but not limited to:
- A. General Criteria. Each applicant must demonstrate compliance with the following:
 - (1). The proposed use shall be consistent with the purpose and intent of this Chapter.
 - (2). The proposed use shall not detract from the use and enjoyment of adjoining or nearby properties.
 - (3). The proposed use will not substantially change the character of the subject property's neighborhood.
 - (4). Adequate public facilities are available to serve the proposed use (e.g., schools, fire, police and ambulance protection, sewer, water and other utilities, vehicular access, etc.
 - (5). The proposed use complies with Part 15 of this Chapter regarding flood damage control standards.
 - (6). The proposed use shall comply with those criteria specifically listed in Part 20 of this Chapter. In addition, the proposed use must comply with all other applicable regulations contained in this Chapter.
 - (7). The proposed use will not substantially impair the integrity of the City of Lock Haven Comprehensive Plan.
 - B. Filing Requirements. In addition to the required zoning permit information, each Special Exception application shall include the following:
 - (1) Ground floor plans and elevations or proposed structures.

- (2) Names and address of adjoining property owners including properties directly across a public right-of-way. This information is provided by the City staff based on the current tax records.
 - (3) A scaled drawing (site plan) of the site with sufficient detail and accuracy to demonstrate compliance with all applicable provisions of this Chapter.
 - (4) A written description of the proposed use in sufficient detail to demonstrate compliance with all applicable provisions of this Chapter.
- C. Conditions. The Zoning Hearing Board in approving Special Exception applications, may attach conditions considered necessary to protect the public welfare and the purposes listed above, including conditions which are more restrictive than those established for other uses in the same zone. The conditions shall be enforceable by the Zoning Officer and failure to comply with such conditions shall constitute a violation of this Chapter.
- D. Site Plan Approval. Any site plan presented in support of the Special Exception shall become an official part of the record for said Special Exception. Approval of any Special Exception will also bind the use in accordance with the submitted site plan; therefore, should a change in the site plan be required as part of the approval of the use, the applicant shall revise the site plan prior to the issuance of a zoning permit. Any subsequent change to the use on the subject property not reflected on the originally approved site plan, shall require the obtainment of another Special Exception Approval.

§27-2306. Procedures.

1. Application.

- A. All action before the Board shall be initiated by a written application for hearing which shall be filed with the Zoning Officer at least three (3) weeks prior to the meeting at which time the matter is to be heard along with all maps, plans and text which may be relevant to the request. All applications shall be made on forms specified by the Board. No application shall be accepted unless the same shall be fully and legibly completed and unless all exhibits and supplemental material required by the application shall be attached and until all fees required shall have been paid.
- B. The Zoning Officer shall transmit the request and any information received therewith, along with his file on said issue forthwith to the Zoning Hearing Board.

2. Fees.

The City 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.

3. Time Limitations.

- A. Landowner Appeals. All appeals from determinations adverse to the landowner shall be filed by the landowner within thirty (30) days after notice of the determination is issued.

