Borough of West Easton

Zoning Ordinance

Of 1992

Prepared by the

West Easton Borough Ordinance Committee

with the assistance of

Tatman & Lee Associates, Inc.

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BOROUGH OF WEST EASTON
ZONING ORDINANCE
OF 1992

TABLE OF CONTENTS

ARTICLE I
PREAMBLE ........................................... 1

SECTION 101. \hspace{1cm} TITLE AND SHORT TITLE ........................... 1
SECTION 102. \hspace{1cm} PURPOSE ........................................... 1
SECTION 103. \hspace{1cm} INTERPRETATION ...................................... 2
SECTION 104. \hspace{1cm} SCOPE .................................................. 2
SECTION 105. \hspace{1cm} CONFLICT .............................................. 2
SECTION 106. \hspace{1cm} VALIDITY ............................................... 2
SECTION 107. \hspace{1cm} REPEALER .............................................. 3

ARTICLE II
DEFINITIONS ............................................. 4

SECTION 201. \hspace{1cm} APPLICATION AND INTERPRETATION .................... 4
SECTION 202. \hspace{1cm} DEFINITION OF TERMS ................................. 4

ARTICLE III
ESTABLISHMENT OF DISTRICTS .......................... 29

SECTION 301. \hspace{1cm} ESTABLISHMENT OF DISTRICTS ....................... 29
SECTION 302. \hspace{1cm} CLASSES OF DISTRICTS .............................. 29
SECTION 303. \hspace{1cm} ZONING MAP ............................................. 30
SECTION 304. \hspace{1cm} DISTRICT BOUNDARIES ................................. 30
SECTION 305. \hspace{1cm} BOUNDARY TOLERANCES ............................... 31

ARTICLE IV
"A" RESIDENCE USE DISTRICT ........................... 32

SECTION 401. \hspace{1cm} PURPOSE ............................................... 32
SECTION 402. \hspace{1cm} USE REGULATIONS ................................... 32
SECTION 403. \hspace{1cm} AREA AND BULK REQUIREMENTS ....................... 33
SECTION 404. \hspace{1cm} DESIGN STANDARDS ................................... 34
SECTION 405. \hspace{1cm} ADDITIONAL REGULATIONS ........................... 35
| SECTION 1005. | DAY CARE CENTERS ........................................................................ | 76 |
| SECTION 1006. | HOME OCCUPATIONS ....................................................................... | 77 |
| SECTION 1007. | RESIDENTIAL CONVERSION .................................................................. | 78 |
| SECTION 1008. | ADAPTIVE REUSE OF AN EXISTING STRUCTURE ........................................ | 79 |
| SECTION 1009. | GROUP HOME ................................................................................. | 82 |
| SECTION 1010. | TEMPORARY STRUCTURES .................................................................. | 83 |
| SECTION 1011. | ADULT USES .................................................................................. | 84 |
| SECTION 1012. | FUNERAL HOME ................................................................................ | 85 |
| SECTION 1013. | AUTOMOTIVE BODY REPAIR AND PAINT SHOP ..................................... | 85 |
| SECTION 1014. | RECYCLING FACILITY ....................................................................... | 85 |

**ARTICLE XI**

**GENERAL REGULATIONS .................................................................................. 87**

| SECTION 1101. | APPLICABILITY .................................................................................. | 87 |
| SECTION 1102. | FEDERAL AND STATE OWNED PROPERTY .............................................. | 87 |
| SECTION 1103. | AREA AND BULK EXCEPTIONS ................................................................ | 87 |
| SECTION 1104. | PROJECTIONS INTO REQUIRED YARDS .................................................. | 88 |
| SECTION 1105. | FENCES AND WALLS ............................................................................ | 88 |
| SECTION 1106. | BUFFERING AND SCREENING ................................................................. | 89 |
| SECTION 1107. | LANDSCAPING .................................................................................. | 92 |
| SECTION 1108. | LIGHTING ......................................................................................... | 98 |
| SECTION 1109. | UTILITIES ......................................................................................... | 99 |
| SECTION 1110. | OUTDOOR STORAGE OF MAN-MADE PRODUCTS ..................................... | 100 |
| SECTION 1111. | WASTE DISPOSAL ................................................................................ | 102 |
| SECTION 1112. | OFF-STREET PARKING ....................................................................... | 102 |
| SECTION 1113. | LOADING AN UNLOADING ................................................................... | 106 |
| SECTION 1114. | ACCESS AND TRAFFIC CONTROL .......................................................... | 107 |
| SECTION 1115. | INTERIOR CIRCULATION .................................................................... | 109 |
| SECTION 1116. | ENVIRONMENTAL PERFORMANCE STANDARDS .................................... | 111 |

**ARTICLE XII**

**NONCONFORMING USES, STRUCTURES, LOTS AND SIGNS ........................................ 116**

| SECTION 1201. | APPLICABILITY .................................................................................. | 116 |
| SECTION 1202. | CONTINUATION ................................................................................ | 116 |
| SECTION 1203. | NONCONFORMING USES .................................................................... | 116 |
| SECTION 1204. | NONCONFORMING STRUCTURES ............................................................ | 118 |
| SECTION 1205. | NONCONFORMING LOTS ..................................................................... | 119 |
| SECTION 1206. | NONCONFORMING SIGNS ................................................................... | 120 |
ARTICLE XIII
ADMINISTRATION ........................................... 122

SECTION 1301. APPLICABILITY, ADMINISTRATION AND 
ENFORCEMENT .................................................. 122
SECTION 1302. COMMON PERMIT REGULATIONS ............. 126
SECTION 1303. ZONING PERMITS ............................... 127
SECTION 1304. SIGN PERMITS ................................. 129
SECTION 1305. BUILDING PERMITS ............................ 130
SECTION 1306. PERMIT PROCEDURE FOR MICROWAVE ANTENNA 
FOR SATELLITE COMMUNICATION ......................... 131
SECTION 1307. OCCUPANCY PERMITS ........................ 132
SECTION 1308. CONDITIONAL USES ........................... 133
SECTION 1309. LIABILITY ...................................... 136
SECTION 1310. EXEMPTION .................................... 136

ARTICLE XIV
ZONING HEARING BOARD ..................................... 138

SECTION 1401. ESTABLISHMENT AND MEMBERSHIP ........ 138
SECTION 1402. ORGANIZATION ................................ 138
SECTION 1403. APPLICATIONS FOR HEARINGS ............... 139
SECTION 1404. NOTICE OF HEARINGS ......................... 140
SECTION 1405. EXPENDITURES FOR SERVICE - FEES .... 140
SECTION 1406. HEARINGS .................................... 142
SECTION 1407. FUNCTIONS .................................... 144
SECTION 1408. EXPIRATION OF SPECIAL EXCEPTIONS, VARIANCES 
AND CONDITIONAL USES ................................... 149
SECTION 1409. PARTIES APPELLANT BEFORE THE BOARD .... 150
SECTION 1410. TIME LIMITATIONS ............................ 150
SECTION 1411. PARTIES TO THE HEARING ................... 150
SECTION 1412. STAY OF PROCEEDINGS ....................... 150
SECTION 1413. APPEALS ...................................... 151

ARTICLE XV
AMENDMENTS .................................................. 152

SECTION 1501. POWER OF AMENDMENT ....................... 152
SECTION 1502. LANDOWNER'S PETITION ....................... 152
SECTION 1503. CURATIVE AMENDMENT PROCEDURES ....... 153
SECTION 1504. HEARINGS .................................... 153
SECTION 1505. DECISIONS OF THE BOROUGH COUNCIL ....... 154
ARTICLE XVI
ENACTMENT

SECTION 1601.
ENACTMENT
ARTICLE I

PREAMBLE

SECTION 101. TITLE AND SHORT TITLE

A. Title.

An ordinance establishing regulations and restrictions for the location and use of lots, land, buildings, and other structures, the height, number of stories, and size or bulk of buildings and structures, the density of population, off-street parking and similar accessory regulations, in the Borough of West Easton, Northampton County, Pennsylvania, and for said purposes dividing the Borough into districts and prescribing certain uniform regulations for each such district and providing for administrative enforcement and amendment of its provisions in accordance with the Pennsylvania Municipalities Planning Code, as amended.

B. Short Title.

This Ordinance shall be known as, and may be cited as, "The West Easton Borough Zoning Ordinance of 1992".

SECTION 102. PURPOSE

A. To promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, public grounds and other public improvements; as well as, preservation of the natural scenic and historic value in the environment and preservation of forests, wetlands, aquifers and floodplains.

B. To prevent the overcrowding of land, blight, danger, and congestion in travel and transportation, loss of health, life or property from fire, flooding, panic or other dangers; and toward these ends, this Ordinance provides consideration for the character of the Borough, its various parts and the suitability of the various parts for particular uses and structures.
C. To accommodate reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

SECTION 103. INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, morals, and general welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulation, the provisions of this Ordinance shall be controlling.

SECTION 104. SCOPE

From and after the effective date of this Ordinance, use of all land, every building or portion of a building erected, altered in respect to height or area, added to, or relocated, and every use hereafter established with any building or use accessory thereto in the Borough of West Easton shall be in conformity with the provisions of this Ordinance.

