

## ARTICLE III

### DISTRICT REGULATIONS

#### **Section 301 - Establishment of Districts**

For the purpose of this Ordinance, the territory of Penn Township is hereby divided into the following districts: (2007-05 - 9/26/2007)

##### Base Districts

FC - Forest/Conservation District  
AR - Agriculture/Rural District  
R-1 - Low Density Residential District  
R-2 - High Density Residential District  
C - Commercial District  
I - Industrial District  
MUC - Mixed Use Commerce District

##### Overlay Districts

FP - Flood Plain District  
SS - Steep Slope Conservation District  
NF - Natural Features District

#### **Section 302 - Zoning Map**

The boundaries of said districts shall be shown upon the map attached to and made a part of this Ordinance that shall be designated "Penn Township Zoning Map." The said map and all the notations, references and other data shown thereon are hereby incorporated by reference into this Ordinance as if all were fully described herein. A copy of said map, indicating the latest amendments, shall be kept up to date and displayed for the use and benefit of the public at the Penn Township Municipal Building.

#### **Section 303 - Interpretation of District Boundaries**

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

1. Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines;
2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

3. Boundaries indicated as approximately following municipality limits shall be construed as following municipality limits:
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines and, in the event of change in the shore line, shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, rivers or other bodies of water shall be construed to follow such centerlines;
6. Boundaries indicated as parallel to or extensions of features indicated in sub-sections 1. through 5. above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map;
7. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map or in circumstances not covered by sub-sections 1. through 6. above, the Zoning Hearing Board shall interpret the district boundaries.

#### **Section 304 - Use Adjustment on District Boundaries**

In unsubdivided land where a district boundary line divides a lot held in single and separate ownership, the following rules shall apply:

1. The use in a less restricted district may extend over the portion of the lot in the more restricted district, a distance of not more than fifty (50) feet beyond the district boundary line providing such extension does not extend the frontage of the use along a street in the more restricted district.
2. The frontage of the use in a less restricted district may extend over the portion of the lot in the more restricted district, a distance of not more than fifty (50) feet beyond the district line, providing a variance is granted by the Zoning Hearing Board.
3. Where a district boundary divides a lot, the permitted use of either district may extend not more than 50 feet into the other district.

### **Section 305 - Application of District Regulations**

The regulations set by this Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

1. No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all the regulations herein specified for the district in which it is located.
2. No building or other structure shall hereafter be erected or altered:
  - a. To exceed the height,
  - b. To accommodate or house a greater number of families,
  - c. To occupy a greater percentage of lot area,
  - d. To have narrower or smaller rear yards, front yards, side yards or other open spaces;

herein required, except in conformance with the provisions of this Ordinance.

3. No part of a yard or other open space or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building.
4. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein except in conformance with the provisions of this Ordinance. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

### **Section 306 - Uses Not Provided For**

In any district established by this ordinance, when a specific use is neither permitted nor denied, the Zoning Hearing Board shall make a determination in accordance with Section 1804, Jurisdiction of the Zoning Hearing Board as to the similarity or compatibility of the use in question to the permitted uses in the district. No zoning permit shall be issued by the Zoning Officer for any unspecified use until this determination has been made.

**Section 307 - Performance Standards**

No land or building in any District in the Township shall be used or occupied in such a manner so as to create any dangerous or objectionable elements in such amount as to adversely affect the surrounding area or premises. All uses of land or building shall initially and continuously comply with all applicable performance standards established by Federal and State agencies.

**Section 308 - Use Schedule**

The uses permitted in the districts established by this Ordinance, and the permitted extent of these uses, are as shown in the USE SCHEDULE (Appendix B). The uses shown as permitted in each district are the only uses permitted in that district and all other uses are subject to Section 306. Unless otherwise noted, the extent-of-use or dimensional standards are the requirements for each use. However,

1. Additional requirements for the Flood Plain, Steep Slope and Natural Features (Overlay) Districts are set forth in Parts Section 1101, 1201 and 1901 respectively; (2007-05 - 9/26/2007)
2. Additional or special extent-of-use requirements for certain uses are set forth in Article XVI.