- B. Appeal of Persons Aggrieved. No person shall be allowed to file any proceeding with the Board later than 30 days after an application for development, preliminary or final, has been approved by the appropriate City 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.
- 4. Hearing Schedule. The Board may conduct hearings and make decisions at any regular or special meeting. In no instance will a hearing be scheduled later than 60 days from the date of the applicant's request for a hearing, unless the applicant has agreed in writing to an extension of time.
- 5. Notification of Hearing.
 - A. Whenever a hearing has been scheduled, public notice shall be given to the general public by means of publication once each week for two successive weeks in a newspaper of general circulation within the community. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered. The first publication shall not be more than thirty (30) days and the second publication shall not be less than seven (7) days prior to the date of the hearing.
 - B. Written notice shall be given to the applicant, the Zoning Officer and to any person who has made timely request for such notice.
 - C. In addition to the notice provided herein, the Zoning Officer shall conspicuously post notice of said hearing on the affected tract of land no less than seven (7) days prior to the date of the hearing.
 - D. The applicant shall, at least five (5) days prior to the time appointed for said hearing, give personal notice to all owners of property within two hundred (200) lineal feet of the affected property by either handing a copy thereof to the said property owner(s) or by leaving a copy at their usual place of abode or by sending written notification by certified mail/return receipt requested to the last known address of the property owner(s).
 - (1) Where the owner(s) are a partnership, service upon any partner as above provided shall be sufficient, and where the owner(s) are corporations, service upon any officer as above set forth, shall be sufficient.
- 6. Conduct of Hearing. The hearing shall be conducted by the Zoning Hearing Board. The decision, or where no decision is called for, the findings, shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the City, may, prior to the decision of the hearing, waive decision or findings by the Zoning Hearing Board and accept the decision or findings of the hearing as final.
- 7. Order of Hearing.
 - A. Hearing called to order.
 - B. Chairman's statement of reason for hearing.
 - C. Chairman's statement of parties to hearing.

- D. Identification of other parties wishing to be heard.
 - E. Outline of procedures to be followed during hearing.
 - F. Applicant's presentation of their case.
 - (1) Objectors cross-examine applicant's witnesses.
 - (2) Board cross-examines applicant's witnesses.
 - G. Statement of the Zoning Officer.
 - (1) Applicant's cross-examination.
 - (2) Objector's cross-examination.
 - (3) Board's cross-examination.
 - H. Objector's presentation of their case.
 - (1) Applicant cross-examines objector's witnesses.
 - (2) Board cross-examines objector's witnesses.
 - I. Other testimony and evidence.
 - J. Rebuttal by applicant.
 - K. Rebuttal by objectors.
 - L. Concluding remarks and notice of when decision is expected to be made.
 - M. Adjournment of hearing.
8. Record. The Zoning Hearing Board shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Zoning Hearing Board. A transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost. The cost of the original transcript shall be paid by the Zoning Hearing Board if the transcript is ordered by the Zoning Hearing Board or shall be paid by the person appealing from the decision of the Zoning Hearing 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
9. Parties. The parties to the hearing shall be the City, 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. All persons who wish to be considered parties shall enter appearances, in writing, on forms provided by the Board for that purpose. Persons aggrieved shall not be denied standing because they do not reside nor have a property interest within the municipal boundaries.
10. Representation. All parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument, and to cross-examine

adverse witnesses on all relevant issues.

11. Witnesses. All witnesses shall testify under oath. The chairman or acting chairman of the Zoning Hearing Board 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.
12. Evidence. The Zoning Hearing Board shall not be bound by strict rules of evidence, but it may exclude irrelevant, immaterial, incompetent or unduly repetitious testimony or evidence. The Chairman shall rule on all questions relating to the admissibility of evidence, which may be overruled by a majority of the Zoning Hearing Board.
13. Communication. The Zoning Hearing Board 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, shall not take notice of any communication, reports, staff memoranda or other materials, except advice from the Zoning Hearing Board Solicitor, 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.
14. Decisions.
 - A. The Board shall render a written decision or when no decision is called for, make written findings within forty five (45) days after the last hearing before the Board. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with reasons therefore. Conclusions based on any provisions of this Chapter or the MPC 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.
 - B. The Board may conduct its deliberations and shall vote on all matters in public session at the meeting in which evidence is concluded. If additional time for deliberation is necessary, the Board shall reschedule the deliberations to a date within the allotted forty five (45) day time limit.
 - C. All matters shall be decided by a roll call vote. Decisions on any matter before the Board shall require the affirmative vote of those present and voting unless otherwise specified herein.
 - D. No member of the Board shall vote on any matter in which he is personally or financially interested. Said member may be counted by the Board in establishing the quorum for such matters.
 - E. No member of the Board shall vote on the adjudication of any matter unless he has attended the public hearing thereon.
 - F. A tie vote shall be considered a rejection of the application under consideration. However, if a person aggrieved has appealed the grant of a permit or approval, a tie vote upholds the prior approval.
 - G. 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 next business day following its date. To all other persons who have filed their name and address with the Zoning Hearing Board not later than the last day of the hearing, the Zoning Hearing

Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

15. Continuances. On its own motion, or by any party to the proceeding or on approval of requests by applicant, appellants or their authorized agents, the Board may provide for continuances of cases on which hearings have begun. Such continuances shall be permitted only for good cause, stated in the motion and, unless time and place is stated, shall require new public notice, with fees paid by applicants or appellants if continuances are at their request or result from their actions. A notice of the place, date and time of the continued hearing shall also be posted prominently at the municipal office where the hearing will be continued.
16. Failure to Hold Hearing or Render Decision. Where the Board fails to render a decision within the period required, or fails to hold a hearing within the period required, the decision shall be deemed to have been rendered in favor of the applicant unless otherwise specified in the MPC. However, failure to act on a validity challenge results in a deemed denial. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision, the Board shall give public notice of deemed approval within ten (10) days from the last day it could have met to render a decision in the same manner as in subsection (5) herein above.

§27-2307. Effect of Zoning Hearing Board's Decision.

1. If the variance or special exception is granted or the issuance of a permit is approved, or other action by the appellant is authorized, the necessary permit shall be secured and the authorized action begun within one (1) year after the date when the variance or special exception is finally granted, or the issuance of a permit is finally approved, or the other action by the appellant is authorized, and the building or alteration, as the case may be, shall be completed within two (2) years of said date. For good cause, the Zoning Hearing Board may at any time, upon application in writing extend either of these deadlines.
2. Should the appellant or applicant fail to obtain the necessary permits within said one (1) year period, or having obtained the permit, should he fail to commence work thereunder within such one (1) year period, it shall be conclusively presumed that the appellant or applicant has waived, withdrawn, or abandoned his appeal or his application, and all provisions, variances and permits granted to him shall be deemed automatically rescinded by the Zoning Hearing Board.
3. Should the appellant or applicant commence construction or alteration within said one (1) year period, but should he fail to complete such construction or alteration within said two (2) year period, the Zoning Hearing Board may, upon ten (10) days' notice in writing, rescind or revoke the granted variance or special exception, or the issuance of the permit, or permits, or the other action authorized to the appellant or applicant, if the Zoning Hearing Board finds that no good cause appears for the failure to complete within such two (2) year period, and if the Zoning Hearing Board further finds that conditions have so altered or changed in the interval since the granting of the variance, permit or action, that revocation or rescission of the action is justified.
4. As an alternative to the preceding, an applicant can request, as part of the original application before the Zoning Hearing Board, the granting of a timetable associated with the request which would supersede the deadlines imposed. In so doing, the applicant must demonstrate that the times requested are logically related to normal and expected progress of the project. In approving a timetable under this section, the Zoning Hearing Board must establish and bind a definite time frame for (1) issuance of a zoning permit, and (2) completion of construction of the project.

§27-2308. Applicant Procedures for Zoning Hearings.

1. Information Required on Appeal Application. All appeals from a decision of the Zoning Officer and applications to the Board shall be in writing on forms prescribed by the Board. Every appeal or application shall include the following:
 - A. The name and address of the applicant, or the appellant.
 - B. The name and address of the owner of the zone lot to be affected by such proposed change or appeal.
 - C. A brief description and location of the zone lot to be affected by such proposed change or appeal.
 - D. A statement of the present zoning classification of the zone lot in question, the improvements thereon and the present use thereof.
 - E. A statement of the Section of this Chapter under which the appeal is made and reasons why it should be granted, or a statement of the Section of this Chapter governing the situation in which the alleged erroneous ruling is being appealed and reasons for this appeal.
 - F. A description of the present improvements and the additions or changes intended to be made under this application, indicating the size of such proposed improvements, materials and general construction thereof. In addition, there shall be attached a plot plan drawn to scale of the real property to be affected, indicating the location and size of the lot and size of improvements thereon and proposed to be erected thereon.