Any building, structure or use of a building or land existing at the effective date of this Ordinance which is not in conformity herewith may be continued, extended or changed only in accordance with the regulations herein contained relating to non-conforming building and land uses.

SECTION 105. CONFLICT

It is not intended by this Ordinance to repeal, abrogate, annul or interfere with any existing ordinance of enactment, or with any rule, regulation or permit adopted or issued thereunder, except insofar as the same may be inconsistent or in conflict with any of the provisions of this Ordinance.

SECTION 106. VALIDITY

If any section, paragraph, subsection, clause, or provision of this Ordinance shall be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.
SECTION 107.  

REPEALER  

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
ARTICLE II
DEFINITIONS

SECTION 201. APPLICATION AND INTERPRETATION

Unless otherwise expressly stated or the context clearly indicates another meaning, the following words and phrases shall be construed throughout this Ordinance to have the meanings indicated below:

A. The present tense includes all other tenses; the singular includes the plural, and the plural includes the singular; the masculine gender includes the feminine and neuter; the word "used" includes the words "designed" or "arranged"; the word "occupied" includes the words "designed, or intended to be occupied"; the word "shall" is always mandatory; and the word "may" is always permissive. The words "as amended from time to time" and the like as applied to any statute, ordinance, code, regulation, plan or map, includes replacements, supplements or restatements thereof; and reference to a particular Article, Section or Subsection which inherently refers to other Articles, Sections or Subsections, includes all Articles, Section or Subsections referred to.

B. The word "Borough" means Borough of West Easton, Northampton County, Pennsylvania; the term "Borough Council" means the Borough Council of West Easton; and the term "Zoning Hearing Board" means the Zoning Hearing Board of the Borough.

C. The terms "such as", "including", and the like are intended to introduce matters which are illustrative of the meaning of the sentence, clause or phrase in which such terms appear without limiting or detracting from the general application of the sentence, clause or phrase in which such terms appear.

SECTION 202. DEFINITION OF TERMS

For the purpose of this Ordinance, the following words, terms and phrases have the meaning indicated herein:

ABUTTING OWNER: The owner of record of a lot which is contiguous at any point to the lot in question or which is
contiguous to that section of street on which the subject lot has
frontage, i.e., a lot across from the subject lot.

ACCESSORY BUILDING: A building (such as a private garage,
private swimming pool and appurtenant bathhouse, private
toolhouse or children’s playhouse or a noncommercial greenhouse)
which is subordinate and accessory to a principal building on the
same lot and which is used for purposes customarily incidental to
those of the principal building.

ACCESSORY STRUCTURE: A structure serving a purpose
customarily incidental to the use of the principal building and
located on the same lot as the principal building.

ACCESSORY USE: A use customarily incidental and subordinate
to and located on the same lot occupied by the principal use to
which it relates.

ACRE: An area of land and/or water which equals forty-three
thousand, five hundred sixty (43,560) square feet.

ACT 247: The "Pennsylvania Municipalities Planning Code," of

ALTERATION: Any change in the supporting members of a
building or structure, such as bearing walls, columns, beams or
girders, joists or rafters, or enclosure walls which changes the use
of a building or structure or otherwise alters the area and bulk
requirements of this Ordinance.

AMBIENT NOISE: The all-encompassing noise associated with
a given environment being usually a composite of sounds from
many sources near and far.

ANTIQUES: Goods and objects (i.e., furniture, glass, jewelry)
made in a former period and considered to be of value due to their
quality, style, appearance or age.

APARTMENT: See Dwelling Types, Multiple-Family Dwelling

APPLICANT: A landowner or developer, as herein defined, who
has filed an application for development including his heirs,
successors and assigns.
BASE FLOOD: The flood which has been selected to serve as the basis upon which the floodplain management provisions of this Ordinance have been prepared; for the purposes of this Ordinance, the one hundred (100) year flood.

BASE FLOOD ELEVATION: The one hundred (100) year flood elevation. Within the approximated floodplain, the base flood elevation shall be established as a point on the boundary of the approximated floodplain which is nearest to the construction site in question.

BASEMENT: An enclosed area partly or completely below grade. It shall be considered a building story if more than thirty-three and one-third (33-1/3) percent of the perimeter walls extends five (5) feet or more above grade, or if the net area of the door or window openings in the exterior walls is at least equal to ten (10) percent of the enclosed floor area.

BED AND BREAKFAST: An accessory use to a single-family detached dwelling, permitted as such only when carried on in conformity with applicable regulations, in which the occupants of the residence provide overnight accommodations for short-term, transient guests, including the service of breakfast, but no other meals.

BLOCK: Property bounded on one (1) side by a street, and on the other three (3) sides by a street, railroad right-of-way, public park, waterway, township line, or any combination thereof.

BOARDING HOUSE: A building or portion of a building arranged or used for sheltering or feeding, or both, for compensation for two (2) or more individuals who are not otherwise part of a "family" as defined herein.

BOROUGH: The Borough of West Easton, Northampton County, Pennsylvania.

BREEZEWAY: Shall include any portion of a lot roofed over by a structure tying a main dwelling structure to any accessory building, structure or dwelling such as a vehicular dwelling, garage or other out building.
BUFFER AREA: A strip of land adjacent to the lot line to establish a visual separation between incompatible uses.

BUILDING: Any structure having a roof supported by columns or walls, used for the shelter, housing, or enclosure of persons, animals, or property. Building is interpreted as including "or part thereof".

BUILDING COVERAGE: The ratio obtained by dividing the ground floor area of all principal and accessory buildings on a lot (including covered porches, carports and breezeways, but excluding open patios) by the total area of the lot upon which the buildings are located.

BUILDING HEIGHT: A building's vertical measurement from the mean level of the ground abutting the building to a point midway between the highest and lowest points of the roof.

BUILDING LINE: A line, parallel to the lot line, passing through the part of the building nearest to the particular lot line; may be farther from the lot line than the Building Set Back Line.

BUILDING, PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated.

BUILDING SETBACK LINE: The line which established the minimum depth of the particular yard in question, for the particular District, as measured from the right-of-way line.

BULK: The term used to describe the size of buildings or other structures and their relationship to each other, to open areas such as yards and to lot lines. The term may include: the size, height and floor area of buildings or other structures; and, all open areas in yard space relating to buildings and other structures.

CARTWAY: The surface of a street or alley available for vehicular traffic.

CERTIFICATE OF USE AND OCCUPANCY: A statement, based on an inspection, signed by the Zoning Officer, setting forth that a building, structure, sign, and/or land complies with the Zoning Ordinance, or that a building, structure, sign, and/or land may be lawfully employed for specific uses or both.
CHURCH: A building or group of buildings, including customary accessory buildings, designed or intended for public worship. For the purpose of this Ordinance, the word church shall include: chapels, cathedrals, synagogues, temples and similar designations as well as parish houses, convents and such accessory uses.

CLEAR SIGHT TRIANGLE: An area of unobstructed vision at street intersections defined as lines of sight between points at a given distance from the intersection of the street rights-of-way, cartways, or centerlines.

CLUBHOUSE: A building to house the activities of a club or social organization, not conducted for profit and which is not an adjunct to or operated by or in connection with a public tavern, cafe or other place of business.

COMMON AREA: That portion of a development tract owned in undivided fee interests by the unit owners in such condominium and set aside for their exclusive use and enjoyment.

COMMON OPEN SPACE: Land or an area of water or a combination of land and water within a development site, designed and intended for the use and enjoyment of the residents of the development and other neighborhoods, consisting of landscaped or natural terrain including lakes and streams. Common open space shall be substantially free of buildings (but may include such buildings or other improvements as are in the development plan as finally approved and as are appropriate for the recreational uses). Common open space shall not include street rights-of-way or yard or off-street parking areas required for residential or other non-common open space functions. The common open space may include recreational uses such as tennis courts, squash courts, playgrounds, golf courses, swimming pools or other like uses.

CONDITIONAL USE: A use which may not be generally appropriate to a particular zoning district, but which may be suitable in certain locations within the district only when specific conditions prescribed for such use within this Ordinance are present. Conditional uses are granted or denied by the Borough Council after a hearing to determine whether or not such conditions are present.
CONDOMINIUM: Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions created under either the Pennsylvania Unit Property Act of July 3, 1963 or the Pennsylvania Uniform Condominium Act of 1980.

CONSTRUCTION: The construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of manufactured homes.

CONVERSION: An alteration of a building, structure or land by change of use, theretofore existing, to a new use which imposes other special provisions of a law governing building construction, equipment, exits, or zoning regulations.

DAY CARE CENTER: Facility licensed by the Commonwealth of Pennsylvania which provides food service, shelter, supervision, educational and recreational needs of children or the elderly whether or not for monetary gain.

DENSITY, GROSS: The total land ownership divided by the total number of families or dwelling units per acre, such ownership including interior streets having rights-of-way not over fifty (50) feet in width, common open spaces, permitted commercial uses, sites for schools and places of worship, and all land devoted to residential use, but excluding interior streets having rights-of-way greater than fifty (50) feet in width.

DENSITY, NET: The number of families or dwelling units per acre, within only that portion of the lot devoted to any one (1) particular housing type, including the yards, off-street parking and driveway facilities directly serving those particular dwelling types, but excluding common open spaces, places of worship, permitted commercial uses, school sites, public streets, areas devoted to sanitary sewer facilities and other public grounds.

DEPARTMENT OF HEALTH: The Department of Health of the Commonwealth of Pennsylvania, or their representative having jurisdiction in the Borough.

DETACHED: Used to describe a structure which has yards on all sides.
DEVELOPER: Any landowner, agent of such landowner, tenant with the permission of such landowner, or equitable owner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT PLAN: The design or site layout plan for multifamily dwellings, mobile home parks, shopping centers and industrial parks, covering the entire property ownership although the actual development may take place in stages, and including all required provisions applicable to the type of development such as all covenants relating to the use, location and bulk of buildings and other structures, gross and net densities, streets, ways and parking facilities, common open space and public facilities, as well as such written and graphic material as may be necessary for the reviewing officials to evaluate the proposed development; and, where more than one (1) mortgage is contemplated, the limits of each shall be shown, and all required elements and provisions of this Ordinance shall take place independently within each of the mortgage areas so that each could function independently, if necessary.

DWELLING TYPES:

A. Multiple-Family Dwelling: A building containing three (3) or more dwellings, each accommodating one (1) family.

1. Apartment Dwelling: A building or group of buildings with common ownership on a lot with three (3) or more dwelling units used specifically for residential purposes and originally constructed as such.

2. Garden Apartment: A multiple-family dwelling of up to three (3) stories in height designed for rental or condominium ownership of each housekeeping unit.

3. Quadruplex: A building containing four (4) dwellings, each sharing two (2) common party walls which separate the units vertically.

4. Single-Family Attached Dwelling (Townhouse): Three (3) or more single-family attached dwelling units with one (1) dwelling unit from ground to
roof, two (2) points of independent outside access, at least two (2) other dwellings built in conjunction herewith and any portion of one (1) or two (2) unpierced party walls common with an adjoining dwelling, and having yards on at least two (2) sides.

B. **Mobile Home:** See Manufactured home.

C. **Single-Family Detached Dwelling:** A building designed for and occupied exclusively as a residence, containing one (1) dwelling unit and having no common or party wall with an adjacent dwelling, and having yards on all sides. Where a private garage is structurally attached to such building, it shall be considered as part thereof. A single-family detached dwelling shall include a mobile home.

D. **Single-Family Semidetached Dwelling (Twin):** Two (2) dwelling units, each accommodating one (1) family, which are attached side by side through use of a party wall, with each dwelling unit having one (1) side yard.

E. **Two-Family Detached Dwelling (Duplex):** Two (2) dwelling units, each accommodating one (1) family, which are located one over the other with the building having two (2) side yards.

**DWELLING UNIT:** A room or rooms within a building connected together, constituting a separate independent housekeeping establishment for one (1) family only, for owner occupancy or for rental, lease or other occupancy on a weekly or longer basis, physically separated from any other rooms or dwelling units, and containing independent lavatory, cooking and sleeping facilities.

**EASEMENT:** A right-of-way granted, but not necessarily dedicated, for a private, public or quasi-public purpose.

**EDUCATIONAL USE:** A use requiring certification, licensing, or review by the Pennsylvania Department of Education.

**EFFECTIVE DATE OF THIS ORDINANCE:** The effective date of this Ordinance is five (5) days after its adoption, except that with respect to the subject matter of any amendment, the effective
date of this Ordinance shall mean five (5) days after the date upon which the particular amendment was adopted.

**EFFECTIVE SCREEN:** Planting of deciduous and evergreen trees and shrubs not less than five (5) feet in initial height and capable of attaining a height and width of not less than ten (10) feet wherein not less than fifty (50) percent of the plants shall be evergreen mixed throughout the length of such screen, so arranged or placed as to divert attention from or obstruct at least eighty-five (85) percent of an otherwise clear view of an objectionable or incompatible use or activity during all seasons of the year. A wall or fence in combination with the aforementioned plantings may be used as an effective screen where required for parking and loading areas. The effective screen shall be in accordance with plans and specifications prepared by a registered landscape architect and shall be compatible with the landscaping on the lot and approved by the Zoning Officer.

**ELECTRIC SUBSTATION:** Buildings or structures and equipment erected and used for the purpose of transmission, switching or transforming of electrical current between customers and the utility company facilities, not including the storage of materials, trucks, repair facilities or housing of repair crews, such buildings or structures being appropriately planted or screened to blend the installation with the surrounding landscape.

**ENGINEER, BOROUGH:** A professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for the Borough of West Easton.

**ESSENTIAL UTILITIES:** Includes sewerage, water, gas and electric lines and related appurtenances used to serve development within the Borough, but not including cross-country transmission lines or other utilities not required to serve the Borough.

**FAMILY:** A family is:

A. A single person occupying a dwelling unit, or  
B. Two (2) or more legally related persons, including foster children, occupying a dwelling unit, or  
C. Not more than four (4) unrelated persons occupying a dwelling as a single nonprofit entity.
FENCE: Any freestanding and uninhabited structure consisting of wood, glass, metal, plastic, wire, wire mesh, masonry or vegetation, singly, or in combination with other materials, two and one-half (2 1/2) feet or higher as measured from the existing grade, erected to secure or divide one (1) property from another or part of a property from a remaining part, to ensure privacy, to protect the property so defined, or to enclose all or part of the property. A fence shall not exceed four (4) feet in height as measured from the existing grade unless permitted as a Conditional Use in the Residential and Residential Service Districts. In no case shall a fence exceed six (6) feet in height.

FLOOD: A temporary inundation of normally dry land areas.

FLOOD ELEVATION, REGULATORY: The one hundred (100) year flood elevation, plus a freeboard safety factor of one and one-half (1 1/2) feet.

FLOOD-FRINGE: That portion of the floodplain outside the floodway.

FLOOD, ONE HUNDRED YEAR: A flood that, on the average, is likely to occur once every one hundred (100) years (i.e., that has a one (1) percent chance of occurring each year, although the flood may occur in any year).

FLOODPLAIN AREA: (1) A relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation; (2) An area subject to the unusual and rapid accumulation of runoff of surface waters from any source.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes and adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures, and contents of buildings.

FLOODWAY: The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.

FLOOR AREA OR GROSS FLOOR AREA: The total area of all floors as measured to the outside surfaces of exterior walls, or
from the centerline of party walls separating two (2) buildings, but excluding crawl spaces, garages, carports, attics without floors, open porches, terraces, and cellars.

**FUNERAL HOME:** A building used for the preparation of the deceased for burial or cremation and the display of the deceased and ceremonies connected therewith before burial or cremation.

**GARAGE, PRIVATE:** An accessory building or part of a principal building used for the storage of motor vehicles owned and used by the owner or tenant of the premises, and for the storage of not more than two (2) motor vehicles owned and used by persons other than the owner or tenant of the premises.

**GARAGE, PUBLIC:** Any garage not included in the definition of a storage or private garage, and including any garage or premises used for repairing, not including painting and body repair work, equipping, hiring, selling, servicing or storing vehicles as a commercial enterprise.

**GARAGE SALE:** A garage sale shall not occur more that four (4) days in any calendar year and shall include only the occasional non-commercial sale of household goods and furniture and items of similar character. A garage shall not include wholesale sales.

**GARAGE, STORAGE:** A building, not a private or public garage, one (1) story in height, used solely for the storage of motor vehicles (other than trucks) but not for the service or repair thereof nor for the sale of fuel, accessories, or supplies.

**GASOLINE SERVICE STATION:** An area of land, together with any structure thereon, used for the retail sale of motor fuel and lubricants and incidental services, such as lubrication and handwashing of motor vehicles, and the sale, installation or minor repair of tires, batteries, or other automobile accessories.

**GOVERNMENTAL USES:** Municipal, County, State or Federal government buildings or facilities designed and intended to be occupied by the government or designed and intended for public use sponsored by such governments.

**GRADE:** The elevation of finished ground or paving which adjoins a building.
GROUP HOME: A facility which provides residential services to persons who, due to age, disability, or handicap, are not able to live without professional care or supervision. Such a facility provides twenty-four (24) hour supervision and is licensed by the State and/or County.

HOME OCCUPATION: An accessory use which is clearly incidental and subordinate to the residential use of a dwelling unit and is customarily performed within a dwelling unit or accessory buildings by one (1) or more occupants of such dwelling unit.

HOMEOWNERS ASSOCIATION: A nonprofit organization comprised of homeowners or property owners, planned and operated under negotiated and approved rules and regulations, for the purpose of administering the needs of residents through the maintenance of community-owned property.

HOSPITAL OR MEDICAL CENTER: A building used for the medical diagnosis, treatment or other care of human ailments.

HOTEL, MOTEL, MOTOR INN: A building or group of buildings containing guest rooms especially designed for the temporary lodging of transient guests, provided that no room shall have cooking facilities of any kind.

HOUSEHOLD PETS: Domesticated animals normally considered to be kept in or in conjunction with a dwelling unit for the pleasures of the resident family, such as dogs, cats, small birds, gerbils and other similar pets normally sold by retail pet stores.

IMPERVIOUS COVER: Land that is occupied by principal and accessory structures, streets, driveways, parking areas and other similar surfaces that prohibit or slow the percolation of water into the soil.

INDUSTRIAL PARK: A grouping of two (2) or more industrial establishments on a lot held in single and separate ownership.