§27-2309. Stay of Proceedings.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the Building Inspector certifies to the Board after the notice of appeal shall have been filed, that by reason of facts stated in the certificate stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board after notice to the Building Inspector or by the Court of Common Pleas.

§27-2310. Appeals.

The procedure set forth in Article X-A of the MPC shall constitute the exclusive mode of appeal from any decision of the Zoning Hearing Board.

PART 24**ZONING MAP AMENDMENTS**

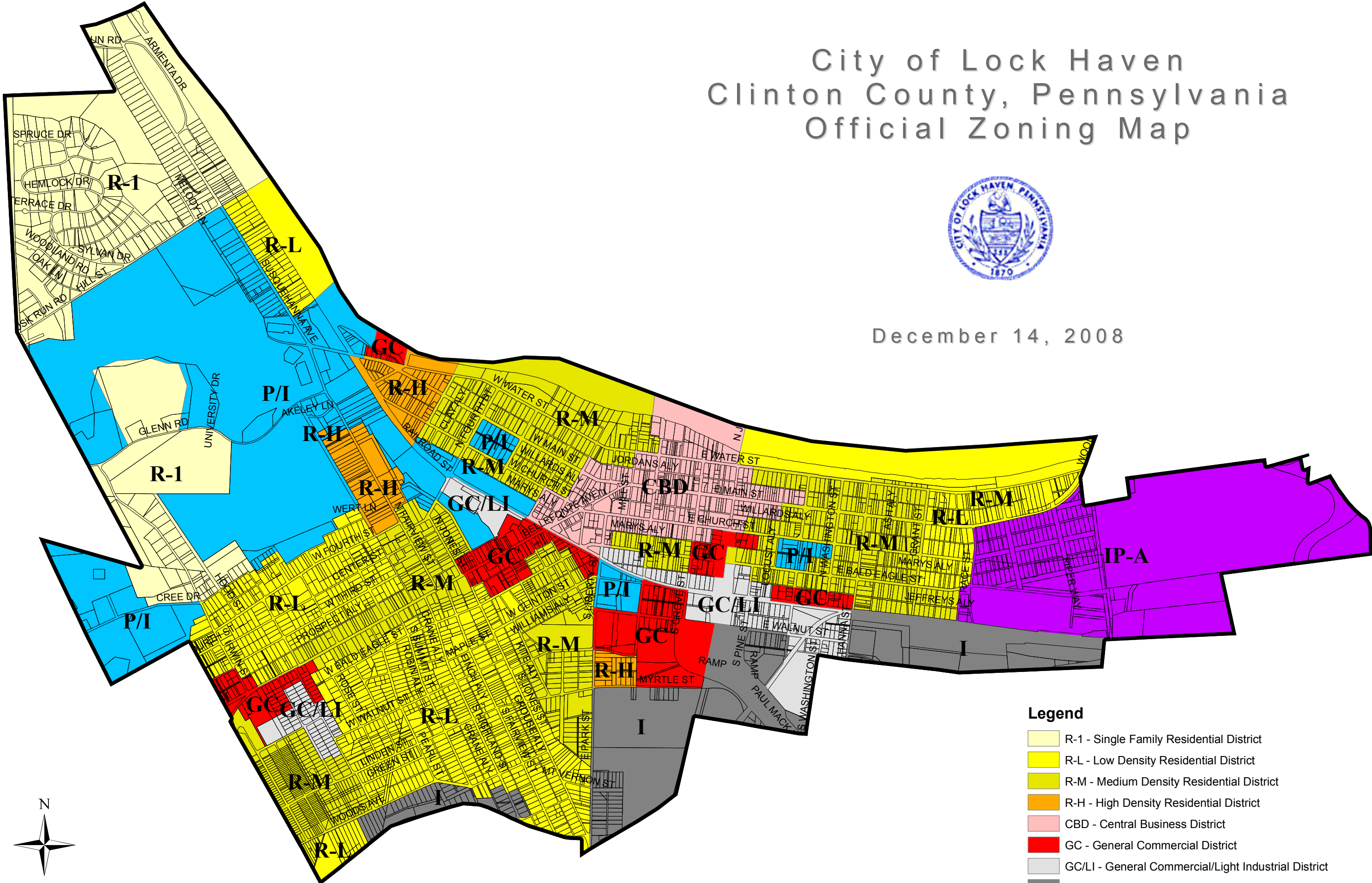
Ord./Res.	Date	Subject
553B	7/27/1998	The area bounded on the north by East Church Street, the south by East Bald Eagle Street, the east by properties owned by Donald :. Condo and Linda Palotto and on the west by property owned by the Commonwealth of Pennsylvania is hereby rezoned from residential medium density to general commercial.
565B	11/2/1998	The area bounded on the north by Jerry's Alley, the south by Castanea Township, the east by Washington Street and on the west by property owned by CONRAIL is hereby rezoned from industrial to general commercial light industrial.
587B	5/1/2000	Rezoning from General Commercial to Residential Medium Density all that certain lot or parcel of ground situated, lying and being in the Fourth Ward of the City of Lock Haven and described in accordance with Exhibit "A", said Exhibit "A" being on file at the City Office.
594B	10/16/2000	The area bounded on the north by property owned by the City of Lock Haven, on the south by property owned by Nelson J. and Beverly Schrack, on the east by E. Park Street and on the west by properties owned by Karen Walker and Donald and Adele Leisenring is hereby rezoned from Residential Low Density to Residential Medium Density.
614B	9/17/2001	Rezoning the area bounded by West Water Street, Mill Street, Jordan Alley and Nesbit Lane from Medium Density Residential District to Central Business District.
671	3/17/2003	All that certain lot or parcel of ground situated, lying and being in the Third Ward of the City of Lock Haven, Clinton County, Pennsylvania, bounded on the north by Marys Alley, on south by property owned by Consolidated Rail Corporation, on the east by Second Street and on the west by a vacated portion of Fifth Street is hereby rezoned from General Commercial Light Industrial to Public Institutional.
769	7/31/2006	Rezoning and change in classification from Residential Medium Density to Public Institutional for the area bounded on the North by West Main Street, the South by West Church Street, the West by Fourth Street and the East by Third Street.