INSTITUTION: A building or grounds, a portion of which is used for the residence of more than four (4) unrelated persons who occupy the buildings for a common purpose to include hospitals, convents, school dormitories, college campuses, nursing homes, the
educational, administrative and recreational facilities of such organizations as the YMCA, YWCA, and the like.

**JUNKYARD:** An area of land, with or without buildings, used for the storage, outside a completely enclosed building, of used and/or discarded materials, including, but not limited to, waste paper, vehicles or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage on a lot of two (2) or more unlicensed, wrecked, or disabled vehicles, or the major part thereof, shall be deemed to constitute a junkyard.

**KENNEL:** An operation involving the boarding, sale, breeding, show purposes, or grooming of adult dogs, cats or other domestic animals. Kennels shall be enclosed, including soundproof runs.

**LABORATORY:** A building or group of buildings in which are located the facilities for scientific research, investigation, testing and experimentation, but not including the manufacture of products for sale.

**LAND DEVELOPMENT:** Any of the following activities:

A. The improvement of one (1) lot or two (2) or more contiguous lots, tracts or parcels of land for any purpose involving:

1. A group of two (2) or more principal residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

2. The division or allocation of land or space, whether initially or cumulatively, between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

B. A subdivision of land.
LANDSCAPING: The planting of turf or other appropriate groundcover or the planting of deciduous and evergreen trees and shrubbery, including the maintenance thereof, for control of erosion, retention of precipitation, protection against the elements, and promotion of human comfort and welfare.

LICENSE: According to usage:

A. When applied to Mobile Home Parks, shall mean written approval by the Borough of West Easton, a prerequisite of which shall be approval by the Department of Health, and compliance with all applicable regulations of this, or other applicable ordinances.

B. When applied to erection of signs, shall mean written approval by the Borough of West Easton, a prerequisite of which shall be compliance with all applicable regulations of this and other applicable ordinances, and the posting of a liability insurance policy or an indemnity bond in an amount not less than Five Thousand Dollars ($5,000) payable to the Borough of West Easton in a form satisfactory to the Borough Solicitor.

LOADING SPACE: A space, accessible from a street or way, in a building or on a lot, for the temporary use of vehicles, while loading or unloading merchandise or materials.

LOT: A parcel of land which is occupied or is to be occupied by one (1) principal building and other permitted uses, or in the case of multifamily dwellings or multi-use commercial and industrial developments to be occupied by two (2) or more principal buildings, and such open spaces as are arranged or designed to be used in connection with such principal buildings or other structures or uses, such open spaces and the area and dimensions of such lot being not less than the minimum required by this Ordinance.

LOT AREA: The total area of land contained within the legal limits of the property lines of a lot, exclusive of any land area within a street right-of-way.

LOT, CORNER: A lot at the junction of, and abutting on two (2) or more intersecting streets, or at the point of abrupt change in
direction of a single street the interior of which is not greater than one hundred thirty-five (135) degrees.

**LOT COVERAGE:** The percentage of lot area covered by any and all impervious materials, such as buildings, paved parking areas, paved walks, terraces and similar surfaces which do not normally absorb rainfall.

**LOT DEPTH:** The distance along a straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line.

**LOT, INTERIOR:** Any lot which only has access to a street by either an easement or right-of-way; or any lot which has limited frontage to a street by virtue of being "flag-shaped".

**LOT LINE:** A property boundary line of any lot held in single and separate ownership, except that, in the case of any lot abutting a street, the lot line for such portion of the lot as abuts such street shall be deemed to be the same as the street line, and shall not be the center line of the street or any other line within the street lines even though such may be the property boundary line in a deed.

**LOT LINE, FRONT:** The lot line abutting a street and coinciding with the street line, and in the case of a corner lot, both street-abutting lot lines. In the case of an interior lot, the front lot line shall be that property line generally parallel to the street line providing access to the lot.

**LOT LINE, REAR:** A lot line opposite and most distant from the front lot line; if the rear lot line is less than ten (10) feet in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

**LOT LINE, SIDE:** Any lot line connecting a front or rear lot line.

**LOT, REVERSE FRONTAGE:** Lots which are situated between two (2) public streets, but provide vehicular access solely from the street with the lesser highway functional classification.

**LOT WIDTH:** The distance, in feet, between two (2) opposite side lot lines, measured at the building setback line.
MANUFACTURED HOME: A transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly, contained in one or more sections, built on a permanent chassis, 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 with or without a permanent foundation. The term does include park trailers, travel trailers or other similar vehicles which are placed on a site for more than 180 consecutive days.

MANUFACTURED HOME PARK OR SUBDIVISION: A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two (2) or more mobile home lots.

MICROWAVE ANTENNA: A parabolic ground-based reflector together with its pedestal and any other attachments and parts thereof commonly referred to as a disk-shaped antenna, used or intended to receive radio or electromagnetic waves from an overhead satellite.

MINI-MARKET: A retail store selling a variety of food, beverages, drugs, reading material, or household supplies and having a floor area not exceeding two thousand five hundred (2,500) square feet.

MINOR REPAIR: The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of part of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

MOBILE HOME LOT: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home, which said lot is leased by the park owner to the occupants of the mobile home erected on the lot.
MOBILE HOME PARK: See Manufactured Home Park

NONCONFORMITY: A building or other structure, use or lot by which reason of design, size or use, does not comply with the applicable use or area and bulk requirements of the zoning ordinance or amendment thereto, heretofore or hereafter enacted where such nonconformity was lawfully in existence prior to the application of such ordinance or amendment to its location by reason of annexation.

OPEN SPACE: See Common Open Space

PARKING SPACE: A reasonably level space, having a surface slope not exceeding five (5) percent, available for the parking of one (1) motor vehicle, not less than ten (10) feet wide and having an area of not less than two hundred (200) square feet exclusive of passageways, driveways, or other means of circulation or access.

PARKING SPACE, ALL-WEATHER: A parking space surfaced to whatever extent necessary to permit reasonable use under all conditions of weather.

PLAT: The map or plan of a subdivision of land, whether preliminary or final.

PLAT, RECORD: The final plat, or engineering layout of streets and lot easements, common open spaces and public grounds, which has been duly approved by all necessary officials and recorded in the Office of the Recorder of Deeds of Northampton County, Easton, Pennsylvania.

POULTRY: Domesticated birds that serve as a source of eggs or meat and that include among commercially important kinds, chickens, turkeys, ducks and geese, and among kinds chiefly of local interest, guinea fowl, pea fowl, pigeons, pheasants and others.

PRINCIPAL USE: The single dominant use or single main use on a lot.

PUBLIC NOTICE: Notice published in any newspaper of general circulation in the Borough of West Easton, once each week for two (2) successive weeks, the first not more than thirty (30) days and
the second not less than seven (7) days prior to any public hearing required by this Ordinance; such notice shall give time and place, and the nature of the matter to be considered.

**PUBLIC WATER:** Water which is distributed by a municipality or a private company which is subject to control of the Pennsylvania Department of Environmental Resources and the Public Utility Commission, through a network of pipes and for which a fee is charged.

**RADIO TOWER:** A structure erected for the sole purpose of holding antennae to be used as an accessory use specifically for communications via radio by an individual or company holding a valid active radio license issued by the Federal Communications Commission.

**RECREATION, ACTIVE:** Those recreational pursuits which require physical alteration to the area in which they are performed. Such areas are intensively used and include, but are not limited to playgrounds, ball courts, and swimming pools.

**RECREATION, PASSIVE:** Recreational pursuits which can be carried out with little alteration or disruption to the area in which they are performed. Such uses include, but are not limited to, hiking, biking and picnicking.

**RENTAL UNIT:** An individual space offered for rent or lease within a motel, hotel, rooming house, tourist home, institutional home, dormitory, or in a professional or commercial office building.

**RESTAURANT:** A place of business serving food and beverage prepared for consumption within a building, and providing table or sit-down service only, but not including outdoor counter service or curb service. The inside tables must seat comfortably a total of not less than twenty-five (25) people.

**RESTAURANT, DRIVE-THROUGH:** A restaurant, or section thereof, which is designed to allow for the serving and pick-up of food, without leaving the vehicle, for off-premises consumption.

**RETAIL TRADE:** Establishments engaged in selling goods or merchandise to the general public for personal or household
consumption and vending services incidental to the sale of such goods, such as, but not limited to, hardware store, pharmacy, magazine/book store, florist or clothing store.

**RIGHT-OF-WAY:** Land reserved for an easement, street, crosswalk or other public purpose.

**SANITARY LANDFILL:** A lot or land or part thereof municipally operated and used primarily for the disposal of garbage, refuse and other discarded materials, including, but not limited to, solid and liquid waste materials resulting from industrial, commercial, agricultural, and residential activities. The operation of a sanitary landfill normally consists of: (1) depositing the discarded material in a planned controlled manner, (2) compacting the discarded material in thin layers to reduce its volume, (3) covering the discarded material with a layer of earth, and (4) compacting the earth cover.

**SEWAGE DISPOSAL:**

A. **Individual:** The disposal of sewage from one (1) dwelling unit by use of septic tanks or other safe and healthful means, approved by the Borough Sewage Enforcement Officer. Such system shall be totally within the confines of the lot on which the use is located, or shall be located within an easement designated for such purpose on another lot.

B. **Central/Community Collection and Treatment (COLDS):**
A sanitary sewage system which carries sewage from individual dischargers by a system of pipes to one (1) or more common treatment and disposal facilities, either on-site or off-site, and approved by the Pennsylvania Department of Environmental Resources.

C. **Public Sewage System:** An off-site system for treatment and disposal of sewage in which sewage is conveyed by interceptor to the treatment facility and disposed of through means approved by the Pennsylvania Department of Environmental Resources.

**SHOPPING CENTER:** The multiple use of a single property for a group of stores planned and designed as an integrated unit with
controlled ingress and egress and off-street parking provided on the property as an integral part of the unit.

**SIGN:** A structure, building wall or other outdoor surface, or any device used for visual communication which is used for the purpose of bringing the subject thereof to the attention of the public, or to display, identify and publicize the name and product or service of any person.

**SIGN, ACCESSORY USE:** Signs which identify or advertise home occupations.

**SIGN AREA OR SIZE:** The entire area within a single continuous perimeter enclosing the extreme limits of such sign, together with all moldings, battens, cappings, nailing strips, latticing and platforms which are attached and are part of the sign proper and/or forming an integral part of the display. Signs which are composed of letters, words or representations only and which do not form a square or rectangular pattern shall be considered to include in sign area a square or rectangle as drawn at the outer limits of the letters, words or representations.

**SIGN, BUSINESS:** A sign directing attention to a business, commodity, or service conducted, sold or offered upon the same premises as those upon which the sign is maintained.

**SIGN, DEVELOPMENT:** A sign indicating that the premises is in the process of being subdivided and developed for the construction of dwellings or other buildings.

**SIGN, DIRECTIONAL:** A sign conveying instructions with respect to the premises on which it is maintained, such as the entrance and exit of a parking area, a warning sign, a danger sign and similar information signs.

**SIGN, DOUBLE FACED:** A sign with two (2) or more faces which display the same message on each face, with each of the sign faces being parallel to one another or separated by an interior angle of no greater than forty-five (45) degrees.

**SIGN, FREESTANDING:** A detached sign which shall include any sign, uprights or braces placed upon or in the ground and not attached to any building.

October 20, 1992  

23  

Article II
SIGN. IDENTIFICATION: A sign displaying the name, activity, or service of a school, college, church, hospital, municipal building, or historic site.

SIGN. ILLUMINATED: A nonflashing or nontwinkling sign which has characters, letters, figures, designs or outlines illuminated by direct or indirect electric lighting or luminous tubes as part of the sign.

SIGN. OFFICIAL TRAFFIC: Signs erected by the Commonwealth of Pennsylvania Department of Transportation or the Borough of West Easton which are designed to regulate traffic, describe road conditions, or supply direction.

SIGN. OFF-SITE DIRECTIONAL: Nonilluminated signs used to direct persons to civic or service clubs, churches, schools, non-profit organizations or other public or quasi-public sites or facilities.

SIGN. OUTDOOR ADVERTISING BILLBOARD: A sign which directs attention to a business, commodity, service or entertainment not conducted, sold or offered upon the premises where such sign is located.

SIGN. PORTABLE: Signs that can either be attached or mounted on wheels or transported by flatbed trailer.

SIGN. REAL ESTATE: A temporary sign indicating the sale, rental or lease of the premises on which the sign is located.

SIGN. TEMPORARY NONPROFESSIONAL: A sign notifying or advertising a special event, such as festivals, concerts or exhibits.

SIGN. WALL: Any sign erected against the wall of any building, or displayed in windows or doors, or displayed with the exposed face thereof in a plane parallel to the face of said wall, window or door and which sign is mounted at a distance measured perpendicular to said wall not greater than twelve (12) inches.

SINGLE AND SEPARATE OWNERSHIP: The ownership of property by any person, partnership, or corporation, which
ownership is separate and distinct from that of any adjoining property.

**SOLID WASTES:** All refuse including garbage and trash, and all material which is putrescible and originating from the preparation, cooking and consumption of food and market produce.

**SPECIAL EXCEPTION:** Permission, approval or authorization granted by the Zoning Hearing Board in accordance with Article XIV, Section 1407.I, herein, only in situations where provisions therefore are specifically made by the terms of this Ordinance.

**SPECIAL PERMIT:** A special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.

**STORY:** That portion of a building comprised between the surface of any floor and the surface of any floor or roof next above.

**STREET:** Includes street, avenue, boulevard, road, highway, freeway, land, alley, viaduct, and any other way used or intended to be used by vehicular traffic or pedestrians, whether public or private.

**STREET LINE:** The right-of-way, or the dividing line between a lot and the outside boundary of a public street, road, or highway, legally open or officially plotted, or between a lot and a privately owned street, road or way over which the owners or tenants of two (2) or more lots, each held in single and separate ownership, have the right-of-way.

**STRUCTURAL ALTERATION:** Any change in or addition to the supporting or structural members of a building, or other structure, such as the bearing wall, partitions, columns, beams or girders, or any change which could convert an existing building or other structure into a different structure; or adapt it to a different use, or which, in the case of a nonconforming building or other structure, would prolong the life of such building or other structure.
STRUCTURAL UNIT: One (1) or more buildings enclosed by continuous exterior walls and a continuous roof.

STRUCTURE: Any man-made 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 a lot, tract, or parcel of land by any means into two (2) 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 of building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or residential dwellings shall be exempted.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred.

SWIMMING POOL: A structure, above or below ground level, for the purpose of containing water to a depth, at any point, in the excess of two (2) feet and intended primarily for recreation, without regard to material of its construction.

TRAILER CAMP: Any land used or designated to be used as a temporary parking space for more than one (1) house trailer, or dependent mobile home; not a permitted use.

USE: Any purpose for which a building or other structure or tract of land may be designed, arranged, intended, maintained or occupied, or any activity, or occupation carried on, or intended to be carried on, in a building or other structure or a tract of land.

USED CAR LOT: Any land used or occupied for the purpose of buying and selling second-hand motor vehicles and storing said motor vehicles prior to sale, but excluding body and fender repair, painting, and the sale of fuel or lubricants for motor vehicles.
VARIANCE: Permission, approval or authorization granted by the Zoning Hearing Board in accordance with Article XIV, Section 1407.I, herein, constituting a modification of, or deviation from the exact provisions of this Ordinance as applied to a specific piece of property.

WALKWAY, PUBLIC: Any space designed or maintained solely for public pedestrian use, without regard to ownership.

WATERS OF THE COMMONWEALTH: Any and all rivers, streams, creeks, lakes, rivulets, dammed water, ponds, springs, and all other bodies of surface and underground water, or parts thereof, whether natural or artificial, within or in the boundaries of the Commonwealth of Pennsylvania.

WATER SUPPLY:

A. Individual: A safe and healthful supply of water, to a single user from a private well located on the lot in which the use is located.

B. Community: A system for supplying water from a common source or sources to all dwellings and other buildings within a development. The water supply source may be located on-site and/or off-site and may be publicly or privately owned.

C. Public: A system for supplying water in sufficient quantities to all dwellings and other buildings within a development, which is administered by a municipality, municipal authority or public utility as defined and regulated by the Pennsylvania Public Utility Commission.

WHOLESALING: A commercial activity comprising the sale of commodities in large quantities or in bulk, as to retailers or jobbers, rather than to consumers directly, including the warehousing, loading and unloading, and shipping of such commodities.

WINDMILL: A structure for the purpose of generating energy by utilizing wind-driven blades.
YARD (SETBACK): A prescribed open area around the inner periphery of a lot, in which no building or structure shall be created, except for permitted signs and fences; a yard extends parallel to lot lines and street lines, and is measured as a distance perpendicular to lot and street lines.

YARD. FRONT: A yard parallel to a street line for a street from which the lot has access or which abuts the lot, and extending the entire width of the lot. In the case of a corner lot, the yards extending along all streets are front yards and the remaining yards shall include a rear yard, opposite the street to which the principal building is generally faced, and a side yard opposite the other street. In the case of an interior lot, the front yard shall extend along the front lot line the entire width of the lot and shall not include any portion of the right-of-way or accessway connecting the lot with the street.

YARD. REAR: A yard extending the full width of the lot along the rear lot line.

ZONING HEARING BOARD: The Zoning Hearing Board of West Easton Borough.

ZONING OFFICER: The administrative officer charged with the duty of enforcing the provisions of this Ordinance.

ZONING PERMIT: A permit issued indicating that a proposed use, building or structure is in accordance with the provisions of this Ordinance, which authorizes an applicant to proceed with said use, building or structure.
ARTICLE III

ESTABLISHMENT OF DISTRICTS

SECTION 301.  ESTABLISHMENT OF DISTRICTS

A. The Borough is divided into districts, each with a specified purpose and intent to implement the purpose of this Ordinance.

B. Every parcel of land and every building or other structure in the Borough, except as otherwise provided by law or by the Ordinance, shall be subject to the provisions specified for the district in which it is located.

C. A building may be erected or used, and a lot may be used or occupied only for the uses permitted by right, accessory uses, conditional uses which adhere to the explicit standards and criteria, and the uses permitted by special exception, when approved, in the zoning district in which the building or lot is located. No other use shall be permitted unless the Borough Council approves an amendment to this Ordinance either permitting another use in the Zoning District or rezoning the lot to permit another use.