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City of Lock Haven Clinton County, Pennsylvania Official Zoning Map



December 14, 2008



Legend

- R-1 - Single Family Residential District
- R-L - Low Density Residential District
- R-M - Medium Density Residential District
- R-H - High Density Residential District
- CBD - Central Business District
- GC - General Commercial District
- GC/LI - General Commercial/Light Industrial District
- I - Industrial District
- IP-A - Industrial Park - Airport
- P/I - Public Institutional



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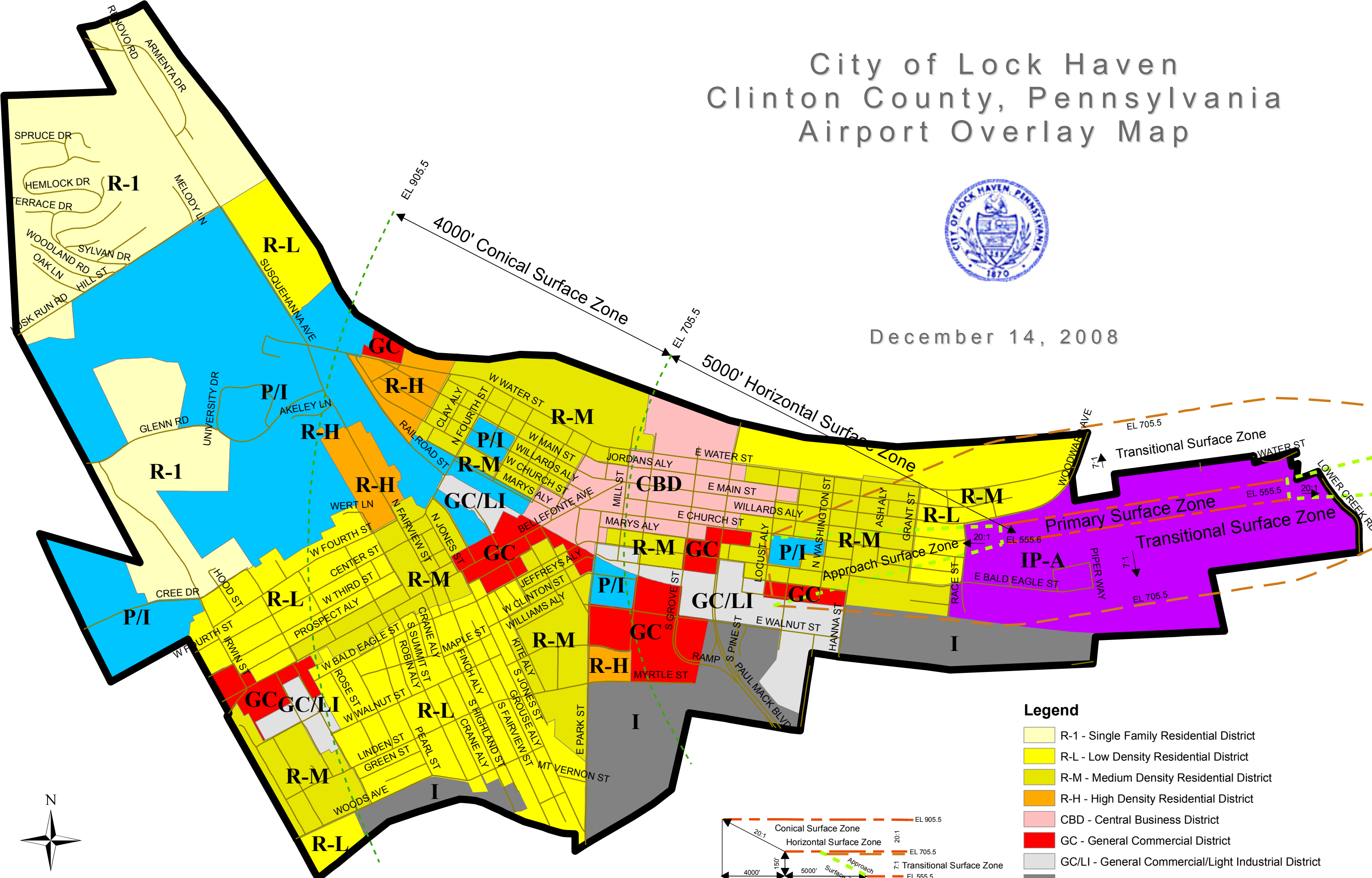


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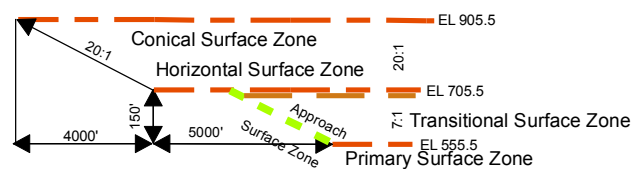
City of Lock Haven Clinton County, Pennsylvania Airport Overlay Map




December 14, 2008




- Legend**
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 - R-H - High Density Residential District
 - CBD - Central Business District
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 - GC/LI - General Commercial/Light Industrial District
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 - IP-A - Industrial Park - Airport
 - P/I - Public Institutional