SECTION 302.  CLASSES OF DISTRICTS

For the purpose of this Ordinance, the Borough of West Easton is hereby divided into the following classes of Districts:

A  Residence Use District
B  Residence Use District
RS Residential Service District
I  Industrial Districts
   LI Light Industrial
   HI Heavy Industrial
O  Overlay Districts
   SSC Steep Slope Conservation
   FP Floodplain
SECTION 303.  ZONING MAP

The location and boundaries of such districts, with the exception of the Floodplain and Steep Slope Conservation Districts, shall be as shown on the map attached to and hereby made a part of this Ordinance, which map shall be designated the "Zoning Map of West Easton Borough". The said map, and all the notations, references, and other data shown hereon, shall be as much a part of this Ordinance as if fully described herein.

SECTION 304.  DISTRICT BOUNDARIES

The boundaries between districts are, unless otherwise indicated, either the center lines of streets, lanes, watercourses and rights-of-way of power lines, pipelines, and other public utilities. Where boundaries of a single district are indicated as including directly opposite sides of a street, lane, lake or watercourse, or right-of-way of a power line, pipe line, or other public utility, for any portion of its length, the district so indicated shall be construed to apply to the entire bed of such feature named lying within such portion of its length. Where uncertainty exists as to the location of any such boundary as shown on the Zoning Map, the following rules shall apply:

A. Where a district boundary is indicated as approximately following a lot line or other property line, or as approximately following the center line of a street, lane, lake, watercourse or right-of-way of a utility line, such center line shall be construed as such boundary line.

B. Where a district boundary divides a lot or runs through undivided property, the location of such boundary, unless otherwise specified by figures on the Zoning Map, shall be determined by the use of the scale appearing on said map.

C. Where figures are shown on the Zoning Map between a street and a district boundary, they shall indicate that the district boundary runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicated, unless otherwise specified. Where scaled distances do not agree with such figures, the figures shall control.

October 20, 1992

30

Article III
SECTION 305.  BOUNDARY TOLERANCES

Where a lot is divided by a district boundary line, other than a boundary line of the Floodplain or Steep Slope Conservation District, the uses permitted in the less restrictive district may extend into that portion of said lot in the more restrictive district to the nearest lot line, but in no case a greater distance than fifty (50) feet, so long as full use is made of the less restricted area before extension into the more restricted area of the said lot, and provided, however, that the area and bulk regulations of the less restrictive district shall not be so extended and further provided that in no case shall the uses permitted in an abutting district be extended for any distance into a Floodplain or Steep Slope Conservation District.
ARTICLE IV

"A" RESIDENCE USE DISTRICT

SECTION 401. PURPOSE

In addition to the general goals listed in the Statements of Purpose, it is the purpose of this District to:

A. Maintain and promote the character of residential neighborhoods in the "A" Residence District;

B. Encourage the infill of vacant parcels of the same type and at the same density of adjacent existing development;

SECTION 402. USE REGULATIONS

A. Uses By-Right.

A building or other structure may be erected, altered, or used, and a lot may be used or occupied for any of the following purposes, and no other:


2. Church or other place of worship and affiliated schools.

3. School or Administration Buildings of the public school systems or officially accredited private schools.

4. Library or museum.

5. Park, playground, athletic field, or swimming pool not operated for profit.

6. Public service facilities, including but not limited to, electric or gas utility substation, telephone exchange, or other communication structures, PROVIDED that no exterior storage or equipment, housing of repair crews, or above ground storage of liquid or gaseous fuel shall be permitted.
7. Accessory uses incidental to any of the principal uses listed above and not involving conduct of business in accordance with Section 1002.

B. Special Exception Uses.

A building or other structure may be erected, altered, or used for any one of the following uses when authorized as a special exception by the Zoning Hearing Board, subject to Article XIV of this Ordinance.

1. Residential conversions of a single-family detached dwelling, subject to the provisions of Section 1007.

2. Home occupations, subject to provisions of Section 1006.

3. Day care center, subject to provisions of Section 1005.

SECTION 403. AREA AND BULK REQUIREMENTS

A. Lot Area.

A lot area of not less than forty-five hundred (4,500) square feet shall be provided for every use permitted by right in this district, PROVIDED, each use on a lot shall have both public water and sanitary sewer service.

B. Lot Width.

Lots shall have a minimum width of forty (40) feet throughout the entire length of the lot.

C. Building Coverage.

No more than twenty-five (25) percent of the area of each lot shall be occupied by buildings.

D. Lot Coverage.

No more than thirty (30) percent of the area of each lot shall be occupied by buildings, paving and other impervious cover.
E. Setbacks.

1. Front yard.

   On each lot there shall be a front yard of not less than twenty-five (25) feet.

2. Rear yard.

   On each lot there shall be a rear yard of not less than twenty-five (25) feet. Rear yards shall be unoccupied except for accessory structures which are limited to twenty-five (25) percent of the rear yard area.

3. Side yard.

   On each lot there shall be two (2) or more side yards, each having a width of eight (8) feet, PROVIDED that on a corner lot, the yards abutting the street shall have a depth of twenty-five (25) feet.

F. Height Requirements.

   No buildings or structures shall exceed thirty-five (35) feet in height.

SECTION 404. DESIGN STANDARDS

A. All uses within the "A" Residence District.

1. Off-street parking, as required by Section 1112.

2. Utilities, as required by Section 1109.

3. Outdoor storage, as required by Section 1110.

4. Accessory uses and structures, as required by Section 1002.

5. Environmental Performance Standards, as required by Section 1116.
B. Additional Standards for Special Exceptions.

1. Loading and unloading, as required by Section 1113.
2. Buffering and screening, as required by Section 1106.
3. Lighting, as required by Section 1108.

SECTION 405. ADDITIONAL REGULATIONS

For other provisions applicable to this Article, see Article X, Supplemental Use Regulations; Article XI, General Regulations; and Article IX, Signs.
ARTICLE V

"B" RESIDENCE USE DISTRICT

SECTION 501. PURPOSE

In addition to the general goals listed in the Statements of Purpose, it is the purpose of this District to:

A. Provide for higher residential densities and a variety of housing types which are compatible with existing residential development;

B. Maintain and promote the character of residential neighborhoods in the "B" Residence District.

SECTION 502. USE REGULATIONS

A. Uses By-Right.

A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes, and no other:

1. Any use permitted by-right in the "A" Residence Use District.

2. Two-family dwellings.

3. Multiple-family dwellings for not more than eight (8) families.

4. Accessory use incidental to any of the principal uses listed above and not involving conduct of business in accordance with Section 1002.

B. Special Exception Uses.

A building or other structure may be erected, altered or used for any one of the following uses when authorized as a special exception by the Zoning Hearing Board, subject to Article XIV of this Ordinance.
1. Residential conversion of a single family detached dwelling, subject to the provisions of Section 1007.

2. Home occupations, subject to the provisions of Section 1006.

3. Adaptive reuse of existing building for professional office use, subject to the provisions of Section 1008.

4. Day care center, subject to the provisions of Section 1005.

SECTION 503. AREA AND BULK REGULATIONS

A. Lot Area.


A lot area of not less than forty-five hundred (4500) square feet shall be provided for every single family detached dwelling in this District.


A lot area of not less than two-thousand (2000) square feet per dwelling shall be provided for every single family semi-detached and two-family detached dwelling in this District.

3. Multiple-family dwelling.

A lot area of not less than fifteen hundred (1500) square feet per dwelling shall be provided for every unit within a multiple family dwelling. A multiple-family unit shall be composed of a maximum of eight (8) dwelling units.

B. Lot Width.

1. Single family detached.

Lots shall have a minimum width of forty (40) feet throughout the entire length of the lot.

2. Single family semi-detached and two-family detached dwelling.
Lots shall have a minimum width of twenty (20) feet throughout the entire length of the lot.

3. Multiple family dwelling.

Lots shall have a minimum width of ten (10) feet for each unit in the multiple family dwelling throughout the entire length of the lot.

C. Building Coverage.

1. Single family detached.

No more than thirty (30) percent of the area of each lot shall be occupied by buildings.

2. Two family and multiple family.

No more than forty (40) percent of the area of each lot shall be occupied by buildings.

D. Lot Coverage.

1. Single family detached.

No more than thirty-five (35) percent of the area of each lot shall be occupied by buildings, paving, and other impervious cover.

2. Two family and multiple family.

No more than forty-five (45) percent of the area of each lot shall be occupied by buildings, paving, and other impervious cover.

E. Setbacks.

1. Front yard.

On each lot there shall be a front yard of not less than twenty (20) feet.
2. Rear yard.

On each lot there shall be a rear yard of not less than twenty (20) feet.

3. Side yard.

On each lot there shall be two (2) or more side yards, each having a width of eight (8) feet, provided that on a corner lot, the yards abutting the street shall have a depth of twenty (20) feet.

SECTION 504. DESIGN STANDARDS

A. All uses permitted in the "B" District.

1. Off-street parking as required by Section 1112.

2. Utilities, as required by Section 1109.

3. Outdoor storage, as required by Section 1110.

4. Accessory uses and structures, as required by Section 1002.

5. Environmental Performance Standards, as required by Section 1116.

B. Additional Standards for Special Exceptions and Conditional Uses.

1. Loading and unloading, as required by Section 1113.

2. Buffering and screening, as required by Section 1106.

3. Lighting, as required by Section 1108.

SECTION 505. ADDITIONAL REGULATIONS.

For other provisions applicable to this District, see Article X, supplemental Use Regulations; Article XI, General Regulations; and Article IX, Signs.
ARTICLE VI

"RS" RESIDENTIAL SERVICE DISTRICT

SECTION 601. PURPOSE

In addition to the general goals listed in the Statements of Purpose, it is the purpose of this District to:

A. Provide for a range of service oriented establishments designed to serve local need, realizing that commercially oriented retail needs of the residents are adequately met outside of the Borough.

B. Ensure that the type, size and scale of service establishments are compatible with the existing Residential Service District.

SECTION 602. USE REGULATIONS

A. Uses by-Right

A building or other structure may be erected, altered or used and a lot may be used or occupied for any one of the following purposes, and no other:

1. Any use permitted by-right in the "B" Residence District.

2. Municipal or public use.

3. Emergency service.

4. Professional or administrative offices.

5. Banking or other financial institution.

6. Retail services, including:
   a. Barber/Beauty shops;
   b. Real Estate and Insurance offices;
   c. Tailor Shop;
   d. Photographic studio;
e. Shoe repair; and

B. Special Exception Uses

1. Funeral home subject to the provisions of Section 1012.
2. Clubhouse subject to the provisions of Section 1015
3. Group homes subject to the provisions of Section 1009.

SECTION 603. AREA AND BULK REQUIREMENTS

A. Lot Area.


A lot area of not less than four thousand (4,000) square feet shall be provided for every single-family detached dwelling in this District.


A lot area of not less than two-thousand (2,000) square feet per dwelling shall be provided for every single-family semi-detached and two-family detached dwelling in this District.

3. Multiple-family dwelling.

A lot area of not less than fifteen hundred (1,500) square feet per dwelling shall be provided for every unit within a multiple family dwelling. A multiple-family unit shall be composed of a maximum of eight (8) dwelling units.

4. Non-residential uses.

A lot area of not less than four thousand (4,000) square feet shall be provided for every non-residential use in this District.

B. Lot Width.

Lots shall have a minimum width of forty (40) feet throughout the entire length of the lot.

2. Single family semi-detached and two-family detached dwelling.

Lots shall have a minimum width of twenty (20) feet throughout the entire length of the lot.

3. Multiple family dwelling.

Lots shall have a minimum width of ten (10) feet for each unit in the multiple family dwelling throughout the entire length of the lot.

4. Non-residential

Lots shall have a minimum width of forth (40) feet throughout the entire length of the lot.

C. Building Coverage.

1. Single family detached.

No more than thirty (30) percent of the area of each lot shall be occupied by buildings.

2. Single-family semi-detached and two family and multiple family.

No more than forty (40) percent of the area of each lot shall be occupied by buildings.

3. Non-residential.

No more than fifty (50) percent of the area of each lot shall be occupied by buildings.

D. Lot Coverage.

1. Single family detached.
No more than thirty-five (35) percent of the area of each lot shall be occupied by buildings, paving, and other impervious cover.

2. Single-family semi-detached family and multiple family.

No more than forty-five (45) percent of the area of each lot shall be occupied by buildings, paving, and other impervious cover.

3. Non-residential

No more than seventy (70) percent of the area of each lot shall be occupied by buildings, paving, and other impervious cover.

E. Setbacks.

1. Front Yard.

On each lot there shall be a front yard of not less than twenty (20) feet.

2. Rear Yard.

On each lot there shall be a front yard of not less than twenty (20) feet.


On each lot there shall be two (2) or more side yards, each having a width of eight (8) feet, provided that on a corner lot, the yards abutting the street shall have a depth of twenty (20) feet.

SECTION 604. DESIGN STANDARDS

A. All uses permitted in the "RS" District.

1. Off-street parking as required by Section 1112.

2. Utilities, as required by Section 1109.
3. Outdoor storage, as required by Section 1110.

4. Accessory uses and structures, as required by Section 1002.

5. Environmental Performance Standards, as required by Section 1116.

B. Additional Standards for Special Exceptions and Conditional Uses.

1. Loading and unloading, as required by Section 1113.

2. Buffering and screening, as required by Section 1106.

3. Lighting, as required by Section 1108.

SECTION 605. ADDITIONAL REGULATIONS

For other provisions applicable to this District, see Article X, supplemental Use Regulations; Article XI, General Regulations; and Article IX, Signs.
ARTICLE VII

INDUSTRIAL USE DISTRICTS

SECTION 701. LI - LIGHT INDUSTRIAL DISTRICT

A. Purpose.

In addition to the general goals listed in the Statements of Purpose, it is the purpose of this District to:

1. Provide for industrial development which is compatible with the character of the Borough and will be free from excessive noise and emissions.

2. Establish standards which provide for the separation and buffering between industrial and non-industrial land uses on districts to reduce potential conflicts.

3. Encourage the establishment of industrial uses which will offer additional employment opportunities and an increased tax base for the Borough.

4. Locate industrial uses within close proximity to major roads in order to provide safe and efficient access and to minimize through traffic on residential streets by industrial related traffic.

B. Use Regulations.

1. Uses By-Right.

A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes, and no other:

a. Assembly of office equipment and electrical appliances and supplies; and similar processes not to include the manufacturing of iron, steel, other metals or alloys, or metal processing.
b. Manufacturing of light industrial products from already prepared materials (such as cloth, leather, plastic, paper, glass); manufacturing of professional, scientific, or electrical improvements; jewelry; watches and similar products.

c. Research, engineering, or testing laboratories.

d. Public utility operating facilities.

e. Printing or publishing establishments.

f. Office building.

g. Wholesale warehouse, and distribution.

2. Special Exception Uses.

A building or other structure may be erected, altered or used for any one of the following uses when authorized as a special exception by the Zoning Hearing Board, subject to Article XIV of this Ordinance.

a. Motor vehicle body or fender repair, including painting or major overhauling subject to the provisions of Section 1013.

b. Automobile Service Station subject to the provisions of Section 1016.

c. Uses similar to those permitted by special exception so long as they do not substantially resemble the following: slaughterhouse, industrial waste treatment by dumping or incineration, leather processing, cement manufacture, processing of dangerous or obnoxious chemicals, explosives, fertilizers, glue, paint, iron and steel, petroleum products, or the storage of flammable fuels above ground.
3. Accessory Uses.

Accessory uses must be clearly incidental to the principal use and located on the same lot as the principal uses listed in Section 701.B.1. All accessory uses shall be in accordance with Section 1002.

C. Area And Bulk Regulations.

1. Lot Area.

Every lot shall have an area of not less than thirty thousand (30,000) square feet.

2. Lot Width.

Lots shall have a minimum width of one hundred (100) feet throughout the entire length of the lot.


No more than sixty (60) percent of the area of each lot shall be occupied by buildings.

4. Lot Coverage.

No more than eighty (80) percent of the area of each lot shall be occupied by building, paving or other impervious cover.

4. Setbacks.

a. Front Yard.

On each lot there shall be a front yard of not less than fifty (50) feet.

b. Rear Yard.

On each lot there shall be a rear yard of not less than fifty (50) feet.
c. Side Yard.

On each lot there shall be two (2) or more side yards, each having a width of twenty-five (25) feet except where the industrial use abuts residential use or district then the side yard shall be increased to fifty (50) feet.

d. Height Regulations.

No building or structure shall exceed thirty-five (35) feet in height.

D. Design Standards.

1. All uses permitted in the "LI" District.

a. Off-street parking as required by Section 1112.

b. Utilities, as required by Section 1109.

c. Outdoor storage, as required by Section 1110.

d. Accessory uses and structures, as required by Section 1002.

e. Environmental Performance Standards, as required by Section 1116.

f. Loading and unloading, as required by Section 1113.

g. Buffering and screening, as required by Section 1106.

h. Lighting, as required by Section 1108.

E. Additional Regulations.

For other provisions applicable to this District, see Article X, supplemental Use Regulations; Article XI, General Regulations; and Article IX, Signs.
SECTION 702.  HI - HEAVY INDUSTRIAL DISTRICT

A.  Purpose.

In addition to the general goals listed in the Statements of Purpose, it is the purpose of this District to:

1.  Provide for industrial development which is compatible with the character of the Borough and will be free from excessive noise and emissions and also provides for more intense industrial uses in areas of the Borough removed from residential uses.

2.  Establish standards which provide for the separation and buffering between industrial and non-industrial land uses on districts to reduce potential conflicts.

3.  Encourage the establishment of industrial uses which will offer additional employment opportunities and an increased tax base for the Borough.

4.  Locate industrial uses within close proximity to major roads in order to provide safe and efficient access and to minimize through traffic on residential streets by industrial related traffic.

B.  Use Regulations.

1.  Uses By-Right.

A building or other structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes, and no other:

a.  All uses permitted by right in the LI - Light Industrial District.

b.  Wholesale, warehousing, distributing, and trucking.

c.  Fabrication and finishing of products from previously prepared aluminum, magnesium, copper, and other non-ferrous metals, wood, glass, cork, sheet rubber, and paper.
2. Special Exception Uses.