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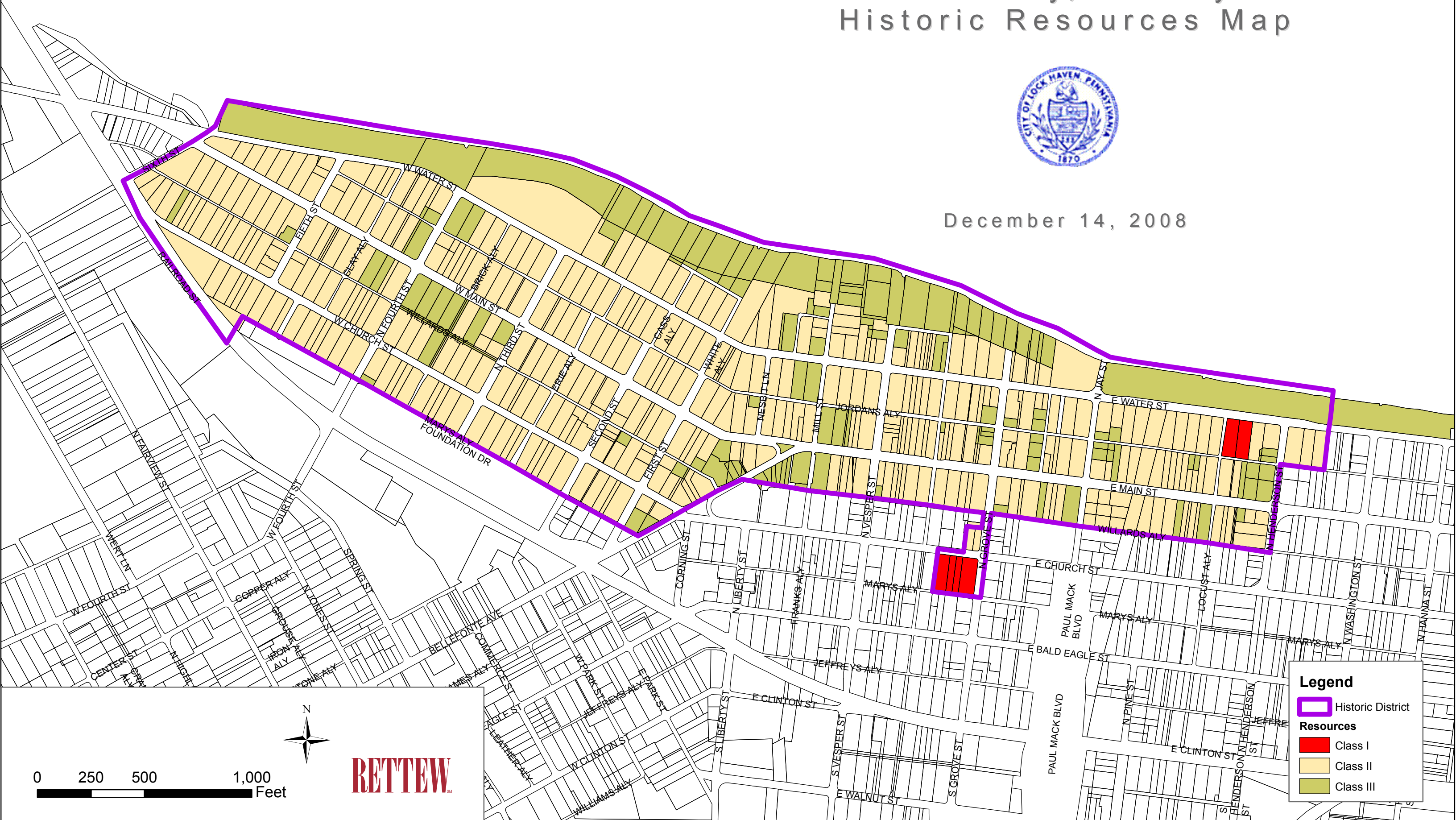


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City of Lock Haven Clinton County, Pennsylvania Historic Resources Map



December 14, 2008



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Legend

Historic District

Resources

- Class I
- Class II
- Class III