A building or other structure may be erected, altered or used for any one of the following uses when authorized as a special exception by the Zoning Hearing Board, subject to Article XIV of this Ordinance.

a. Recycling collection center, excluding processing or transfer station subject to the provisions of Section 1014.

b. Motor vehicle body or fender repair, including painting or major overhauling subject to the provisions of Section 1013.

c. Automobile Service Station subject to the provisions of Section 1016.

d. Uses similar to those permitted by special exception so long as they do not substantially resemble the following: slaughterhouse, industrial waste treatment by dumping or incineration, leather processing, cement manufacture, processing of dangerous or obnoxious chemicals, explosives, fertilizers, glue, paint, iron and steel, petroleum products, or the storage of flammable fuels above ground.

3. Accessory Uses.

Accessory uses must be clearly incidental to the principal use and located on the same lot as the principal uses listed in Section 702.B.1. All accessory uses shall be in accordance with Section 1002.

C. Area And Bulk Regulations.

1. Lot Area.

Every lot shall have an area of not less than thirty thousand (30,000) square feet.
2. Lot Width.

Lots shall have a minimum width of one hundred (100) feet throughout the entire length of the lot.


No more than sixty (60) percent of the area of each lot shall be occupied by buildings.

4. Lot Coverage.

No more than eighty (80) percent of the area of each lot shall be occupied by building, paving or other impervious cover.

4. Setbacks.

a. Front Yard.

On each lot there shall be a front yard of not less than fifty (50) feet.

b. Rear Yard.

On each lot there shall be a rear yard of not less than fifty (50) feet.

c. Side Yard.

On each lot there shall be two (2) or more side yards, each having a width of twenty-five (25) feet except where the industrial use abuts residential use or district then the side yard shall be increased to fifty (50) feet.

d. Height Regulations.

No building or structure shall exceed thirty-five (35) feet in height.
D. Design Standards.

1. All uses permitted in the "HI" District.
   a. Off-street parking as required by Section 1112.
   b. Utilities, as required by Section 1109.
   c. Outdoor storage, as required by Section 1110.
   d. Accessory uses and structures, as required by Section 1002.
   e. Environmental Performance Standards, as required by Section 1116.
   f. Loading and unloading, as required by Section 1113.
   g. Buffering and screening, as required by Section 1106.
   h. Lighting, as required by Section 1108.

E. Additional Regulations.

For other provisions applicable to this District, see Article X, supplemental Use Regulations; Article XI, General Regulations; and Article IX, Signs.
ARTICLE VIII
OVERLAY DISTRICTS

SECTION 800. STEEP SLOPE CONSERVATION DISTRICT.

A. Purpose.

The purpose of this Article is as follows:

1. To promote the public health, safety and welfare through the protection of steep slope areas from indiscriminate development;

2. To encourage the retention of open space located and designed so as to constitute a harmonious and appropriate part of the physical development of West Easton Borough;

3. To permit only those uses of steep slope areas which are compatible with the conservation of natural conditions and which maintain stable soil conditions by:

   a. Minimizing disturbances to vegetative ground covers.

   b. Restricting the regard of steep slope areas;

4. To limit soil erosion and the resultant destruction of the land, siltation of streams, and damage to the property of individuals;

5. To protect low-lying areas from flooding by limiting the increase in stormwater runoff caused by grading of slope areas, changes of ground cover, or the erection of structures;

6. To maintain the ecological integrity and habitat value of steeply sloped areas, i.e., indigenous vegetation and wildlife, which could be adversely affected by otherwise permitted disturbances; and
7. To allow the continuing replenishment of ground water resources and the maintenance of springs.

B. General Provisions.

1. Abrogation and Greater Restrictions.

It is not intended by this Article to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this Article imposes greater restrictions, the provisions of this Article shall prevail. All other ordinances inconsistent with this Article are hereby repealed to the extent of the inconsistency only. To the extent consistent with this Article, land within the Steep Slope Conservation District shall also be deemed to be in and subject to the District Classifications shown on the Zoning Map and applicable regulations thereon.

2. Warning and Disclaimed of Liability.

The granting of a zoning permit or approval of a subdivision or land development plan within or near the Steep Slope Conservation District shall not constitute a representation, guarantee, or warranty of any kind by the Borough of West Easton or by any official or employee. The practicability or safety of the proposed use shall create no liability upon West Easton Borough, its officials or employees. This Ordinance does not imply that areas outside the Steep Slope Conservation District boundaries or land uses permitted within said District will always be totally free from adverse effects of erosion.

C. Identification of Steep Slope Conservation Areas.

1. Definition of Steep Slope Conservation District:

The Steep Slope Conservation District consists of two (2) areas which are delineated and defined as follows:

a. Precautionary Slope District

Methodology for computing precautionary slope is as follows:

October 20, 1992 54 Article VIII
i. The maximum elevation difference over which slope may be determined is twenty (20) feet.

ii. Precautionary slopes are those of fifteen to twenty-five percent (15% to 25%) slope measured over three (3) or more two (2) feet contour lines established by field survey.

iii. Areas of land with fifteen (15) percent to twenty-five (25) percent slope consisting of less than three (3) contour intervals and less than one thousand (1000) square feet in extent may be excluded provided that they do not adjoin or abut larger areas of steeply sloping ground as defined herein.

iv. Small areas of less than fifteen (15) percent slope occurring in the midst of larger areas of steeply sloping ground shall be averaged with the adjoining steeply sloping ground.

v. Areas of steeply sloping ground shall be carefully measured and enumerated on the plan with respect to their occurrence in each of the individual lots proposed.

b. **Prohibitive Slope**

Methodology for computing prohibitive slope is as follows:

i. The maximum elevation difference over which slope may be determined is twenty (20) feet.

ii. Prohibitive slopes are those of greater than twenty-five percent (25%) slope measured over three (3) or more two (2) feet contour lines established from field survey.
iii. Areas of land over twenty-five (25) percent slope consisting of less than three (3) contour intervals and less than one thousand square feet in extent may be excluded provided that they do not adjoin or abut larger areas of steeply sloping ground as defined herein.

iv. Areas of steeply sloping ground shall be carefully measured and enumerated on the plan with respect to their occurrences in each of the individual lots proposed.

2. Zoning Map Overlay.

The Steep Slope Conservation District shall not be deemed an independent district, but rather shall be deemed a district overlay. If this Article should be declared inappropriate to any tract by reason of amendment, special exception, variance or other order of the Borough Council, Zoning Hearing Board or court of competent jurisdiction, the base zoning provisions applicable to such tract shall be deemed the governing provisions and shall be enforced independent of this Article.

3. Rules for Interpretation of Steep Slope Conservation District Boundaries.

An initial interpretation of whether a particular parcel or parcels are included in a Steep Slope Conservation District shall be made by the Zoning Officer. Appeals shall be made to the Zoning Hearing Board.

D. Use Regulations.

1. Permitted Uses.

The following uses shall be permitted in Steep Slope Conservation Districts so long as such use is in compliance with the base zoning district and all other provisions.
a. **Precautionary Slope Districts (15%-25% slope)**

i. Wildlife sanctuary, woodland preserve, arboretum, recreation areas including open space associated with cluster development.

ii. Tree farming, forestry, and other agricultural uses when conducted in conformity with conservation practices, including minimum tillage methods, approved by the Soil Conservation Service or the Chester County Conservation District.

iii. Residential development, contingent upon approval of the Borough Council as advised by the Borough Engineer in conformance with the base zoning district regulations and a maximum impervious surface of 6%.

iv. Yard area of residences within a Steep Slope Conservation District, so long as the structure is not within twenty-five (25) feet of the Steep Slope Conservation District.

v. Driveways not permitted to exceed a fifteen (15) percent grade nor resulting in cut and fills that exceed a three to one ratio.

b. **Prohibitive Slope Districts (over 25 Percent Slope)**

i. Wildlife sanctuary, woodland preserve, arboretum, recreation areas including open space associated with cluster development.

ii. Yard areas of residence within a Steep Slope Conservation District, so long as the structure is not within fifty (50) feet of the Prohibitive Slope District.

iii. Driveways not permitted to exceed a fifteen (15) percent grade nor resulting in cut and fills that exceed a three to one ratio.
c. Standards Applicable to All Uses Within the Steep Slope Conservation District

i. All grading shall be minimized, and no grading shall be undertaken within any area of the Steep Slope Conservation District except in conjunction with a use permitted under the terms of this Article.

ii. Finished slopes of all cuts and fills shall not exceed thirty-three (33) percent, unless the applicant can demonstrate that steeper slopes can be stabilized and maintained adequately.

2. Prohibited Uses

The erection of buildings or streets and the installation of septic tanks, sewer beds, or cesspools on land sloping greater than twenty-five (25) percent shall be prohibited.

3. Special exceptions

Any of the following uses shall be permitted as a special exception when authorized by the Zoning Hearing Board subject to requirements of this Article and Article XIV. Consideration for granting of special exceptions shall include the extent to which the requested uses will disrupt the stability of soils and natural vegetation, and contribute to erosion before and after construction.

a. Sealed public water supply wells that have been approved by all regulatory agencies.

b. Sanitary or storm sewers, provided that they have been approved by all regulatory agencies.

c. Access roads and driveways suitable for the passage of emergency vehicles in the event of fire or accident. Such roads shall be constructed only when no viable alternatives for emergency access exists.

October 20, 1992